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115TH CONGRESS
1ST SESSION

H. R. 3267

[Report No. 115-231]

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2017

Mr. CULBERSON, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2018, and for other pur-
6 poses, namely:

1 TITLE I
2 DEPARTMENT OF COMMERCE
3 INTERNATIONAL TRADE ADMINISTRATION
4 OPERATIONS AND ADMINISTRATION
5 For necessary expenses for international trade activi-
6 ties of the Department of Commerce provided for by law,
7 and for engaging in trade promotional activities abroad,
8 including expenses of grants and cooperative agreements
9 for the purpose of promoting exports of United States
10 firms, without regard to sections 3702 and 3703 of title
11 44, United States Code; full medical coverage for depend-
12 ent members of immediate families of employees stationed
13 overseas and employees temporarily posted overseas; travel
14 and transportation of employees of the International
15 Trade Administration between two points abroad, without
16 regard to section 40118 of title 49, United States Code;
17 employment of citizens of the United States and aliens by
18 contract for services; rental of space abroad for periods
19 not exceeding 10 years, and expenses of alteration, repair,
20 or improvement; purchase or construction of temporary
21 demountable exhibition structures for use abroad; pay-
22 ment of tort claims, in the manner authorized in the first
23 paragraph of section 2672 of title 28, United States Code,
24 when such claims arise in foreign countries; not to exceed
25 \$294,300 for official representation expenses abroad; pur-

1 chase of passenger motor vehicles for official use abroad,
2 not to exceed \$45,000 per vehicle; obtaining insurance on
3 official motor vehicles; and rental of tie lines,
4 \$480,000,000, to remain available until September 30,
5 2019, of which \$13,000,000 is to be derived from fees to
6 be retained and used by the International Trade Adminis-
7 tration, notwithstanding section 3302 of title 31, United
8 States Code: *Provided*, That, of amounts provided under
9 this heading, not less than \$16,400,000 shall be for China
10 antidumping and countervailing duty enforcement and
11 compliance activities: *Provided further*, That the provisions
12 of the first sentence of section 105(f) and all of section
13 108(c) of the Mutual Educational and Cultural Exchange
14 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
15 in carrying out these activities; and that for the purpose
16 of this Act, contributions under the provisions of the Mu-
17 tual Educational and Cultural Exchange Act of 1961 shall
18 include payment for assessments for services provided as
19 part of these activities.

20 BUREAU OF INDUSTRY AND SECURITY

21 OPERATIONS AND ADMINISTRATION

22 For necessary expenses for export administration and
23 national security activities of the Department of Com-
24 merce, including costs associated with the performance of
25 export administration field activities both domestically and

1 abroad; full medical coverage for dependent members of
2 immediate families of employees stationed overseas; em-
3 ployment of citizens of the United States and aliens by
4 contract for services abroad; payment of tort claims, in
5 the manner authorized in the first paragraph of section
6 2672 of title 28, United States Code, when such claims
7 arise in foreign countries; not to exceed \$13,500 for offi-
8 cial representation expenses abroad; awards of compensa-
9 tion to informers under the Export Administration Act of
10 1979, and as authorized by section 1(b) of the Act of June
11 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
12 of passenger motor vehicles for official use and motor vehi-
13 cles for law enforcement use with special requirement vehi-
14 cles eligible for purchase without regard to any price limi-
15 tation otherwise established by law, \$112,500,000, to re-
16 main available until expended: *Provided*, That the provi-
17 sions of the first sentence of section 105(f) and all of sec-
18 tion 108(c) of the Mutual Educational and Cultural Ex-
19 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
20 apply in carrying out these activities: *Provided further*,
21 That payments and contributions collected and accepted
22 for materials or services provided as part of such activities
23 may be retained for use in covering the cost of such activi-
24 ties, and for providing information to the public with re-
25 spect to the export administration and national security

1 activities of the Department of Commerce and other ex-
2 port control programs of the United States and other gov-
3 ernments.

4 ECONOMIC DEVELOPMENT ADMINISTRATION

5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as
7 provided by the Public Works and Economic Development
8 Act of 1965, for trade adjustment assistance, and for
9 grants authorized by section 27 of the Stevenson-Wydler
10 Technology Innovation Act of 1980 (15 U.S.C. 3722),
11 \$140,000,000, to remain available until expended, of
12 which \$17,000,000 shall be for grants under such section
13 27.

14 SALARIES AND EXPENSES

15 For necessary expenses of administering the eco-
16 nomic development assistance programs as provided for by
17 law, \$36,000,000: *Provided*, That these funds may be used
18 to monitor projects approved pursuant to title I of the
19 Public Works Employment Act of 1976, title II of the
20 Trade Act of 1974, section 27 of the Stevenson-Wydler
21 Technology Innovation Act of 1980 (15 U.S.C. 3722), and
22 the Community Emergency Drought Relief Act of 1977.

1 MINORITY BUSINESS DEVELOPMENT AGENCY

2 MINORITY BUSINESS DEVELOPMENT

3 For necessary expenses of the Department of Com-
4 merce in fostering, promoting, and developing minority
5 business enterprise, including expenses of grants, con-
6 tracts, and other agreements with public or private organi-
7 zations, \$34,000,000.

8 BUREAU OF ECONOMIC ANALYSIS

9 SALARIES AND EXPENSES

10 For necessary expenses, as authorized by law, of eco-
11 nomic and statistical analysis programs of the Department
12 of Commerce, \$96,000,000, to remain available until Sep-
13 tember 30, 2019.

14 BUREAU OF THE CENSUS

15 CURRENT SURVEYS AND PROGRAMS

16 For necessary expenses for collecting, compiling, ana-
17 lyzing, preparing and publishing statistics, provided for by
18 law, \$256,000,000: *Provided*, That, from amounts pro-
19 vided herein, funds may be used for promotion, outreach,
20 and marketing activities: *Provided further*, That the Bu-
21 reau of the Census shall collect and analyze data for the
22 Annual Social and Economic Supplement to the Current
23 Population Survey using the same health insurance ques-
24 tions included in previous years, in addition to the revised

1 questions implemented in the Current Population Survey
2 beginning in February 2014.

3 PERIODIC CENSUSES AND PROGRAMS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for collecting, compiling, ana-
6 lyzing, preparing and publishing statistics for periodic cen-
7 suses and programs provided for by law, \$1,251,000,000,
8 to remain available until September 30, 2019: *Provided*,
9 That, from amounts provided herein, funds may be used
10 for promotion, outreach, and marketing activities: *Pro-*
11 *vided further*, That within the amounts appropriated,
12 \$2,580,000 shall be transferred to the “Office of Inspector
13 General” account for activities associated with carrying
14 out investigations and audits related to the Bureau of the
15 Census: *Provided further*, That not more than 50 percent
16 of the amounts made available under this heading for in-
17 formation technology related to 2020 census delivery, in-
18 cluding the Census Enterprise Data Collection and Proc-
19 essing (CEDCaP) program, may be obligated until the
20 Secretary submits to the Committees on Appropriations
21 of the House of Representatives and the Senate a plan
22 for expenditure that: (1) identifies for each CEDCaP
23 project/investment over \$25,000: (A) the functional and
24 performance capabilities to be delivered and the mission
25 benefits to be realized; (B) the estimated lifecycle cost, in-

1 cluding estimates for development as well as maintenance
2 and operations; and (C) key milestones to be met; (2) de-
3 tails for each project/investment: (A) reasons for any cost
4 and schedule variances; and (B) top risks and mitigation
5 strategies; and (3) has been submitted to the Government
6 Accountability Office.

7 NATIONAL TELECOMMUNICATIONS AND INFORMATION
8 ADMINISTRATION
9 SALARIES AND EXPENSES

10 For necessary expenses, as provided for by law, of
11 the National Telecommunications and Information Ad-
12 ministration (NTIA), \$30,000,000: *Provided*, That, not-
13 withstanding 31 U.S.C. 1535(d), the Secretary of Com-
14 merce shall charge Federal agencies for costs incurred in
15 spectrum management, analysis, operations, and related
16 services, and such fees shall be retained and used as off-
17 setting collections for costs of such spectrum services, to
18 remain available until expended: *Provided further*, That
19 the Secretary of Commerce is authorized to retain and use
20 as offsetting collections all funds transferred, or previously
21 transferred, from other Government agencies for all costs
22 incurred in telecommunications research, engineering, and
23 related activities by the Institute for Telecommunication
24 Sciences of NTIA, in furtherance of its assigned functions
25 under this paragraph, and such funds received from other

1 Government agencies shall remain available until ex-
2 pended.

3 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
4 AND CONSTRUCTION

5 For the administration of prior-year grants, recov-
6 eries and unobligated balances of funds previously appro-
7 priated are available for the administration of all open
8 grants until their expiration.

9 UNITED STATES PATENT AND TRADEMARK OFFICE
10 SALARIES AND EXPENSES
11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the United States Patent
13 and Trademark Office (USPTO) provided for by law, in-
14 cluding defense of suits instituted against the Under Sec-
15 retary of Commerce for Intellectual Property and Director
16 of the USPTO, \$3,500,000,000, to remain available until
17 expended: *Provided*, That the sum herein appropriated
18 from the general fund shall be reduced as offsetting collec-
19 tions of fees and surcharges assessed and collected by the
20 USPTO under any law are received during fiscal year
21 2018, so as to result in a fiscal year 2018 appropriation
22 from the general fund estimated at \$0: *Provided further*,
23 That during fiscal year 2018, should the total amount of
24 such offsetting collections be less than \$3,500,000,000
25 this amount shall be reduced accordingly: *Provided fur-*

1 *ther*, That any amount received in excess of
2 \$3,500,000,000 in fiscal year 2018 and deposited in the
3 Patent and Trademark Fee Reserve Fund shall remain
4 available until expended: *Provided further*, That the Direc-
5 tor of USPTO shall submit a spending plan to the Com-
6 mittees on Appropriations of the House of Representatives
7 and the Senate for any amounts made available by the
8 preceding proviso and such spending plan shall be treated
9 as a reprogramming under section 505 of this Act and
10 shall not be available for obligation or expenditure except
11 in compliance with the procedures set forth in that section:
12 *Provided further*, That any amounts reprogrammed in ac-
13 cordance with the preceding proviso shall be transferred
14 to the United States Patent and Trademark Office “Sala-
15 ries and Expenses” account: *Provided further*, That from
16 amounts provided herein, not to exceed \$900 shall be
17 made available in fiscal year 2018 for official reception
18 and representation expenses: *Provided further*, That in fis-
19 cal year 2018 from the amounts made available for “Sala-
20 ries and Expenses” for the USPTO, the amounts nec-
21 essary to pay (1) the difference between the percentage
22 of basic pay contributed by the USPTO and employees
23 under section 8334(a) of title 5, United States Code, and
24 the normal cost percentage (as defined by section
25 8331(17) of that title) as provided by the Office of Per-

1 sonnel Management (OPM) for USPTO’s specific use, of
2 basic pay, of employees subject to subchapter III of chap-
3 ter 83 of that title, and (2) the present value of the other-
4 wise unfunded accruing costs, as determined by OPM for
5 USPTO’s specific use of post-retirement life insurance
6 and post-retirement health benefits coverage for all
7 USPTO employees who are enrolled in Federal Employees
8 Health Benefits (FEHB) and Federal Employees Group
9 Life Insurance (FEGLI), shall be transferred to the Civil
10 Service Retirement and Disability Fund, the FEGLI
11 Fund, and the FEHB Fund, as appropriate, and shall be
12 available for the authorized purposes of those accounts:
13 *Provided further*, That any differences between the present
14 value factors published in OPM’s yearly 300 series benefit
15 letters and the factors that OPM provides for USPTO’s
16 specific use shall be recognized as an imputed cost on
17 USPTO’s financial statements, where applicable: *Provided*
18 *further*, That, notwithstanding any other provision of law,
19 all fees and surcharges assessed and collected by USPTO
20 are available for USPTO only pursuant to section 42(c)
21 of title 35, United States Code, as amended by section
22 22 of the Leahy-Smith America Invents Act (Public Law
23 112–29): *Provided further*, That within the amounts ap-
24 propriated, \$2,000,000 shall be transferred to the “Office
25 of Inspector General” account for activities associated

1 with carrying out investigations and audits related to the
2 USPTO.

3 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
4 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the National Institute of
7 Standards and Technology (NIST), \$660,000,000, to re-
8 main available until expended, of which not to exceed
9 \$9,000,000 may be transferred to the “Working Capital
10 Fund”: *Provided*, That not to exceed \$5,000 shall be for
11 official reception and representation expenses: *Provided*
12 *further*, That NIST may provide local transportation for
13 summer undergraduate research fellowship program par-
14 ticipants.

15 INDUSTRIAL TECHNOLOGY SERVICES

16 For necessary expenses for industrial technology
17 services, \$105,000,000, to remain available until ex-
18 pended, of which \$100,000,000 shall be for the Hollings
19 Manufacturing Extension Partnership, and of which
20 \$5,000,000 shall be for the National Network for Manu-
21 facturing Innovation.

