

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000114TH CONGRESS
1ST SESSION**S. 0000****[Report No. 114-000]**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE _____, 2015

Mr. BLUNT, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Departments of Labor, Health and Human Services, and
4 Education, and related agencies for the fiscal year ending
5 September 30, 2016, and for other purposes, namely:

6

TITLE I

7

DEPARTMENT OF LABOR

8

EMPLOYMENT AND TRAINING ADMINISTRATION

9

TRAINING AND EMPLOYMENT SERVICES

10

(INCLUDING TRANSFER OF FUNDS)

11

For necessary expenses of the Workforce Innovation
12 and Opportunity Act (referred to in this Act as “WIOA”),
13 and the Second Chance Act of 2007, \$2,936,244,000, plus
14 reimbursements, shall be available. Of the amounts pro-
15 vided:

16

(1) for grants to States for adult employment
17 and training activities, youth activities, and dis-
18 located worker employment and training activities,
19 \$2,492,000,000 as follows:

20

(A) \$737,000,000 for adult employment
21 and training activities, of which \$25,000,000
22 shall be available for the period July 1, 2016,
23 through June 30, 2017, and of which
24 \$712,000,000 shall be available for the period
25 October 1, 2016, through June 30, 2017;

1 (B) \$790,000,000 for youth activities,
2 which shall be available for the period April 1,
3 2016, through June 30, 2017; and

4 (C) \$965,000,000 for dislocated worker
5 employment and training activities, of which
6 \$105,000,000 shall be available for the period
7 July 1, 2016, through June 30, 2017, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2016, through June 30,
10 2017:

11 *Provided*, That pursuant to section 128(a)(1) of the
12 WIOA, the amount available to the Governor for statewide
13 workforce investment activities shall not exceed 15 percent
14 of the amount allotted to the State from each of the appro-
15 priations under the preceding subparagraphs; and

16 (2) for national programs, \$444,244,000 as fol-
17 lows:

18 (A) \$200,000,000 for the dislocated work-
19 ers assistance national reserve, which shall be
20 available for the period October 1, 2016
21 through September 30, 2017: *Provided*, That
22 funds provided to carry out section
23 132(a)(2)(A) of the WIOA may be used to pro-
24 vide assistance to a State for statewide or local
25 use in order to address cases where there have

1 been worker dislocations across multiple sectors
2 or across multiple local areas and such workers
3 remain dislocated; coordinate the State work-
4 force development plan with emerging economic
5 development needs; and train such eligible dis-
6 located workers: *Provided further*, That funds
7 provided to carry out sections 168(b) and
8 169(c) of the WIOA may be used for technical
9 assistance and demonstration projects, respec-
10 tively, that provide assistance to new entrants
11 in the workforce and incumbent workers: *Pro-*
12 *vided further*, That notwithstanding section
13 168(b) of the WIOA, of the funds provided
14 under this subparagraph, the Secretary of
15 Labor (referred to in this title as “Secretary”)
16 may reserve not more than 10 percent of such
17 funds to provide technical assistance and carry
18 out additional activities related to the transition
19 to the WIOA: *Provided further*, That, of the
20 funds provided under this subparagraph,
21 \$19,000,000 shall be made available for appli-
22 cations submitted in accordance with section
23 170 of the WIOA for training and employment
24 assistance for workers dislocated from coal
25 mines and coal-fired power plants;

1 (B) \$40,500,000 for Native American pro-
2 grams under section 166 of the WIOA, which
3 shall be available for the period July 1, 2016,
4 through June 30, 2017;

5 (C) \$23,750,000, which shall be available
6 for the period October 1, 2015, through Sep-
7 tember 30, 2016, for necessary expenses for the
8 Office of Disability Employment Policy to de-
9 velop policy and initiatives furthering the objec-
10 tive of eliminating barriers to the training and
11 employment of people with disabilities, includ-
12 ing funds for competitive grants: *Provided,*
13 That, not later than 180 days after the date of
14 enactment of this Act, the Office of Disability
15 Employment Policy in the Department of Labor
16 shall be placed in the Employment and Train-
17 ing Administration, and the functions and du-
18 ties previously assigned to the Assistant Sec-
19 retary for Disability Employment Policy shall
20 hereafter be assigned to the Assistant Secretary
21 for Employment and Training.