22 CONSTRUCTION OF RESEARCH FACILITIES

23 For construction of new research facilities, including
24 architectural and engineering design, and for renovation
25 and maintenance of existing facilities, not otherwise pro-

1 vided for the National Institute of Standards and Tech-
2 nology, as authorized by sections 13 through 15 of the
3 National Institute of Standards and Technology Act (15
4 U.S.C. 278c–278e), \$100,000,000, to remain available
5 until expended: *Provided*, That the Secretary of Commerce
6 shall include in the budget justification materials that the
7 Secretary submits to Congress in support of the Depart-
8 ment of Commerce budget (as submitted with the budget
9 of the President under section 1105(a) of title 31, United
10 States Code) an estimate for each National Institute of
11 Standards and Technology construction project having a
12 total multi-year program cost of more than \$5,000,000,
13 and simultaneously the budget justification materials shall
14 include an estimate of the budgetary requirements for
15 each such project for each of the 5 subsequent fiscal years.

16 NATIONAL OCEANIC AND ATMOSPHERIC

17 ADMINISTRATION

18 OPERATIONS, RESEARCH, AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of activities authorized by law
21 for the National Oceanic and Atmospheric Administration,
22 including maintenance, operation, and hire of aircraft and
23 vessels; grants, contracts, or other payments to nonprofit
24 organizations for the purposes of conducting activities
25 pursuant to cooperative agreements; and relocation of fa-

1 cilities, \$3,240,199,000, to remain available until Sep-
2 tember 30, 2019, except that funds provided for coopera-
3 tive enforcement shall remain available until September
4 30, 2020: *Provided*, That fees and donations received by
5 the National Ocean Service for the management of na-
6 tional marine sanctuaries may be retained and used for
7 the salaries and expenses associated with those activities,
8 notwithstanding section 3302 of title 31, United States
9 Code: *Provided further*, That in addition, \$144,000,000
10 shall be derived by transfer from the fund entitled “Pro-
11 mote and Develop Fishery Products and Research Per-
12 taining to American Fisheries”, which shall only be used
13 for fishery activities related to the Saltonstall-Kennedy
14 Grant Program, Cooperative Research, Annual Stock As-
15 sessments, Survey and Monitoring Projects, Interjurisdic-
16 tional Fisheries Grants, and Fish Information Networks:
17 *Provided further*, That of the \$3,411,699,000 provided for
18 in direct obligations under this heading, \$3,240,199,000
19 is appropriated from the general fund, \$144,000,000 is
20 provided by transfer and \$27,500,000 is derived from re-
21 coveries of prior year obligations: *Provided further*, That
22 any deviation from the amounts designated for specific ac-
23 tivities in the report accompanying this Act, or any use
24 of deobligated balances of funds provided under this head-
25 ing in previous years, shall be subject to the procedures

1 set forth in section 505 of this Act: *Provided further*, That
2 in addition, for necessary retired pay expenses under the
3 Retired Serviceman's Family Protection and Survivor
4 Benefits Plan, and for payments for the medical care of
5 retired personnel and their dependents under the Depend-
6 ents' Medical Care Act (10 U.S.C. ch. 55), such sums as
7 may be necessary.

8 PROCUREMENT, ACQUISITION AND CONSTRUCTION
9 (INCLUDING TRANSFER OF FUNDS)

10 For procurement, acquisition and construction of
11 capital assets, including alteration and modification costs,
12 of the National Oceanic and Atmospheric Administration,
13 \$1,643,110,000, to remain available until September 30,
14 2020, except that funds provided for acquisition and con-
15 struction of vessels and construction of facilities shall re-
16 main available until expended: *Provided*, That of the
17 \$1,656,110,000 provided for in direct obligations under
18 this heading, \$1,643,110,000 is appropriated from the
19 general fund and \$13,000,000 is provided from recoveries
20 of prior year obligations: *Provided further*, That any devi-
21 ation from the amounts designated for specific activities
22 in the report accompanying this Act, or any use of
23 deobligated balances of funds provided under this heading
24 in previous years, shall be subject to the procedures set
25 forth in section 505 of this Act: *Provided further*, That

1 the Secretary of Commerce shall include in budget jus-
2 tification materials that the Secretary submits to Congress
3 in support of the Department of Commerce budget (as
4 submitted with the budget of the President under section
5 1105(a) of title 31, United States Code) an estimate for
6 each National Oceanic and Atmospheric Administration
7 procurement, acquisition or construction project having a
8 total of more than \$5,000,000 and simultaneously the
9 budget justification shall include an estimate of the budg-
10 etary requirements for each such project for each of the
11 5 subsequent fiscal years: *Provided further*, That, within
12 the amounts appropriated, \$1,302,000 shall be transferred
13 to the “Office of Inspector General” account for activities
14 associated with carrying out investigations and audits re-
15 lated to satellite procurement, acquisition and construc-
16 tion.

17 PACIFIC COASTAL SALMON RECOVERY

18 For necessary expenses associated with the restora-
19 tion of Pacific salmon populations, \$65,000,000, to re-
20 main available until September 30, 2019: *Provided*, That,
21 of the funds provided herein, the Secretary of Commerce
22 may issue grants to the States of Washington, Oregon,
23 Idaho, Nevada, California, and Alaska, and to the Feder-
24 ally recognized tribes of the Columbia River and Pacific
25 Coast (including Alaska), for projects necessary for con-

1 servation of salmon and steelhead populations that are
2 listed as threatened or endangered, or that are identified
3 by a State as at-risk to be so listed, for maintaining popu-
4 lations necessary for exercise of tribal treaty fishing rights
5 or native subsistence fishing, or for conservation of Pacific
6 coastal salmon and steelhead habitat, based on guidelines
7 to be developed by the Secretary of Commerce: *Provided*
8 *further*, That all funds shall be allocated based on sci-
9 entific and other merit principles and shall not be available
10 for marketing activities: *Provided further*, That funds dis-
11 bursed to States shall be subject to a matching require-
12 ment of funds or documented in-kind contributions of at
13 least 33 percent of the Federal funds.

14 FISHERMEN’S CONTINGENCY FUND

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

19 FISHERIES DISASTER ASSISTANCE

20 For the necessary expenses associated with the miti-
21 gation of fishery disasters, \$20,000,000 to remain avail-
22 able until expended: *Provided*, That funds shall be used
23 for mitigating the effects of commercial fishery failures
24 and fishery resource disasters as declared by the Secretary
25 of Commerce in 2017.

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 Subject to section 502 of the Congressional Budget
3 Act of 1974, during fiscal year 2018, obligations of direct
4 loans may not exceed \$24,000,000 for Individual Fishing
5 Quota loans and not to exceed \$100,000,000 for tradi-
6 tional direct loans as authorized by the Merchant Marine
7 Act of 1936.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 For necessary expenses for the management of the
11 Department of Commerce provided for by law, including
12 not to exceed \$4,500 for official reception and representa-
13 tion, \$58,000,000.

14 RENOVATION AND MODERNIZATION

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for the renovation and mod-
17 ernization of the Herbert C. Hoover Building, \$1,000,000,
18 to remain available until expended: *Provided*, That the
19 Secretary of Commerce may transfer up to \$8,224,000 to
20 this account from funds available to the Department of
21 Commerce: *Provided further*, That the transfer authority
22 provided in the first proviso is in addition to any other
23 transfer authority contained in this Act: *Provided further*,
24 That any transfer pursuant to the authority provided
25 under this heading shall be treated as a reprogramming

1 under section 505 of this Act and shall not be available
2 for obligation or expenditure except in compliance with the
3 procedures set forth in that section.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978 (5 U.S.C. App.), \$32,744,000.

8 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE
9 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 102. During the current fiscal year, appropria-
21 tions made available to the Department of Commerce by
22 this Act for salaries and expenses shall be available for
23 hire of passenger motor vehicles as authorized by 31
24 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.

1 3109; and uniforms or allowances therefor, as authorized
2 by law (5 U.S.C. 5901–5902).

3 SEC. 103. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the De-
5 partment of Commerce in this Act may be transferred be-
6 tween such appropriations, but no such appropriation shall
7 be increased by more than 10 percent by any such trans-
8 fers: *Provided*, That any transfer pursuant to this section
9 shall be treated as a reprogramming of funds under sec-
10 tion 505 of this Act and shall not be available for obliga-
11 tion or expenditure except in compliance with the proce-
12 dures set forth in that section: *Provided further*, That the
13 Secretary of Commerce shall notify the Committees on Ap-
14 propriations at least 15 days in advance of the acquisition
15 or disposal of any capital asset (including land, structures,
16 and equipment) not specifically provided for in this Act
17 or any other law appropriating funds for the Department
18 of Commerce.

19 SEC. 104. The requirements set forth by section 105
20 of the Commerce, Justice, Science, and Related Agencies
21 Appropriations Act, 2012 (Public Law 112–55), as
22 amended by section 105 of title I of division B of Public
23 Law 113–6, are hereby adopted by reference and made
24 applicable with respect to fiscal year 2018: *Provided*, That
25 the life cycle cost for the Joint Polar Satellite System is

1 \$11,322,125,000 and the life cycle cost for the Geo-
2 stationary Operational Environmental Satellite R-Series
3 Program is \$10,828,059,000.

4 SEC. 105. Notwithstanding any other provision of
5 law, the Secretary may furnish services (including but not
6 limited to utilities, telecommunications, and security serv-
7 ices) necessary to support the operation, maintenance, and
8 improvement of space that persons, firms, or organizations
9 are authorized, pursuant to the Public Buildings Coopera-
10 tive Use Act of 1976 or other authority, to use or occupy
11 in the Herbert C. Hoover Building, Washington, DC, or
12 other buildings, the maintenance, operation, and protec-
13 tion of which has been delegated to the Secretary from
14 the Administrator of General Services pursuant to the
15 Federal Property and Administrative Services Act of 1949
16 on a reimbursable or non-reimbursable basis. Amounts re-
17 ceived as reimbursement for services provided under this
18 section or the authority under which the use or occupancy
19 of the space is authorized, up to \$200,000, shall be cred-
20 ited to the appropriation or fund which initially bears the
21 costs of such services.

22 SEC. 106. Nothing in this title shall be construed to
23 prevent a grant recipient from deterring child pornog-
24 raphy, copyright infringement, or any other unlawful ac-
25 tivity over its networks.

1 SEC. 107. The Administrator of the National Oceanic
2 and Atmospheric Administration is authorized to use, with
3 their consent, with reimbursement and subject to the lim-
4 its of available appropriations, the land, services, equip-
5 ment, personnel, and facilities of any department, agency,
6 or instrumentality of the United States, or of any State,
7 local government, Indian tribal government, Territory, or
8 possession, or of any political subdivision thereof, or of
9 any foreign government or international organization, for
10 purposes related to carrying out the responsibilities of any
11 statute administered by the National Oceanic and Atmos-
12 pheric Administration.

13 SEC. 108. The National Technical Information Serv-
14 ice shall not charge any customer for a copy of any report
15 or document generated by the Legislative Branch unless
16 the Service has provided information to the customer on
17 how an electronic copy of such report or document may
18 be accessed and downloaded for free online. Should a cus-
19 tomer still require the Service to provide a printed or dig-
20 ital copy of the report or document, the charge shall be
21 limited to recovering the Service's cost of processing, re-
22 producing, and delivering such report or document.

23 SEC. 109. To carry out the responsibilities of the Na-
24 tional Oceanic and Atmospheric Administration (NOAA),
25 the Administrator of NOAA is authorized to: (1) enter

1 into grants and cooperative agreements with; (2) use on
2 a non-reimbursable basis land, services, equipment, per-
3 sonnel, and facilities provided by; and (3) receive and ex-
4 pend funds made available on a consensual basis from: a
5 Federal agency, State or subdivision thereof, local govern-
6 ment, tribal government, territory, or possession or any
7 subdivisions thereof: *Provided*, That funds received for
8 permitting and related regulatory activities pursuant to
9 this section shall be deposited under the heading “Na-
10 tional Oceanic and Atmospheric Administration—Oper-
11 ations, Research, and Facilities” and shall remain avail-
12 able until September 30, 2020, for such purposes: *Pro-*
13 *vided further*, That all funds within this section and their
14 corresponding uses are subject to section 505 of this Act.

15 This title may be cited as the “Department of Com-
16 merce Appropriations Act, 2018”.

17 TITLE II

18 DEPARTMENT OF JUSTICE

19 GENERAL ADMINISTRATION

20 SALARIES AND EXPENSES

21 For expenses necessary for the administration of the
22 Department of Justice, \$89,000,000, of which not to ex-
23 ceed \$4,000,000 for security and construction of Depart-
24 ment of Justice facilities shall remain available until ex-
25 pended.

1 JUSTICE INFORMATION SHARING TECHNOLOGY
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for information sharing tech-
4 nology, including planning, development, deployment and
5 departmental direction, \$30,941,000, to remain available
6 until expended: *Provided*, That the Attorney General may
7 transfer up to \$35,400,000 to this account, from funds
8 available to the Department of Justice for information
9 technology, to remain available until expended, for enter-
10 prise-wide information technology initiatives: *Provided fur-*
11 *ther*, That the transfer authority in the preceding proviso
12 is in addition to any other transfer authority contained
13 in this Act: *Provided further*, That any transfer pursuant
14 to the first proviso shall be treated as a reprogramming
15 under section 505 of this Act and shall not be available
16 for obligation or expenditure except in compliance with the
17 procedures set forth in that section.

18 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the administration of im-
21 migration-related activities of the Executive Office for Im-
22 migration Review, \$504,500,000, of which \$4,000,000
23 shall be derived by transfer from the Executive Office for
24 Immigration Review fees deposited in the “Immigration
25 Examinations Fee” account: *Provided*, That not to exceed

1 \$35,000,000 of the total amount made available under
2 this heading shall remain available until expended.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, \$95,583,000, including not to exceed \$10,000 to
6 meet unforeseen emergencies of a confidential character.

7 UNITED STATES PAROLE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Parole
10 Commission as authorized, \$13,000,000: *Provided*, That,
11 notwithstanding any other provision of law, upon the expi-
12 ration of a term of office of a Commissioner, the Commis-
13 sioner may continue to act until a successor has been ap-
14 pointed.

15 LEGAL ACTIVITIES

16 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

17 For expenses necessary for the legal activities of the
18 Department of Justice, not otherwise provided for, includ-
19 ing not to exceed \$20,000 for expenses of collecting evi-
20 dence, to be expended under the direction of, and to be
21 accounted for solely under the certificate of, the Attorney
22 General; the administration of pardon and clemency peti-
23 tions; and rent of private or Government-owned space in
24 the District of Columbia, \$897,500,000, of which not to
25 exceed \$20,000,000 for litigation support contracts shall

1 remain available until expended: *Provided*, That of the
2 amount provided for INTERPOL Washington dues pay-
3 ments, not to exceed \$685,000 shall remain available until
4 expended: *Provided further*, That of the total amount ap-
5 propriated, not to exceed \$9,000 shall be available to
6 INTERPOL Washington for official reception and rep-
7 resentation expenses: *Provided further*, That of the
8 amount appropriated, such sums as may be necessary
9 shall be available to the Civil Rights Division for salaries
10 and expenses associated with the election monitoring pro-
11 gram under section 8 of the Voting Rights Act of 1965
12 (52 U.S.C. 10305) and to reimburse the Office of Per-
13 sonnel Management for such salaries and expenses: *Pro-*
14 *vided further*, That of the amounts provided under this
15 heading for the election monitoring program, \$3,390,000
16 shall remain available until expended.

17 In addition, for reimbursement of expenses of the De-
18 partment of Justice associated with processing cases
19 under the National Childhood Vaccine Injury Act of 1986,
20 not to exceed \$10,000,000, to be appropriated from the
21 Vaccine Injury Compensation Trust Fund.

22 SALARIES AND EXPENSES, ANTITRUST DIVISION

23 For expenses necessary for the enforcement of anti-
24 trust and kindred laws, \$163,980,000, to remain available
25 until expended: *Provided*, That notwithstanding any other

1 provision of law, fees collected for premerger notification
2 filings under the Hart-Scott-Rodino Antitrust Improve-
3 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
4 of collection (and estimated to be \$126,000,000 in fiscal
5 year 2018), shall be retained and used for necessary ex-
6 penses in this appropriation, and shall remain available
7 until expended: *Provided further*, That the sum herein ap-
8 propriated from the general fund shall be reduced as such
9 offsetting collections are received during fiscal year 2018,
10 so as to result in a final fiscal year 2018 appropriation
11 from the general fund estimated at \$37,980,000.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For necessary expenses of the Offices of the United
14 States Attorneys, including inter-governmental and coop-
15 erative agreements, \$2,057,252,000: *Provided*, That of the
16 total amount appropriated, not to exceed \$7,200 shall be
17 available for official reception and representation ex-
18 penses: *Provided further*, That not to exceed \$25,000,000
19 shall remain available until expended: *Provided further*,
20 That each United States Attorney shall establish or par-
21 ticipate in a task force on human trafficking.

22 UNITED STATES TRUSTEE SYSTEM FUND

23 For necessary expenses of the United States Trustee
24 Program, as authorized, \$225,000,000, to remain avail-
25 able until expended: *Provided*, That, notwithstanding any

1 other provision of law, deposits to the United States
2 Trustee System Fund and amounts herein appropriated
3 shall be available in such amounts as may be necessary
4 to pay refunds due depositors: *Provided further*, That, not-
5 withstanding any other provision of law, fees collected pur-
6 suant to section 589a(b) of title 28, United States Code,
7 shall be retained and used for necessary expenses in this
8 appropriation and shall remain available until expended:
9 *Provided further*, That to the extent that fees collected in
10 fiscal year 2018, net of amounts necessary to pay refunds
11 due depositors, exceed \$225,000,000, those excess
12 amounts shall be available in future fiscal years only to
13 the extent provided in advance in appropriations Acts:
14 *Provided further*, That the sum herein appropriated from
15 the general fund shall be reduced (1) as such fees are re-
16 ceived during fiscal year 2018, net of amounts necessary
17 to pay refunds due depositors, (estimated at
18 \$135,000,000) and (2) to the extent that any remaining
19 general fund appropriations can be derived from amounts
20 deposited in the Fund in previous fiscal years that are not
21 otherwise appropriated, so as to result in a final fiscal year
22 2018 appropriation from the general fund estimated at
23 \$90,000,000.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS

2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including
5 services as authorized by section 3109 of title 5, United
6 States Code, \$2,374,000.

7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of
9 contracts for the procurement and supervision of expert
10 witnesses, for private counsel expenses, including ad-
11 vances, and for expenses of foreign counsel, \$270,000,000,
12 to remain available until expended, of which not to exceed
13 \$16,000,000 is for construction of buildings for protected
14 witness safesites; not to exceed \$3,000,000 is for the pur-
15 chase and maintenance of armored and other vehicles for
16 witness security caravans; and not to exceed \$13,000,000
17 is for the purchase, installation, maintenance, and up-
18 grade of secure telecommunications equipment and a se-
19 cure automated information network to store and retrieve
20 the identities and locations of protected witnesses: *Pro-*
21 *vided*, That amounts made available under this heading
22 may not be transferred pursuant to section 205 of this
23 Act.

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS

2 SERVICE

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Community Relations
5 Service, \$15,000,000: *Provided*, That notwithstanding sec-
6 tion 205 of this Act, upon a determination by the Attorney
7 General that emergent circumstances require additional
8 funding for conflict resolution and violence prevention ac-
9 tivities of the Community Relations Service, the Attorney
10 General may transfer such amounts to the Community Re-
11 lations Service, from available appropriations for the cur-
12 rent fiscal year for the Department of Justice, as may be
13 necessary to respond to such circumstances: *Provided fur-*
14 *ther*, That any transfer pursuant to the preceding proviso
15 shall be treated as a reprogramming under section 505
16 of this Act and shall not be available for obligation or ex-
17 penditure except in compliance with the procedures set
18 forth in that section.

19 ASSETS FORFEITURE FUND

20 For expenses authorized by subparagraphs (B), (F),
21 and (G) of section 524(c)(1) of title 28, United States
22 Code, \$20,514,000, to be derived from the Department
23 of Justice Assets Forfeiture Fund.

1 UNITED STATES MARSHALS SERVICE
2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-
4 shals Service, \$1,255,000,000, of which not to exceed
5 \$6,000 shall be available for official reception and rep-
6 resentation expenses, and not to exceed \$15,000,000 shall
7 remain available until expended.

8 CONSTRUCTION

9 For construction in space controlled, occupied or uti-
10 lized by the United States Marshals Service for prisoner
11 holding and related support, \$10,000,000, to remain avail-
12 able until expended.

13 FEDERAL PRISONER DETENTION
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses related to United States pris-
16 oners in the custody of the United States Marshals Service
17 as authorized by section 4013 of title 18, United States
18 Code, \$1,536,000,000, to remain available until expended:
19 *Provided*, That not to exceed \$20,000,000 shall be consid-
20 ered “funds appropriated for State and local law enforce-
21 ment assistance” pursuant to section 4013(b) of title 18,
22 United States Code: *Provided further*, That the United
23 States Marshals Service shall be responsible for managing
24 the Justice Prisoner and Alien Transportation System:
25 *Provided further*, That any unobligated balances available

1 from funds appropriated under the heading “General Ad-
2 ministration, Detention Trustee” shall be transferred to
3 and merged with the appropriation under this heading.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses necessary to carry out the activities of
8 the National Security Division, \$100,000,000, of which
9 not to exceed \$5,000,000 for information technology sys-
10 tems shall remain available until expended: *Provided*, That
11 notwithstanding section 205 of this Act, upon a deter-
12 mination by the Attorney General that emergent cir-
13 cumstances require additional funding for the activities of
14 the National Security Division, the Attorney General may
15 transfer such amounts to this heading from available ap-
16 propriations for the current fiscal year for the Department
17 of Justice, as may be necessary to respond to such cir-
18 cumstances: *Provided further*, That any transfer pursuant
19 to the preceding proviso shall be treated as a reprogram-
20 ming under section 505 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set forth in that section.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the identification, inves-
4 tigation, and prosecution of individuals associated with the
5 most significant drug trafficking organizations,
6 transnational organized crime, and money laundering or-
7 ganizations not otherwise provided for, to include inter-
8 governmental agreements with State and local law en-
9 forcement agencies engaged in the investigation and pros-
10 ecution of individuals involved in transnational organized
11 crime and drug trafficking, \$526,000,000, of which
12 \$50,000,000 shall remain available until expended: *Pro-*
13 *vided*, That any amounts obligated from appropriations
14 under this heading may be used under authorities avail-
15 able to the organizations reimbursed from this appropria-
16 tion.

17 FEDERAL BUREAU OF INVESTIGATION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Bureau of In-
20 vestigation for detection, investigation, and prosecution of
21 crimes against the United States, \$8,814,747,000, of
22 which not to exceed \$216,900,000 shall remain available
23 until expended: *Provided*, That not to exceed \$184,500
24 shall be available for official reception and representation
25 expenses.

1 CONSTRUCTION

2 For necessary expenses, to include the cost of equip-
3 ment, furniture, and information technology requirements,
4 related to construction or acquisition of buildings, facili-
5 ties and sites by purchase, or as otherwise authorized by
6 law; conversion, modification and extension of federally
7 owned buildings; preliminary planning and design of
8 projects; and operation and maintenance of secure work
9 environment facilities and secure networking capabilities;
10 \$51,895,000, to remain available until expended.

11 DRUG ENFORCEMENT ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Drug Enforcement Ad-
14 ministration, including not to exceed \$70,000 to meet un-
15 foreseen emergencies of a confidential character pursuant
16 to section 530C of title 28, United States Code; and ex-
17 penses for conducting drug education and training pro-
18 grams, including travel and related expenses for partici-
19 pants in such programs and the distribution of items of
20 token value that promote the goals of such programs,
21 \$2,164,051,000, of which not to exceed \$75,000,000 shall
22 remain available until expended and not to exceed \$90,000
23 shall be available for official reception and representation
24 expenses.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
2 EXPLOSIVES
3 SALARIES AND EXPENSES

4 For necessary expenses of the Bureau of Alcohol, To-
5 bacco, Firearms and Explosives, for training of State and
6 local law enforcement agencies with or without reimburse-
7 ment, including training in connection with the training
8 and acquisition of canines for explosives and fire
9 accelerants detection; and for provision of laboratory as-
10 sistance to State and local law enforcement agencies, with
11 or without reimbursement, \$1,293,776,000, of which not
12 to exceed \$36,000 shall be for official reception and rep-
13 resentation expenses, not to exceed \$1,000,000 shall be
14 available for the payment of attorneys' fees as provided
15 by section 924(d)(2) of title 18, United States Code, and
16 not to exceed \$20,000,000 shall remain available until ex-
17 pended: *Provided*, That none of the funds appropriated
18 herein shall be available to investigate or act upon applica-
19 tions for relief from Federal firearms disabilities under
20 section 925(c) of title 18, United States Code: *Provided*
21 *further*, That such funds shall be available to investigate
22 and act upon applications filed by corporations for relief
23 from Federal firearms disabilities under section 925(c) of
24 title 18, United States Code: *Provided further*, That no
25 funds made available by this or any other Act may be used

1 to transfer the functions, missions, or activities of the Bu-
2 reau of Alcohol, Tobacco, Firearms and Explosives to
3 other agencies or Departments.

4 FEDERAL PRISON SYSTEM

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Federal Prison System
8 for the administration, operation, and maintenance of
9 Federal penal and correctional institutions, and for the
10 provision of technical assistance and advice on corrections
11 related issues to foreign governments, \$7,070,248,000:
12 *Provided*, That the Attorney General may transfer to the
13 Department of Health and Human Services such amounts
14 as may be necessary for direct expenditures by that De-
15 partment for medical relief for inmates of Federal penal
16 and correctional institutions: *Provided further*, That the
17 Director of the Federal Prison System, where necessary,
18 may enter into contracts with a fiscal agent or fiscal inter-
19 mediary claims processor to determine the amounts pay-
20 able to persons who, on behalf of the Federal Prison Sys-
21 tem, furnish health services to individuals committed to
22 the custody of the Federal Prison System: *Provided fur-*
23 *ther*, That not to exceed \$5,400 shall be available for offi-
24 cial reception and representation expenses: *Provided fur-*
25 *ther*, That not to exceed \$50,000,000 shall remain avail-

1 able for necessary operations until September 30, 2019:
2 *Provided further*, That, of the amounts provided for con-
3 tract confinement, not to exceed \$20,000,000 shall remain
4 available until expended to make payments in advance for
5 grants, contracts and reimbursable agreements, and other
6 expenses: *Provided further*, That the Director of the Fed-
7 eral Prison System may accept donated property and serv-
8 ices relating to the operation of the prison card program
9 from a not-for-profit entity which has operated such pro-
10 gram in the past, notwithstanding the fact that such not-
11 for-profit entity furnishes services under contracts to the
12 Federal Prison System relating to the operation of pre-
13 release services, halfway houses, or other custodial facili-
14 ties.