22 (D) \$73,000,000 for migrant and seasonal
23 farmworker programs under section 167 of the
24 WIOA, including \$67,306,000 for formula
25 grants (of which not less than 70 percent shall

1 be for employment and training services),
2 \$5,200,000 for migrant and seasonal housing
3 (of which not less than 70 percent shall be for
4 permanent housing), and \$494,000 for other
5 discretionary purposes, which shall be available
6 for the period July 1, 2016, through June 30,
7 2017: *Provided*, That notwithstanding any
8 other provision of law or related regulation, the
9 Department of Labor shall take no action lim-
10 iting the number or proportion of eligible par-
11 ticipants receiving related assistance services or
12 discouraging grantees from providing such serv-
13 ices;

14 (E) \$79,689,000 for YouthBuild activities
15 as described in section 171 of the WIOA, which
16 shall be available for the period April 1, 2016,
17 through June 30, 2017;

18 (F) \$1,000,000 for technical assistance ac-
19 tivities under section 168 of the WIOA, which
20 shall be available for the period July 1, 2016
21 through June 30, 2017;

22 (G) \$22,305,000 for ex-offender activities,
23 under the authority of section 169 of the WIOA
24 and section 212 of the Second Chance Act of
25 2007, which shall be available for the period

1 April 1, 2016, through June 30, 2017: *Pro-*
2 *vided*, That such funds shall be for competitive
3 grants to national and regional intermediaries
4 for activities that prepare adult and young ex-
5 offenders and school dropouts for employment,
6 with a priority for projects serving high crime,
7 high-poverty areas and communities that have
8 recently experienced significant unrest;

9 (H) \$4,000,000 for the Workforce Data
10 Quality Initiative, under the authority of section
11 169 of the WIOA, which shall be available for
12 the period July 1, 2016 through June 30,
13 2017.

14 JOB CORPS

15 (INCLUDING TRANSFER OF FUNDS)

16 To carry out subtitle C of title I of the WIOA, includ-
17 ing Federal administrative expenses, the purchase and
18 hire of passenger motor vehicles, the construction, alter-
19 ation, and repairs of buildings and other facilities, and the
20 purchase of real property for training centers as author-
21 ized by the WIOA, \$1,683,155,000, plus reimbursements,
22 as follows:

23 (1) \$1,578,008,000 for Job Corps Operations,
24 which shall be available for the period July 1, 2016,
25 through June 30, 2017;

1 (2) \$74,000,000 for construction, rehabilitation
2 and acquisition of Job Corps Centers, which shall be
3 available for the period July 1, 2016, through June
4 30, 2019, and which may include the acquisition,
5 maintenance, and repair of major items of equip-
6 ment: *Provided*, That the Secretary may transfer up
7 to 15 percent of such funds to meet the operational
8 needs of such centers or to achieve administrative ef-
9 ficiencies: *Provided further*, That any funds trans-
10 ferred pursuant to the preceding proviso shall not be
11 available for obligation after June 30, 2017: *Pro-*
12 *vided further*, That the Committees on Appropria-
13 tions of the House of Representatives and the Sen-
14 ate are notified at least 15 days in advance of any
15 transfer; and

16 (3) \$31,147,000 for necessary expenses of Job
17 Corps, which shall be available for obligation for the
18 period October 1, 2015 through September 30,
19 2016:

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

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For authorized administrative expenses,
4 \$86,428,000, together with not to exceed \$3,413,133,000
5 which may be expended from the Employment Security
6 Administration Account in the Unemployment Trust Fund
7 (“the Trust Fund”), of which:

8 (1) \$2,705,550,000 from the Trust Fund is for
9 grants to States for the administration of State un-
10 employment insurance laws as authorized under title
11 III of the Social Security Act (including not less
12 than \$80,000,000 to conduct in-person reemploy-
13 ment and eligibility assessments and unemployment
14 insurance improper payment reviews, and to provide
15 reemployment services and referrals to training as
16 appropriate, and \$3,000,000 for continued support
17 of the Unemployment Insurance Integrity Center of
18 Excellence), the administration of unemployment in-
19 surance for Federal employees