15 BUILDINGS AND FACILITIES

16 For planning, acquisition of sites and construction of
17 new facilities; purchase and acquisition of facilities and re-
18 modeling, and equipping of such facilities for penal and
19 correctional use, including all necessary expenses incident
20 thereto, by contract or force account; and constructing,
21 remodeling, and equipping necessary buildings and facili-
22 ties at existing penal and correctional institutions, includ-
23 ing all necessary expenses incident thereto, by contract or
24 force account, \$95,000,000, to remain available until ex-

1 pended: *Provided*, That labor of United States prisoners
2 may be used for work performed under this appropriation.

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

4 The Federal Prison Industries, Incorporated, is here-
5 by authorized to make such expenditures within the limits
6 of funds and borrowing authority available, and in accord
7 with the law, and to make such contracts and commit-
8 ments without regard to fiscal year limitations as provided
9 by section 9104 of title 31, United States Code, as may
10 be necessary in carrying out the program set forth in the
11 budget for the current fiscal year for such corporation.

12 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
13 PRISON INDUSTRIES, INCORPORATED

14 Not to exceed \$2,700,000 of the funds of the Federal
15 Prison Industries, Incorporated, shall be available for its
16 administrative expenses, and for services as authorized by
17 section 3109 of title 5, United States Code, to be com-
18 puted on an accrual basis to be determined in accordance
19 with the corporation's current prescribed accounting sys-
20 tem, and such amounts shall be exclusive of depreciation,
21 payment of claims, and expenditures which such account-
22 ing system requires to be capitalized or charged to cost
23 of commodities acquired or produced, including selling and
24 shipping expenses, and expenses in connection with acqui-
25 sition, construction, operation, maintenance, improvement,

1 protection, or disposition of facilities and other property
2 belonging to the corporation or in which it has an interest.

3 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

4 OFFICE ON VIOLENCE AGAINST WOMEN

5 VIOLENCE AGAINST WOMEN PREVENTION AND

6 PROSECUTION PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For grants, contracts, cooperative agreements, and
9 other assistance for the prevention and prosecution of vio-
10 lence against women, as authorized by the Omnibus Crime
11 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
12 et seq.) (“the 1968 Act”); the Violent Crime Control and
13 Law Enforcement Act of 1994 (Public Law 103–322)
14 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
15 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
16 torial Remedies and Other Tools to end the Exploitation
17 of Children Today Act of 2003 (Public Law 108–21); the
18 Juvenile Justice and Delinquency Prevention Act of 1974
19 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
20 of Trafficking and Violence Protection Act of 2000 (Public
21 Law 106–386) (“the 2000 Act”); the Violence Against
22 Women and Department of Justice Reauthorization Act
23 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
24 lence Against Women Reauthorization Act of 2013 (Public
25 Law 113–4) (“the 2013 Act”); and the Rape Survivor

1 Child Custody Act of 2015 (Public Law 114–22) (“the
2 2015 Act”); and for related victims services,
3 \$527,000,000, to remain available until expended: *Pro-*
4 *vided*, That except as otherwise provided by law, not to
5 exceed 5 percent of funds made available under this head-
6 ing may be used for expenses related to evaluation, train-
7 ing, and technical assistance: *Provided further*, That of the
8 amount provided—

9 (1) \$215,000,000 is for grants to combat vio-
10 lence against women, as authorized by part T of the
11 1968 Act;

12 (2) \$30,000,000 is for transitional housing as-
13 sistance grants for victims of domestic violence, dat-
14 ing violence, stalking, or sexual assault as authorized
15 by section 40299 of the 1994 Act;

16 (3) \$3,500,000 is for the National Institute of
17 Justice for research and evaluation of violence
18 against women and related issues addressed by
19 grant programs of the Office on Violence Against
20 Women, which shall be transferred to “Research,
21 Evaluation and Statistics” for administration by the
22 Office of Justice Programs;

23 (4) \$11,000,000 is for a grant program to pro-
24 vide services to advocate for and respond to youth
25 victims of domestic violence, dating violence, sexual

1 assault, and stalking; assistance to children and
2 youth exposed to such violence; programs to engage
3 men and youth in preventing such violence; and as-
4 sistance to middle and high school students through
5 education and other services related to such violence:
6 *Provided*, That unobligated balances available for
7 the programs authorized by sections 41201, 41204,
8 41303, and 41305 of the 1994 Act, prior to its
9 amendment by the 2013 Act, shall be available for
10 this program: *Provided further*, That 10 percent of
11 the total amount available for this grant program
12 shall be available for grants under the program au-
13 thORIZED by section 2015 of the 1968 Act: *Provided*
14 *further*, That the definitions and grant conditions in
15 section 40002 of the 1994 Act shall apply to this
16 program;

17 (5) \$53,000,000 is for grants to encourage ar-
18 rest policies as authorized by part U of the 1968
19 Act, of which \$4,000,000 is for a homicide reduction
20 initiative;

21 (6) \$35,000,000 is for sexual assault victims
22 assistance, as authorized by section 41601 of the
23 1994 Act;

1 (7) \$35,000,000 is for rural domestic violence
2 and child abuse enforcement assistance grants, as
3 authorized by section 40295 of the 1994 Act;

4 (8) \$20,000,000 is for grants to reduce violent
5 crimes against women on campus, as authorized by
6 section 304 of the 2005 Act;

7 (9) \$45,000,000 is for legal assistance for vic-
8 tims, as authorized by section 1201 of the 2000 Act;

9 (10) \$5,000,000 is for enhanced training and
10 services to end violence against and abuse of women
11 in later life, as authorized by section 40802 of the
12 1994 Act;

13 (11) \$16,000,000 is for grants to support fami-
14 lies in the justice system, as authorized by section
15 1301 of the 2000 Act: *Provided*, That unobligated
16 balances available for the programs authorized by
17 section 1301 of the 2000 Act and section 41002 of
18 the 1994 Act, prior to their amendment by the 2013
19 Act, shall be available for this program;

20 (12) \$6,000,000 is for education and training
21 to end violence against and abuse of women with
22 disabilities, as authorized by section 1402 of the
23 2000 Act;

24 (13) \$500,000 is for the National Resource
25 Center on Workplace Responses to assist victims of

1 domestic violence, as authorized by section 41501 of
2 the 1994 Act;

3 (14) \$1,000,000 is for analysis and research on
4 violence against Indian women, including as author-
5 ized by section 904 of the 2005 Act: *Provided*, That
6 such funds may be transferred to “Research, Eval-
7 uation and Statistics” for administration by the Of-
8 fice of Justice Programs;

9 (15) \$500,000 is for a national clearinghouse
10 that provides training and technical assistance on
11 issues relating to sexual assault of American Indian
12 and Alaska Native women;

13 (16) \$4,000,000 is for grants to assist tribal
14 governments;

15 (17) \$45,000,000 for victim services programs
16 for victims of trafficking, as authorized by section
17 107(b)(2) of Public Law 106–386, for programs au-
18 thorized under Public Law 109–164, or programs
19 authorized under Public Law 113–4; and

20 (18) \$1,500,000 for the purposes authorized
21 under the 2015 Act.

22 OFFICE OF JUSTICE PROGRAMS

23 RESEARCH, EVALUATION AND STATISTICS

24 For grants, contracts, cooperative agreements, and
25 other assistance authorized by title I of the Omnibus

1 Crime Control and Safe Streets Act of 1968 (“the 1968
2 Act”); subtitle D of title II of the Homeland Security Act
3 of 2002 (Public Law 107–296) (“the 2002 Act”); and
4 other programs, \$83,000,000, to remain available until ex-
5 pended, of which—

6 (1) \$44,500,000 is for criminal justice statistics
7 programs, and other activities, as authorized by part
8 C of title I of the 1968 Act; and

9 (2) \$38,500,000 is for research, development,
10 and evaluation programs, and other activities as au-
11 thORIZED by part B of title I of the 1968 Act and
12 subtitle D of title II of the 2002 Act.

13 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

14 For grants, contracts, cooperative agreements, and
15 other assistance authorized by the Violent Crime Control
16 and Law Enforcement Act of 1994 (Public Law 103–322)
17 (“the 1994 Act”); the Omnibus Crime Control and Safe
18 Streets Act of 1968 (“the 1968 Act”); the Justice for All
19 Act of 2004 (Public Law 108–405); the Victims of Child
20 Abuse Act of 1990 (Public Law 101–647) (“the 1990
21 Act”); the Trafficking Victims Protection Reauthorization
22 Act of 2005 (Public Law 109–164); the Violence Against
23 Women and Department of Justice Reauthorization Act
24 of 2005 (Public Law 109–162) (“the 2005 Act”); the
25 Adam Walsh Child Protection and Safety Act of 2006

1 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
2 tims of Trafficking and Violence Protection Act of 2000
3 (Public Law 106–386); the NICS Improvement Amend-
4 ments Act of 2007 (Public Law 110–180); subtitle D of
5 title II of the Homeland Security Act of 2002 (Public Law
6 107–296) (“the 2002 Act”); the Public Safety Officer
7 Medal of Valor Act of 2001 (Public Law 107–12); the Sec-
8 ond Chance Act of 2007 (Public Law 110–199); the
9 Prioritizing Resources and Organization for Intellectual
10 Property Act of 2008 (Public Law 110–403); the Victims
11 of Crime Act of 1984 (Public Law 98–473); the Violence
12 Against Women Reauthorization Act of 2013 (Public Law
13 113–4) (“the 2013 Act”); the Comprehensive Addiction
14 and Recovery Act of 2016 (Public Law 114–198)
15 (“CARA”); and other programs, \$1,143,500,000, to re-
16 main available until expended as follows—

17 (1) \$500,000,000 for the Edward Byrne Memo-
18 rial Justice Assistance Grant program as authorized
19 by subpart 1 of part E of title I of the 1968 Act
20 (except that section 1001(c), and the special rules
21 for Puerto Rico under section 505(g) of title I of the
22 1968 Act shall not apply for purposes of this Act),
23 of which, notwithstanding such subpart 1,
24 \$10,000,000 is for the Officer Robert Wilson III
25 Memorial Initiative on Preventing Violence Against

1 Law Enforcement Officer Resilience and Surviv-
2 ability (VALOR), \$4,000,000 is for use by the Na-
3 tional Institute of Justice for research targeted to-
4 ward developing a better understanding of the do-
5 mestic radicalization phenomenon, and advancing
6 evidence-based strategies for effective intervention
7 and prevention, \$2,000,000 is for a program to im-
8 prove juvenile indigent defense, \$2,400,000 is for
9 the operationalization, maintenance and expansion of
10 the National Missing and Unidentified Persons Sys-
11 tem, \$10,000,000 is for competitive and evidence-
12 based programs to reduce gun crime and gang vio-
13 lence, \$2,500,000 is for the Capital Litigation Im-
14 provement Grant Program, as authorized by section
15 426 of Public Law 108–405 and for grants for
16 wrongful conviction review, \$15,500,000 is for pris-
17 on rape prevention and prosecution grants to States
18 and units of local government, and other programs,
19 as authorized by the Prison Rape Elimination Act of
20 2003 (Public Law 108–79), and \$10,000,000 is for
21 white collar crime prevention grants, including as
22 authorized by section 401 of Public Law 110–403;

23 (2) \$220,000,000 for the State Criminal Alien
24 Assistance Program, as authorized by section
25 241(i)(5) of the Immigration and Nationality Act (8

1 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
2 shall request compensation for any cost greater than
3 the actual cost for Federal immigration and other
4 detainees housed in State and local detention facili-
5 ties;

6 (3) \$20,000,000 for sex offender management
7 assistance, as authorized by the Adam Walsh Act,
8 and related activities;

9 (4) \$22,500,000 for the matching grant pro-
10 gram for law enforcement armor vests, as authorized
11 by section 2501 of title I of the 1968 Act;

12 (5) \$1,000,000 for the National Sex Offender
13 Public Website;

14 (6) \$73,000,000 for grants to States to up-
15 grade criminal and mental health records for the
16 National Instant Criminal Background Check Sys-
17 tem;

18 (7) \$125,000,000 for DNA-related and forensic
19 programs and activities, of which—

20 (A) \$117,000,000 is for a DNA analysis
21 and capacity enhancement program and for
22 other local, State, and Federal forensic activi-
23 ties, including the purposes authorized under
24 section 2 of the DNA Analysis Backlog Elimini-
25 nation Act of 2000 (Public Law 106–546) (the

1 Debbie Smith DNA Backlog Grant Program):
2 *Provided*, That up to 4 percent of funds made
3 available under this paragraph may be used for
4 the purposes described in the DNA Training
5 and Education for Law Enforcement, Correc-
6 tional Personnel, and Court Officers program
7 (Public Law 108–405, section 303);

8 (B) \$4,000,000 is for the purposes de-
9 scribed in the Kirk Bloodsworth Post-Convic-
10 tion DNA Testing Grant Program (Public Law
11 108–405, section 412); and

12 (C) \$4,000,000 is for Sexual Assault Fo-
13 rensic Exam Program grants, including as au-
14 thorized by section 304 of Public Law 108–405;

15 (8) \$9,000,000 for the court-appointed special
16 advocate program, as authorized by section 217 of
17 the 1990 Act;

18 (9) \$118,000,000 for comprehensive opioid
19 abuse reduction activities, including as authorized by
20 CARA, and for the following programs, which shall
21 address opioid abuse reduction consistent with un-
22 derlying program authorities—

23 (A) \$43,000,000 for Drug Courts, as au-
24 thorized by section 1001(a)(25)(A) of title I of
25 the 1968 Act;

1 (B) \$12,000,000 for mental health courts
2 and adult and juvenile collaboration program
3 grants, as authorized by parts V and HH of
4 title I of the 1968 Act;

5 (C) \$12,000,000 for grants for Residential
6 Substance Abuse Treatment for State Pris-
7 oners, as authorized by part S of title I of the
8 1968 Act;

9 (D) \$7,000,000 for a veterans treatment
10 courts program; and

11 (E) \$14,000,000 for a program to monitor
12 prescription drugs and scheduled listed chemical
13 products;

14 (10) \$10,000,000 for emergency law enforce-
15 ment assistance for events occurring during or after
16 fiscal year 2018, as authorized by section 609M of
17 the Justice Assistance Act of 1984 (42 U.S.C.
18 10501; Public Law 98–473); and

19 (11) \$45,000,000 for the Comprehensive School
20 Safety Initiative:

21 *Provided*, That, if a unit of local government uses any of
22 the funds made available under this heading to increase
23 the number of law enforcement officers, the unit of local
24 government will achieve a net gain in the number of law

1 enforcement officers who perform non-administrative pub-
2 lic sector safety service.

3 JUVENILE JUSTICE PROGRAMS

4 For grants, contracts, cooperative agreements, and
5 other assistance, the following amounts are made available
6 until expended—

7 (1) \$75,000,000 for youth mentoring grants;

8 (2) \$21,000,000 for programs authorized by
9 the Victims of Child Abuse Act of 1990;

10 (3) \$72,500,000 for missing and exploited chil-
11 dren programs, including as authorized by sections
12 404(b) and 405(a) of the Juvenile Justice and De-
13 linquency Prevention Act of 1974 (except that sec-
14 tion 102(b)(4)(B) of the PROTECT Our Children
15 Act of 2008 (Public Law 110–401) shall not apply
16 for purposes of this Act); and

17 (4) \$2,000,000 for child abuse training pro-
18 grams for judicial personnel and practitioners, as
19 authorized by section 222 of the Victims of Child
20 Abuse Act of 1990.

21 PUBLIC SAFETY OFFICER BENEFITS

22 (INCLUDING TRANSFER OF FUNDS)

23 For payments and expenses authorized under section
24 1001(a)(4) of title I of the Omnibus Crime Control and
25 Safe Streets Act of 1968, such sums as are necessary (in-

1 cluding amounts for administrative costs), to remain avail-
2 able until expended; and \$16,300,000 for payments au-
3 thorized by section 1201(b) of such Act and for edu-
4 cational assistance authorized by section 1218 of such Act,
5 to remain available until expended: *Provided*, That not-
6 withstanding section 205 of this Act, upon a determina-
7 tion by the Attorney General that emergent circumstances
8 require additional funding for such disability and edu-
9 cation payments, the Attorney General may transfer such
10 amounts to “Public Safety Officer Benefits” from avail-
11 able appropriations for the Department of Justice as may
12 be necessary to respond to such circumstances: *Provided*
13 *further*, That any transfer pursuant to the preceding pro-
14 viso shall be treated as a reprogramming under section
15 505 of this Act and shall not be available for obligation
16 or expenditure except in compliance with the procedures
17 set forth in that section.

18 COMMUNITY ORIENTED POLICING SERVICES

19 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

20 (INCLUDING TRANSFER OF FUNDS)

21 For grants, contracts, cooperative agreements, and
22 other assistance, the following amounts are made available
23 until expended: *Provided*, That any balances made avail-
24 able through prior year deobligations shall only be avail-
25 able in accordance with section 505 of this Act—

1 (1) \$11,000,000 for anti-methamphetamine-re-
2 lated activities, which shall be transferred to the
3 Drug Enforcement Administration upon enactment
4 of this Act;

5 (2) \$10,000,000 is for activities authorized by
6 the POLICE Act of 2016 (Public Law 114–199);

7 (3) \$65,000,000 for initiatives to improve po-
8 lice-community relations, as described in the report
9 accompanying this Act;

10 (4) \$68,000,000 for offender reentry programs
11 and research, as authorized by the Second Chance
12 Act of 2007 (Public Law 110-199), without regard
13 to the time limitations specified at section 6(1) of
14 such Act, of which not to exceed \$5,000,000 is for
15 Children of Incarcerated Parents Demonstrations to
16 enhance and maintain parental and family relation-
17 ships for incarcerated parents as a reentry or recidi-
18 vism reduction strategy, and \$2,000,000 shall be for
19 competitive grants focusing on girls in the juvenile
20 justice system;

21 (5) \$45,000,000 for a grant program for com-
22 munity-based sexual assault response reform; and

23 (6) \$35,000,000 is for regional information
24 sharing activities, as authorized by part M of title I

1 of the Omnibus Crime Control and Safe Streets Act
2 of 1968.

3 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. In addition to amounts otherwise made
6 available in this title for official reception and representa-
7 tion expenses, a total of not to exceed \$50,000 from funds
8 appropriated to the Department of Justice in this title
9 shall be available to the Attorney General for official re-
10 ception and representation expenses.

11 SEC. 202. None of the funds appropriated by this
12 title shall be available to pay for an abortion, except where
13 the life of the mother would be endangered if the fetus
14 were carried to term, or in the case of rape or incest: *Pro-*
15 *vided*, That should this prohibition be declared unconstitu-
16 tional by a court of competent jurisdiction, this section
17 shall be null and void.

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

21 SEC. 204. Nothing in the preceding section shall re-
22 move the obligation of the Director of the Bureau of Pris-
23 ons to provide escort services necessary for a female in-
24 mate to receive such service outside the Federal facility:
25 *Provided*, That nothing in this section in any way dimin-

1 ishes the effect of section 203 intended to address the phil-
2 osophical beliefs of individual employees of the Bureau of
3 Prisons.

4 SEC. 205. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the De-
6 partment of Justice in this Act may be transferred be-
7 tween such appropriations, but no such appropriation, ex-
8 cept as otherwise specifically provided, shall be increased
9 by more than 10 percent by any such transfers: *Provided*,
10 That any transfer pursuant to this section shall be treated
11 as a reprogramming of funds under section 505 of this
12 Act and shall not be available for obligation except in com-
13 pliance with the procedures set forth in that section.

14 SEC. 206. None of the funds made available under
15 this title may be used by the Federal Bureau of Prisons
16 or the United States Marshals Service for the purpose of
17 transporting an individual who is a prisoner pursuant to
18 conviction for crime under State or Federal law and is
19 classified as a maximum or high security prisoner, other
20 than to a prison or other facility certified by the Federal
21 Bureau of Prisons as appropriately secure for housing
22 such a prisoner.

23 SEC. 207. (a) None of the funds appropriated by this
24 Act may be used by Federal prisons to purchase cable tele-
25 vision services, or to rent or purchase audiovisual or elec-

1 tronic media or equipment used primarily for recreational
2 purposes.

3 (b) Subsection (a) does not preclude the rental, main-
4 tenance, or purchase of audiovisual or electronic media or
5 equipment for inmate training, religious, or educational
6 programs.

7 SEC. 208. None of the funds made available under
8 this title shall be obligated or expended for any new or
9 enhanced information technology program having total es-
10 timated development costs in excess of \$100,000,000, un-
11 less the Deputy Attorney General and the investment re-
12 view board certify to the Committees on Appropriations
13 of the House of Representatives and the Senate that the
14 information technology program has appropriate program
15 management controls and contractor oversight mecha-
16 nisms in place, and that the program is compatible with
17 the enterprise architecture of the Department of Justice.

18 SEC. 209. The notification thresholds and procedures
19 set forth in section 505 of this Act shall apply to devi-
20 ations from the amounts designated for specific activities
21 in this Act and in the report accompanying this Act, and
22 to any use of deobligated balances of funds provided under
23 this title in previous years.

24 SEC. 210. None of the funds appropriated by this Act
25 may be used to plan for, begin, continue, finish, process,

1 or approve a public-private competition under the Office
2 of Management and Budget Circular A-76 or any suc-
3 cessor administrative regulation, directive, or policy for
4 work performed by employees of Federal Prison Indus-
5 tries, Incorporated.

6 SEC. 211. Notwithstanding any other provision of
7 law, no funds shall be available for the salary, benefits,
8 or expenses of any United States Attorney assigned dual
9 or additional responsibilities by the Attorney General or
10 his designee that exempt that United States Attorney
11 from the residency requirements of section 545 of title 28,
12 United States Code.

13 SEC. 212. At the discretion of the Attorney General,
14 and in addition to any amounts that otherwise may be
15 available (or authorized to be made available) by law, with
16 respect to funds appropriated by this title under the head-
17 ings “Research, Evaluation and Statistics”, “State and
18 Local Law Enforcement Assistance”, and “Juvenile Jus-
19 tice Programs”—

20 (1) up to 3 percent of funds made available to
21 the Office of Justice Programs for grant or reim-
22 bursement programs may be used by such Office to
23 provide training and technical assistance; and

24 (2) up to 3 percent of funds made available for
25 grant or reimbursement programs under such head-

1 ings, except for amounts appropriated specifically for
2 research, evaluation, or statistical programs adminis-
3 tered by the National Institute of Justice and the
4 Bureau of Justice Statistics, shall be transferred to
5 and merged with funds provided to the National In-
6 stitute of Justice and the Bureau of Justice Statis-
7 tics, to be used by them for research, evaluation, or
8 statistical purposes, without regard to the authoriza-
9 tions for such grant or reimbursement programs.

10 SEC. 213. In addition to any amounts that otherwise
11 may be available (or authorized to be made available) by
12 law, 7 percent of funds made available for grant or reim-
13 bursement programs—

14 (1) under the heading “State and Local Law
15 Enforcement Assistance” (except for funds made
16 available under paragraph (2) under such heading);
17 and

18 (2) under the headings “Juvenile Justice Pro-
19 grams” (except for funds made available under para-
20 graph (3) under such heading) and “Community
21 Oriented Policing Services Programs”, to be trans-
22 ferred to and merged with funds made available
23 under the heading “State and Local Law Enforce-
24 ment Assistance”,

1 shall be available for assistance to Indian tribes without
2 regard to the authorizations for such grant or reimburse-
3 ment programs.

4 SEC. 214. Notwithstanding any other provision of
5 law, section 20109(a) of subtitle A of title II of the Violent
6 Crime Control and Law Enforcement Act of 1994 (42
7 U.S.C. 13709(a)) shall not apply to amounts made avail-
8 able by this or any other Act.

9 SEC. 215. None of the funds made available under
10 this or any other Act, for fiscal year 2018 and each fiscal
11 year thereafter, other than for the national instant crimi-
12 nal background check system established under section
13 103 of the Brady Handgun Violence Prevention Act (18
14 U.S.C. 922 note), may be used by a Federal law enforce-
15 ment officer to facilitate the transfer of an operable fire-
16 arm to an individual if the Federal law enforcement officer
17 knows or suspects that the individual is an agent of a drug
18 cartel, unless law enforcement personnel of the United
19 States continuously monitor or control the firearm at all
20 times.

21 SEC. 216. (a) None of the income retained in the De-
22 partment of Justice Working Capital Fund pursuant to
23 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
24 527 note) shall be available for obligation during fiscal
25 year 2018, except up to \$40,000,000 may be obligated for

1 implementation of a unified Department of Justice finan-
2 cial management system.

3 (b) Not to exceed \$30,000,000 of the unobligated bal-
4 ances transferred to the capital account of the Department
5 of Justice Working Capital Fund pursuant to title I of
6 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
7 shall be available for obligation in fiscal year 2018, and
8 any use, obligation, transfer or allocation of such funds
9 shall be treated as a reprogramming of funds under sec-
10 tion 505 of this Act.

11 (c) Not to exceed \$10,000,000 of the excess unobli-
12 gated balances available under section 524(c)(8)(E) of
13 title 28, United States Code, shall be available for obliga-
14 tion during fiscal year 2018, and any use, obligation,
15 transfer or allocation of such funds shall be treated as a
16 reprogramming of funds under section 505 of this Act.

17 This title may be cited as the “Department of Justice
18 Appropriations Act, 2018”.

19 TITLE III

20 SCIENCE

21 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

22 For necessary expenses of the Office of Science and
23 Technology Policy, in carrying out the purposes of the Na-
24 tional Science and Technology Policy, Organization, and
25 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of

1 passenger motor vehicles, and services as authorized by
2 section 3109 of title 5, United States Code, not to exceed
3 \$2,250 for official reception and representation expenses,
4 and rental of conference rooms in the District of Colum-
5 bia, \$5,544,000.

6 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
7 SCIENCE

8 For necessary expenses, not otherwise provided for,
9 in the conduct and support of science research and devel-
10 opment activities, including research, development, oper-
11 ations, support, and services; maintenance and repair, fa-
12 cility planning and design; space flight, spacecraft control,
13 and communications activities; program management; per-
14 sonnel and related costs, including uniforms or allowances
15 therefor, as authorized by sections 5901 and 5902 of title
16 5, United States Code; travel expenses; purchase and hire
17 of passenger motor vehicles; and purchase, lease, charter,
18 maintenance, and operation of mission and administrative
19 aircraft, \$5,858,500,000, to remain available until Sep-
20 tember 30, 2019: *Provided*, That the formulation and de-
21 velopment costs (with development cost as defined under
22 section 30104 of title 51, United States Code) for the
23 James Webb Space Telescope shall not exceed
24 \$8,000,000,000: *Provided further*, That should the indi-
25 vidual identified under subsection (c)(2)(E) of section

1 30104 of title 51, United States Code, as responsible for
2 the James Webb Space Telescope determine that the de-
3 velopment cost of the program is likely to exceed that limi-
4 tation, the individual shall immediately notify the Admin-
5 istrator and the increase shall be treated as if it meets
6 the 30 percent threshold described in subsection (f) of sec-
7 tion 30104: *Provided further*, That, of the amounts pro-
8 vided, \$495,000,000 is for an orbiter and a lander to meet
9 the science goals for the Jupiter Europa mission as out-
10 lined in the most recent planetary science decadal survey:
11 *Provided further*, That the National Aeronautics and
12 Space Administration shall use the Space Launch System
13 as the launch vehicles for the Jupiter Europa mission,
14 plan for an orbiter launch no later than 2022 and a lander
15 launch no later than 2024, and include in the fiscal year
16 2019 budget the 5-year funding profile necessary to
17 achieve these goals.

18 AERONAUTICS

19 For necessary expenses, not otherwise provided for,
20 in the conduct and support of aeronautics research and
21 development activities, including research, development,
22 operations, support, and services; maintenance and repair,
23 facility planning and design; space flight, spacecraft con-
24 trol, and communications activities; program manage-
25 ment; personnel and related costs, including uniforms or

1 allowances therefor, as authorized by sections 5901 and
2 5902 of title 5, United States Code; travel expenses; pur-
3 chase and hire of passenger motor vehicles; and purchase,
4 lease, charter, maintenance, and operation of mission and
5 administrative aircraft, \$660,000,000, to remain available
6 until September 30, 2019.

7
8 **SPACE TECHNOLOGY**

8 For necessary expenses, not otherwise provided for,
9 in the conduct and support of space technology research
10 and development activities, including research, develop-
11 ment, operations, support, and services; maintenance and
12 repair, facility planning and design; space flight, space-
13 craft control, and communications activities; program
14 management; personnel and related costs, including uni-
15 forms or allowances therefor, as authorized by sections
16 5901 and 5902 of title 5, United States Code; travel ex-
17 penses; purchase and hire of passenger motor vehicles; and
18 purchase, lease, charter, maintenance, and operation of
19 mission and administrative aircraft, \$686,500,000, to re-
20 main available until September 30, 2019.

21
22 **EXPLORATION**

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of exploration research and
24 development activities, including research, development,
25 operations, support, and services; maintenance and repair,

1 facility planning and design; space flight, spacecraft con-
2 trol, and communications activities; program manage-
3 ment; personnel and related costs, including uniforms or
4 allowances therefor, as authorized by sections 5901 and
5 5902 of title 5, United States Code; travel expenses; pur-
6 chase and hire of passenger motor vehicles; and purchase,
7 lease, charter, maintenance, and operation of mission and
8 administrative aircraft, \$4,550,000,000, to remain avail-
9 able until September 30, 2019: *Provided*, That not less
10 than \$1,350,000,000 shall be for the Orion Multi-Purpose
11 Crew Vehicle: *Provided further*, That not less than
12 \$2,150,000,000 shall be for the Space Launch System
13 (SLS) launch vehicle, which shall have a lift capability not
14 less than 130 metric tons and which shall have core ele-
15 ments and an Exploration Upper Stage developed simulta-
16 neously: *Provided further*, That of the amounts provided
17 for SLS, not less than \$300,000,000 shall be for Explo-
18 ration Upper Stage development: *Provided further*, That
19 \$600,000,000 shall be for exploration ground systems:
20 *Provided further*, That the National Aeronautics and
21 Space Administration (NASA) shall provide to the Com-
22 mittees on Appropriations of the House of Representatives
23 and the Senate, concurrent with the annual budget sub-
24 mission, a 5-year budget profile for an integrated budget
25 that includes the Space Launch System, the Orion Multi-

1 education research and development activities, including
2 research, development, operations, support, and services;
3 program management; personnel and related costs, includ-
4 ing uniforms or allowances therefor, as authorized by sec-
5 tions 5901 and 5902 of title 5, United States Code; travel
6 expenses; purchase and hire of passenger motor vehicles;
7 and purchase, lease, charter, maintenance, and operation
8 of mission and administrative aircraft, \$90,000,000, to re-
9 main available until September 30, 2019, of which
10 \$18,000,000 shall be for the Experimental Program to
11 Stimulate Competitive Research and \$40,000,000 shall be
12 for the National Space Grant College and Fellowship Pro-
13 gram.

14 SAFETY, SECURITY AND MISSION SERVICES

15 For necessary expenses, not otherwise provided for,
16 in the conduct and support of science, aeronautics, space
17 technology, exploration, space operations and education
18 research and development activities, including research,
19 development, operations, support, and services; mainte-
20 nance and repair, facility planning and design; space
21 flight, spacecraft control, and communications activities;
22 program management; personnel and related costs, includ-
23 ing uniforms or allowances therefor, as authorized by sec-
24 tions 5901 and 5902 of title 5, United States Code; travel
25 expenses; purchase and hire of passenger motor vehicles;

1 not to exceed \$63,000 for official reception and represen-
2 tation expenses; and purchase, lease, charter, mainte-
3 nance, and operation of mission and administrative air-
4 craft, \$2,826,200,000, to remain available until Sep-
5 tember 30, 2019.

6 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
7 RESTORATION

8 For necessary expenses for construction of facilities
9 including repair, rehabilitation, revitalization, and modi-
10 fication of facilities, construction of new facilities and ad-
11 ditions to existing facilities, facility planning and design,
12 and restoration, and acquisition or condemnation of real
13 property, as authorized by law, and environmental compli-
14 ance and restoration, \$486,100,000, to remain available
15 until September 30, 2023: *Provided*, That proceeds from
16 leases deposited into this account shall be available for a
17 period of 5 years to the extent and in amounts as provided
18 in annual appropriations Acts: *Provided further*, That such
19 proceeds referred to in the preceding proviso shall be avail-
20 able for obligation for fiscal year 2018 in an amount not
21 to exceed \$9,470,300: *Provided further*, That each annual
22 budget request shall include an annual estimate of gross
23 receipts and collections and proposed use of all funds col-
24 lected pursuant to section 20145 of title 51, United States
25 Code.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the Inspector General Act of 1978,
4 \$37,900,000, of which \$500,000 shall remain available
5 until September 30, 2019.

6 ADMINISTRATIVE PROVISIONS

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds for any announced prize otherwise authorized
9 shall remain available, without fiscal year limitation, until
10 a prize is claimed or the offer is withdrawn.

11 Not to exceed 5 percent of any appropriation made
12 available for the current fiscal year for the National Aero-
13 nautics and Space Administration in this Act may be
14 transferred between such appropriations, but no such ap-
15 propriation, except as otherwise specifically provided, shall
16 be increased by more than 10 percent by any such trans-
17 fers, except that “Construction and Environmental Com-
18 pliance and Restoration” may be increased up to 20 per-
19 cent by such transfers. Balances so transferred shall be
20 merged with and available for the same purposes and the
21 same time period as the appropriations to which trans-
22 ferred. Any transfer pursuant to this provision shall be
23 treated as a reprogramming of funds under section 505
24 of this Act and shall not be available for obligation except
25 in compliance with the procedures set forth in that section.

1 The spending plan required by this Act shall be pro-
2 vided by NASA at the theme, program, project and activ-
3 ity level. The spending plan, as well as any subsequent
4 change of an amount established in that spending plan
5 that meets the notification requirements of section 505 of
6 this Act, shall be treated as a reprogramming under sec-
7 tion 505 of this Act and shall not be available for obliga-
8 tion or expenditure except in compliance with the proce-
9 dures set forth in that section.

10 NATIONAL SCIENCE FOUNDATION

11 RESEARCH AND RELATED ACTIVITIES

12 For necessary expenses in carrying out the National
13 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
14 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
15 as authorized by section 3109 of title 5, United States
16 Code; maintenance and operation of aircraft and purchase
17 of flight services for research support; acquisition of air-
18 craft; and authorized travel; \$6,033,645,000, to remain
19 available until September 30, 2019, of which not to exceed
20 \$544,000,000 shall remain available until expended for
21 polar research and operations support, and for reimburse-
22 ment to other Federal agencies for operational and science
23 support and logistical and other related activities for the
24 United States Antarctic program: *Provided*, That receipts
25 for scientific support services and materials furnished by

1 the National Research Centers and other National Science
2 Foundation supported research facilities may be credited
3 to this appropriation.

4 MAJOR RESEARCH EQUIPMENT AND FACILITIES

5 CONSTRUCTION

6 For necessary expenses for the acquisition, construc-
7 tion, commissioning, and upgrading of major research
8 equipment, facilities, and other such capital assets pursu-
9 ant to the National Science Foundation Act of 1950 (42
10 U.S.C. 1861 et seq.), including authorized travel,
11 \$77,800,000, to remain available until expended.

12 EDUCATION AND HUMAN RESOURCES

13 For necessary expenses in carrying out science, math-
14 ematics and engineering education and human resources
15 programs and activities pursuant to the National Science
16 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
17 ing services as authorized by section 3109 of title 5,
18 United States Code, authorized travel, and rental of con-
19 ference rooms in the District of Columbia, \$880,000,000,
20 to remain available until September 30, 2019.

21 AGENCY OPERATIONS AND AWARD MANAGEMENT

22 For agency operations and award management nec-
23 essary in carrying out the National Science Foundation
24 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
25 by section 3109 of title 5, United States Code; hire of pas-

1 senger motor vehicles; uniforms or allowances therefor, as
2 authorized by sections 5901 and 5902 of title 5, United
3 States Code; rental of conference rooms in the District of
4 Columbia; and reimbursement of the Department of
5 Homeland Security for security guard services;
6 \$328,510,000: *Provided*, That not to exceed \$8,280 is for
7 official reception and representation expenses: *Provided*
8 *further*, That contracts may be entered into under this
9 heading in fiscal year 2018 for maintenance and operation
10 of facilities and for other services to be provided during
11 the next fiscal year.

12 OFFICE OF THE NATIONAL SCIENCE BOARD

13 For necessary expenses (including payment of sala-
14 ries, authorized travel, hire of passenger motor vehicles,
15 the rental of conference rooms in the District of Columbia,
16 and the employment of experts and consultants under sec-
17 tion 3109 of title 5, United States Code) involved in car-
18 rying out section 4 of the National Science Foundation
19 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
20 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not
21 to exceed \$2,500 shall be available for official reception
22 and representation expenses.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General as authorized by the Inspector General Act of

1 1978, \$15,200,000, of which \$400,000 shall remain avail-
2 able until September 30, 2019.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed 5 percent of any appropriation made
6 available for the current fiscal year for the National
7 Science Foundation in this Act may be transferred be-
8 tween such appropriations, but no such appropriation shall
9 be increased by more than 15 percent by any such trans-
10 fers. Any transfer pursuant to this paragraph shall be
11 treated as a reprogramming of funds under section 505
12 of this Act and shall not be available for obligation except
13 in compliance with the procedures set forth in that section.

14 The Director of the National Science Foundation
15 shall notify the Committees on Appropriations of the
16 House of Representatives and the Senate at least 30 days
17 in advance of the acquisition or disposal of any capital
18 asset (including land, structures, and equipment) not spe-
19 cifically provided for in this Act or any other law appro-
20 priating funds for the National Science Foundation.

21 This title may be cited as the “Science Appropria-
22 tions Act, 2018”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMISSION ON CIVIL RIGHTS
4 SALARIES AND EXPENSES
5 For necessary expenses of the Commission on Civil
6 Rights, including hire of passenger motor vehicles,
7 \$9,183,000: *Provided*, That none of the funds appro-
8 priated in this paragraph may be used to employ any indi-
9 viduals under Schedule C of subpart C of part 213 of title
10 5 of the Code of Federal Regulations exclusive of one spe-
11 cial assistant for each Commissioner: *Provided further*,
12 That none of the funds appropriated in this paragraph
13 shall be used to reimburse Commissioners for more than
14 75 billable days, with the exception of the chairperson,
15 who is permitted 125 billable days: *Provided further*, That
16 none of the funds appropriated in this paragraph shall be
17 used for any activity or expense that is not explicitly au-
18 thorized by section 3 of the Civil Rights Commission Act
19 of 1983 (42 U.S.C. 1975a).

20 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
21 SALARIES AND EXPENSES
22 For necessary expenses of the Equal Employment
23 Opportunity Commission as authorized by title VII of the
24 Civil Rights Act of 1964, the Age Discrimination in Em-
25 ployment Act of 1967, the Equal Pay Act of 1963, the

1 Americans with Disabilities Act of 1990, section 501 of
2 the Rehabilitation Act of 1973, the Civil Rights Act of
3 1991, the Genetic Information Nondiscrimination Act
4 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
5 ments Act of 2008 (Public Law 110–325), and the Lilly
6 Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-
7 cluding services as authorized by section 3109 of title 5,
8 United States Code; hire of passenger motor vehicles as
9 authorized by section 1343(b) of title 31, United States
10 Code; nonmonetary awards to private citizens; and up to
11 \$29,500,000 for payments to State and local enforcement
12 agencies for authorized services to the Commission,
13 \$363,807,000: *Provided*, That the Commission is author-
14 ized to make available for official reception and represen-
15 tation expenses not to exceed \$2,250 from available funds:
16 *Provided further*, That the Chair is authorized to accept
17 and use any gift or donation to carry out the work of the
18 Commission.

19 INTERNATIONAL TRADE COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the International Trade
22 Commission, including hire of passenger motor vehicles
23 and services as authorized by section 3109 of title 5,
24 United States Code, and not to exceed \$2,250 for official

1 reception and representation expenses, \$92,500,000, to re-
2 main available until expended.

3 LEGAL SERVICES CORPORATION

4 PAYMENT TO THE LEGAL SERVICES CORPORATION

5 For payment to the Legal Services Corporation to
6 carry out the purposes of the Legal Services Corporation
7 Act of 1974, \$300,000,000, of which \$267,000,000 is for
8 basic field programs and required independent audits;
9 \$5,000,000 is for the Office of Inspector General, of which
10 such amounts as may be necessary may be used to conduct
11 additional audits of recipients; \$19,000,000 is for manage-
12 ment and grants oversight; \$4,000,000 is for client self-
13 help and information technology; \$4,000,000 is for a Pro
14 Bono Innovation Fund; and \$1,000,000 is for loan repay-
15 ment assistance: *Provided*, That the Legal Services Cor-
16 poration may continue to provide locality pay to officers
17 and employees at a rate no greater than that provided by
18 the Federal Government to Washington, DC-based em-
19 ployees as authorized by section 5304 of title 5, United
20 States Code, notwithstanding section 1005(d) of the Legal
21 Services Corporation Act (42 U.S.C. 2996(d)): *Provided*
22 *further*, That the authorities provided in section 205 of
23 this Act shall be applicable to the Legal Services Corpora-
24 tion: *Provided further*, That, for the purposes of section

1 505 of this Act, the Legal Services Corporation shall be
2 considered an agency of the United States Government.

3 ADMINISTRATIVE PROVISION—LEGAL SERVICES

4 CORPORATION

5 None of the funds appropriated in this Act to the
6 Legal Services Corporation shall be expended for any pur-
7 pose prohibited or limited by, or contrary to any of the
8 provisions of, sections 501, 502, 503, 504, 505, and 506
9 of Public Law 105–119, and all funds appropriated in this
10 Act to the Legal Services Corporation shall be subject to
11 the same terms and conditions set forth in such sections,
12 except that all references in sections 502 and 503 to 1997
13 and 1998 shall be deemed to refer instead to 2017 and
14 2018, respectively.

15 MARINE MAMMAL COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Marine Mammal Com-
18 mission as authorized by title II of the Marine Mammal
19 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
20 \$3,431,000.

21 OFFICE OF THE UNITED STATES TRADE

22 REPRESENTATIVE

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the United
25 States Trade Representative, including the hire of pas-

1 senger motor vehicles and the employment of experts and
2 consultants as authorized by section 3109 of title 5,
3 United States Code, \$53,000,000, of which \$1,000,000
4 shall remain available until expended: *Provided*, That of
5 the total amount made available under this heading, not
6 to exceed \$124,000 shall be available for official reception
7 and representation expenses.

8 TRADE ENFORCEMENT TRUST FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For activities of the United States Trade Representa-
11 tive authorized by section 611 of the Trade Facilitation
12 and Trade Enforcement Act of 2015 (19 U.S.C. 4405),
13 including transfers, \$15,000,000, to be derived from the
14 Trade Enforcement Trust Fund: *Provided*, That any
15 transfer pursuant to subsection (d)(1) of such section shall
16 be treated as a reprogramming under section 505 of this
17 Act.

18 STATE JUSTICE INSTITUTE

19 SALARIES AND EXPENSES

20 For necessary expenses of the State Justice Institute,
21 as authorized by the State Justice Institute Act of 1984
22 (42 U.S.C. 10701 et seq.) \$5,111,000, of which \$500,000
23 shall remain available until September 30, 2019: *Provided*,
24 That not to exceed \$2,250 shall be available for official
25 reception and representation expenses: *Provided further*,

1 That, for the purposes of section 505 of this Act, the State
2 Justice Institute shall be considered an agency of the
3 United States Government.

4 TITLE V

5 GENERAL PROVISIONS

6 (INCLUDING RESCISSIONS)

7 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

22 SEC. 504. If any provision of this Act or the applica-
23 tion of such provision to any person or circumstances shall
24 be held invalid, the remainder of the Act and the applica-
25 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-
2 fected thereby.

3 SEC. 505. None of the funds provided under this Act,
4 or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 2018, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds that: (1) creates or ini-
11 tiates a new program, project or activity; (2) eliminates
12 a program, project or activity; (3) increases funds or per-
13 sonnel by any means for any project or activity for which
14 funds have been denied or restricted; (4) relocates an of-
15 fice or employees; (5) reorganizes or renames offices, pro-
16 grams or activities; (6) contracts out or privatizes any
17 functions or activities presently performed by Federal em-
18 ployees; (7) augments existing programs, projects or ac-
19 tivities in excess of \$500,000 or 10 percent, whichever is
20 less, or reduces by 10 percent funding for any program,
21 project or activity, or numbers of personnel by 10 percent;
22 or (8) results from any general savings, including savings
23 from a reduction in personnel, which would result in a
24 change in existing programs, projects or activities as ap-
25 proved by Congress; unless the House and Senate Com-

1 mittees on Appropriations are notified 15 days in advance
2 of such reprogramming of funds.

3 SEC. 506. (a) If it has been finally determined by
4 a court or Federal agency that any person intentionally
5 affixed a label bearing a “Made in America” inscription,
6 or any inscription with the same meaning, to any product
7 sold in or shipped to the United States that is not made
8 in the United States, the person shall be ineligible to re-
9 ceive any contract or subcontract made with funds made
10 available in this Act, pursuant to the debarment, suspen-
11 sion, and ineligibility procedures described in sections
12 9.400 through 9.409 of title 48, Code of Federal Regula-
13 tions.

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

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

22 SEC. 507. (a) The Departments of Commerce and
23 Justice, the National Science Foundation, and the Na-
24 tional Aeronautics and Space Administration shall provide
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate a quarterly report on the sta-
2 tus of balances of appropriations at the account level. For
3 unobligated, uncommitted balances and unobligated, com-
4 mitted balances the quarterly reports shall separately
5 identify the amounts attributable to each source year of
6 appropriation from which the balances were derived. For
7 balances that are obligated, but unexpended, the quarterly
8 reports shall separately identify amounts by the year of
9 obligation.

10 (b) The report described in subsection (a) shall be
11 submitted within 30 days of the end of each quarter.

12 (c) If a department or agency is unable to fulfill any
13 aspect of a reporting requirement described in subsection
14 (a) due to a limitation of a current accounting system,
15 the department or agency shall fulfill such aspect to the
16 maximum extent practicable under such accounting sys-
17 tem and shall identify and describe in each quarterly re-
18 port the extent to which such aspect is not fulfilled.

19 SEC. 508. Any costs incurred by a department or
20 agency funded under this Act resulting from, or to pre-
21 vent, personnel actions taken in response to funding re-
22 ductions included in this Act shall be absorbed within the
23 total budgetary resources available to such department or
24 agency: *Provided*, That the authority to transfer funds be-
25 tween appropriations accounts as may be necessary to

1 carry out this section is provided in addition to authorities
2 included elsewhere in this Act: *Provided further*, That use
3 of funds to carry out this section shall be treated as a
4 reprogramming of funds under section 505 of this Act and
5 shall not be available for obligation or expenditure except
6 in compliance with the procedures set forth in that section:
7 *Provided further*, That for the Department of Commerce,
8 this section shall also apply to actions taken for the care
9 and protection of loan collateral or grant property.

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

17 SEC. 510. None of the funds made available in this
18 Act may be used to pay the salaries and expenses of per-
19 sonnel of the Department of Justice to obligate more than
20 \$4,632,000,000 during fiscal year 2018 from the fund es-
21 tablished by section 1402 of Public Law 98-473 (42
22 U.S.C. 10601): *Provided*, That notwithstanding such sec-
23 tion 1402(d), of the amounts available from the Fund for
24 obligation, 5 percent shall be available for grants to Indian

1 tribal governments to improve services and justice for vic-
2 tims of crime.

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

9 SEC. 512. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government, except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this Act or any other appropriations Act.

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

17 SEC. 514. (a) None of the funds appropriated or oth-
18 erwise made available under this Act may be used by the
19 Departments of Commerce and Justice, the National Aer-
20 onautics and Space Administration, or the National
21 Science Foundation to acquire a high-impact or moderate-
22 impact information system, as defined for security cat-
23 egorization in the National Institute of Standards and
24 Technology's (NIST) Federal Information Processing
25 Standard Publication 199, "Standards for Security Cat-

1 egorization of Federal Information and Information Sys-
2 tems” unless the agency has—

3 (1) reviewed the supply chain risk for the infor-
4 mation systems against criteria developed by NIST
5 and the Federal Bureau of Investigation (FBI) to
6 inform acquisition decisions for high-impact and
7 moderate-impact information systems within the
8 Federal Government;

9 (2) reviewed the supply chain risk from the pre-
10 sumptive awardee against available and relevant
11 threat information provided by the FBI and other
12 appropriate agencies; and

13 (3) in consultation with the FBI or other ap-
14 propriate Federal entity, conducted an assessment of
15 any risk of cyber-espionage or sabotage associated
16 with the acquisition of such system, including any
17 risk associated with such system being produced,
18 manufactured, or assembled by one or more entities
19 identified by the United States Government as pos-
20 ing a cyber threat, including but not limited to,
21 those that may be owned, directed, or subsidized by
22 the People’s Republic of China, the Islamic Republic
23 of Iran, the Democratic People’s Republic of Korea,
24 or the Russian Federation.

1 (b) None of the funds appropriated or otherwise
2 made available under this Act may be used to acquire a
3 high-impact or moderate-impact information system re-
4 viewed and assessed under subsection (a) unless the head
5 of the assessing entity described in subsection (a) has—

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

9 (2) determined, in consultation with NIST and
10 the FBI, that the acquisition of such system is in
11 the national interest of the United States; and

12 (3) reported that determination to the Commit-
13 tees on Appropriations of the House of Representa-
14 tives and the Senate and the agency Inspector Gen-
15 eral.

16 SEC. 515. None of the funds made available in this
17 Act shall be used in any way whatsoever to support or
18 justify the use of torture by any official or contract em-
19 ployee of the United States Government.

20 SEC. 516. (a) Notwithstanding any other provision
21 of law or treaty, in fiscal year 2018 and each fiscal year
22 thereafter, none of the funds appropriated or otherwise
23 made available under this Act or any other Act may be
24 expended or obligated by a department, agency, or instru-
25 mentality of the United States to pay administrative ex-

1 penses or to compensate an officer or employee of the
2 United States in connection with requiring an export li-
3 cense for the export to Canada of components, parts, ac-
4 cessories or attachments for firearms listed in Category
5 I, section 121.1 of title 22, Code of Federal Regulations
6 (International Trafficking in Arms Regulations (ITAR),
7 part 121, as it existed on April 1, 2005) with a total value
8 not exceeding \$500 wholesale in any transaction, provided
9 that the conditions of subsection (b) of this section are
10 met by the exporting party for such articles.

11 (b) The foregoing exemption from obtaining an ex-
12 port license—

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

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

21 (A) fully automatic firearms and compo-
22 nents and parts for such firearms, other than
23 for end use by the Federal Government, or a
24 Provincial or Municipal Government of Canada;

1 (B) barrels, cylinders, receivers (frames) or
2 complete breech mechanisms for any firearm
3 listed in Category I, other than for end use by
4 the Federal Government, or a Provincial or Mu-
5 nicipal Government of Canada; or

6 (C) articles for export from Canada to an-
7 other foreign destination.

8 (e) In accordance with this section, the District Di-
9 rectors of Customs and postmasters shall permit the per-
10 manent or temporary export without a license of any un-
11 classified articles specified in subsection (a) to Canada for
12 end use in Canada or return to the United States, or tem-
13 porary import of Canadian-origin items from Canada for
14 end use in the United States or return to Canada for a
15 Canadian citizen.

16 (d) The President may require export licenses under
17 this section on a temporary basis if the President deter-
18 mines, upon publication first in the Federal Register, that
19 the Government of Canada has implemented or main-
20 tained inadequate import controls for the articles specified
21 in subsection (a), such that a significant diversion of such
22 articles has and continues to take place for use in inter-
23 national terrorism or in the escalation of a conflict in an-
24 other nation. The President shall terminate the require-

1 ments of a license when reasons for the temporary require-
2 ments have ceased.

3 SEC. 517. Notwithstanding any other provision of
4 law, in fiscal year 2018 and each fiscal year thereafter,
5 no department, agency, or instrumentality of the United
6 States receiving appropriated funds under this Act or any
7 other Act shall obligate or expend in any way such funds
8 to pay administrative expenses or the compensation of any
9 officer or employee of the United States to deny any appli-
10 cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B)
11 and qualified pursuant to 27 CFR section 478.112 or
12 .113, for a permit to import United States origin “curios
13 or relics” firearms, parts, or ammunition.

14 SEC. 518. None of the funds made available in this
15 Act may be used to include in any new bilateral or multi-
16 lateral trade agreement the text of—

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

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

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

23 SEC. 519. None of the funds made available in this
24 Act may be used to authorize or issue a national security
25 letter in contravention of any of the following laws author-

1 izing the Federal Bureau of Investigation to issue national
2 security letters: The Right to Financial Privacy Act of
3 1978; The Electronic Communications Privacy Act of
4 1986; The Fair Credit Reporting Act; The National Security
5 Act of 1947; USA PATRIOT Act; USA FREEDOM
6 Act of 2015; and the laws amended by these Acts.

7 SEC. 520. If at any time during any quarter, the pro-
8 gram manager of a project within the jurisdiction of the
9 Departments of Commerce or Justice, the National Aero-
10 nautics and Space Administration, or the National Science
11 Foundation totaling more than \$75,000,000 has reason-
12 able cause to believe that the total program cost has in-
13 creased by 10 percent or more, the program manager shall
14 immediately inform the respective Secretary, Adminis-
15 trator, or Director. The Secretary, Administrator, or Di-
16 rector shall notify the House and Senate Committees on
17 Appropriations within 30 days in writing of such increase,
18 and shall include in such notice: the date on which such
19 determination was made; a statement of the reasons for
20 such increases; the action taken and proposed to be taken
21 to control future cost growth of the project; changes made
22 in the performance or schedule milestones and the degree
23 to which such changes have contributed to the increase
24 in total program costs or procurement costs; new esti-
25 mates of the total project or procurement costs; and a

1 statement validating that the project's management struc-
2 ture is adequate to control total project or procurement
3 costs.

4 SEC. 521. Funds appropriated by this Act, or made
5 available by the transfer of funds in this Act, for intel-
6 ligence or intelligence related activities are deemed to be
7 specifically authorized by the Congress for purposes of sec-
8 tion 504 of the National Security Act of 1947 (50 U.S.C.
9 3094) during fiscal year 2018 until the enactment of the
10 Intelligence Authorization Act for fiscal year 2018.

11 SEC. 522. None of the funds appropriated or other-
12 wise made available by this Act may be used to enter into
13 a contract in an amount greater than \$5,000,000 or to
14 award a grant in excess of such amount unless the pro-
15 spective contractor or grantee certifies in writing to the
16 agency awarding the contract or grant that, to the best
17 of its knowledge and belief, the contractor or grantee has
18 filed all Federal tax returns required during the three
19 years preceding the certification, has not been convicted
20 of a criminal offense under the Internal Revenue Code of
21 1986, and has not, more than 90 days prior to certifi-
22 cation, been notified of any unpaid Federal tax assessment
23 for which the liability remains unsatisfied, unless the as-
24 sessment is the subject of an installment agreement or
25 offer in compromise that has been approved by the Inter-

1 nal Revenue Service and is not in default, or the assess-
2 ment is the subject of a non-frivolous administrative or
3 judicial proceeding.

4 (RESCISSIONS)

5 SEC. 523. (a) Of the unobligated balances from prior
6 year appropriations available to the Department of Com-
7 merce, the following funds are hereby rescinded, not later
8 than September 30, 2018, from the following accounts in
9 the specified amounts—

10 (1) “Economic Development Administration,
11 Economic Development Assistance Programs”,
12 \$47,000,000; and

13 (2) “National Oceanic and Atmospheric Admin-
14 istration, Operations, Research, and Facilities”,
15 \$20,000,000.

16 (b) Of the unobligated balances available to the De-
17 partment of Justice, the following funds are hereby re-
18 scinded, not later than September 30, 2018, from the fol-
19 lowing accounts in the specified amounts—

20 (1) “Working Capital Fund”, \$409,834,000;

21 (2) “Federal Bureau of Investigation, Salaries
22 and Expenses”, \$195,000,000 from fees collected to
23 defray expenses for the automation of fingerprint
24 identification and criminal justice information serv-
25 ices and associated costs;

1 (3) “State and Local Law Enforcement Activi-
2 ties, Office on Violence Against Women, Violence
3 Against Women Prevention and Prosecution Pro-
4 grams”, \$17,500,000;

5 (4) “State and Local Law Enforcement Activi-
6 ties, Office of Justice Programs”, \$60,000,000;

7 (5) “State and Local Law Enforcement Activi-
8 ties, Community Oriented Policing Services”,
9 \$17,500,000;

10 (6) “Legal Activities, Assets Forfeiture Fund”,
11 \$304,000,000 is permanently rescinded; and

12 (7) “Federal Bureau of Investigation, Salaries
13 and Expenses”, \$53,365,000.

14 (c) The Departments of Commerce and Justice shall
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report no later than
17 September 1, 2018, specifying the amount of each rescis-
18 sion made pursuant to subsections (a) and (b), and the
19 Department of Justice shall ensure that sufficient bal-
20 ances are available in the “Working Capital Fund” to re-
21 scind the amount specified in subsection (b) and shall
22 transfer unobligated balances from discretionary appro-
23 priations (except from “Federal Bureau of Investigation,
24 Salaries and Expenses”, “Fees and Expenses of Wit-
25 nesses”, “Public Safety Officer Benefits”, and amounts

1 that were designated by the Congress as an emergency or
2 disaster relief requirement pursuant to a concurrent reso-
3 lution on the budget or section 251(b)(2) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985) made
5 available in this Act to the Department into the “Working
6 Capital Fund” if necessary to meet the amount specified
7 in subsection (b) and this transfer authority is in addition
8 to any other transfer authority contained in this Act.

9 SEC. 524. None of the funds made available in this
10 Act may be used to purchase first class or premium airline
11 travel in contravention of sections 301–10.122 through
12 301–10.124 of title 41 of the Code of Federal Regulations.

13 SEC. 525. None of the funds made available in this
14 Act may be used to send or otherwise pay for the attend-
15 ance of more than 50 employees from a Federal depart-
16 ment or agency, who are stationed in the United States,
17 at any single conference occurring outside the United
18 States unless such conference is a law enforcement train-
19 ing or operational conference for law enforcement per-
20 sonnel and the majority of Federal employees in attend-
21 ance are law enforcement personnel stationed outside the
22 United States.

23 SEC. 526. None of the funds appropriated or other-
24 wise made available in this or any other Act may be used
25 to transfer, release, or assist in the transfer or release to

1 or within the United States, its territories, or possessions
2 Khalid Sheikh Mohammed or any other detainee who—

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

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

8 SEC. 527. (a) None of the funds appropriated or oth-
9 erwise made available in this or any other Act may be used
10 to construct, acquire, or modify any facility in the United
11 States, its territories, or possessions to house any indi-
12 vidual described in subsection (c) for the purposes of de-
13 tention or imprisonment in the custody or under the effec-
14 tive control of the Department of Defense.

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

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

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

24 (2) is—

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

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

5 SEC. 528. The Director of the Office of Management
6 and Budget shall instruct any department, agency, or in-
7 strumentality of the United States receiving funds appro-
8 priated under this Act to track undisbursed balances in
9 expired grant accounts and include in its annual perform-
10 ance plan and performance and accountability reports the
11 following:

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

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

18 (3) Identification of undisbursed balances in ex-
19 pired grant accounts that may be returned to the
20 Treasury of the United States.

21 (4) In the preceding 3 fiscal years, details on
22 the total number of expired grant accounts with
23 undisbursed balances (on the first day of each fiscal
24 year) for the department, agency, or instrumentality

1 and the total finances that have not been obligated
2 to a specific project remaining in the accounts.

3 SEC. 529. (a) None of the funds made available by
4 this Act may be used for the National Aeronautics and
5 Space Administration (NASA) or the Office of Science
6 and Technology Policy (OSTP) to develop, design, plan,
7 promulgate, implement, or execute a bilateral policy, pro-
8 gram, order, or contract of any kind to participate, col-
9 laborate, or coordinate bilaterally in any way with China
10 or any Chinese-owned company unless such activities are
11 specifically authorized by a law enacted after the date of
12 enactment of this Act.

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

16 (c) The limitations described in subsections (a) and
17 (b) shall not apply to activities which NASA or OSTP,
18 after consultation with the Federal Bureau of Investiga-
19 tion, have certified—

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

24 (2) will not involve knowing interactions with
25 officials who have been determined by the United

1 States to have direct involvement with violations of
2 human rights.

3 (d) Any certification made under subsection (c) shall
4 be submitted to the Committees on Appropriations of the
5 House of Representatives and the Senate, and the Federal
6 Bureau of Investigation, no later than 30 days prior to
7 the activity in question and shall include a description of
8 the purpose of the activity, its agenda, its major partici-
9 pants, and its location and timing.

10 SEC. 530. None of the funds made available by this
11 or any other Act, for fiscal year 2018 and each fiscal year
12 thereafter, may be used to pay the salaries or expenses
13 of personnel to deny, or fail to act on, an application for
14 the importation of any model of shotgun if—

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

17 (2) no application for the importation of such
18 model of shotgun, in the same configuration, had
19 been denied by the Attorney General prior to Janu-
20 ary 1, 2011, on the basis that the shotgun was not
21 particularly suitable for or readily adaptable to
22 sporting purposes.

23 SEC. 531. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

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

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

8 SEC. 532. The Departments of Commerce and Jus-
9 tice, the National Aeronautics and Space Administration,
10 the National Science Foundation, the Commission on Civil
11 Rights, the Equal Employment Opportunity Commission,
12 the International Trade Commission, the Legal Services
13 Corporation, the Marine Mammal Commission, the Offices
14 of Science and Technology Policy and the United States
15 Trade Representative, and the State Justice Institute
16 shall submit spending plans, signed by the respective de-
17 partment or agency head, to the Committees on Appro-
18 priations of the House of Representatives and the Senate
19 within 45 days after the date of enactment of this Act.

20 SEC. 533. None of the funds made available by this
21 Act may be obligated or expended to implement the Arms
22 Trade Treaty until the Senate approves a resolution of
23 ratification for the Treaty.

24 SEC. 534. The Department of Commerce, the Na-
25 tional Aeronautics and Space Administration, and the Na-

1 tional Science Foundation shall provide a quarterly report
2 to the Committees on Appropriations of the House of Rep-
3 resentatives and the Senate on any official travel to China
4 by any employee of such Department or agency, including
5 the purpose of such travel.

6 SEC. 535. Of the amounts made available by this Act,
7 not less than 10 percent of each total amount provided,
8 respectively, for Public Works grants authorized by the
9 Public Works and Economic Development Act of 1965 and
10 grants authorized by section 27 of the Stevenson-Wydler
11 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
12 be allocated for assistance in persistent poverty counties:
13 *Provided*, That for purposes of this section, the term “per-
14 sistent poverty counties” means any county that has had
15 20 percent or more of its population living in poverty over
16 the past 30 years, as measured by the 1990 and 2000
17 decennial censuses and the most recent Small Area In-
18 come and Poverty Estimates.

19 SEC. 536. None of the funds made available by this
20 Act may be used to approve the registration or renewal
21 of, or maintain the registration of, a mark, trade name,
22 or commercial name, under the Act entitled “An Act to
23 provide for the registration and protection of trademarks
24 used in commerce, to carry out the provisions of certain
25 international conventions, and for other purposes”, ap-

1 proved July 6, 1946 (commonly referred to as the “Trade-
2 mark Act of 1946”; 15 U.S.C. 1051 et seq.), including
3 the receipt or acceptance of post-registration affidavits or
4 declarations, where such mark, trade name, or commercial
5 name is the same or substantially similar to a mark, trade
6 name, or commercial name that was used in connection
7 with a business or assets that were confiscated, as that
8 term is defined in section 4(4) of the Cuban Liberty and
9 Democratic Solidarity (LIBERTAD) Act of 1996 (22
10 U.S.C. 6023(4)), unless the original owner of the mark,
11 trade name, or commercial name, or the bona-fide suc-
12 cessor-in-interest has expressly consented.

13 SEC. 537. None of the funds made available by this
14 Act may be used to require a person licensed under section
15 923 of title 18, United States Code, to report information
16 to the Department of Justice regarding the sale of mul-
17 tiple rifles or shotguns to the same person.

18 SEC. 538. (a) A State may bring a civil action against
19 the United States in an appropriate United States district
20 court for such declaratory and injunctive relief (including
21 preliminary injunctive relief) as may be necessary to re-
22 store the sovereignty reserved to the States by the Con-
23 stitution. It shall be duty of the courts of the United
24 States to advance on the docket and to expedite to the
25 greatest possible extent the disposition of any such action.

1 (b) This section shall take effect on the date of enact-
2 ment of this Act and continue in effect through all fiscal
3 years thereafter.

4 SEC. 539. None of the funds made available by this
5 Act may be used to relocate the Bureau of Alcohol, To-
6 bacco, Firearms and Explosives (ATF) Canine Training
7 Center or the ATF National Canine Division.

8 SEC. 540. None of the funds made available by this
9 Act may be used to enter into a civil settlement agreement
10 on behalf of the United States that includes a term requir-
11 ing that any donation be made to any non-party by any
12 party-defendant to such agreement.

13 SEC. 541. None of the funds made available by this
14 Act may be used to implement or enforce the designation
15 of any area of the Chesapeake Bay watershed as critical
16 habitat for the Atlantic Sturgeon pursuant to the proposed
17 rule published June 3, 2016 (81 Fed. Reg. 35701).

18 SEC. 542. None of the funds made available by this
19 Act may be used by the Equal Employment Opportunity
20 Commission for the “collection of information”, as defined
21 in the Paperwork Reduction Act (44 U.S.C.
22 § 3502(3)(A)), from employers relating to employees’
23 earnings and hours worked, as set forth in and designated
24 as Component 2 by the notice published by the Commis-
25 sion on July 14, 2016, in the Federal Register (81 Fed.

1 Reg. 45479), or for any final “collection of information”
2 related to such earnings and hours worked and to such
3 notice.

4 SPENDING REDUCTION ACCOUNT

5 SEC. 543. \$0.

6 This Act may be cited as the “Commerce, Justice,
7 Science, and Related Agencies Appropriations Act, 2018”.

Union Calendar No. 164

115TH CONGRESS
1ST Session

H. R. 3267

[Report No. 115-231]

A BILL

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes.

JULY 17, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed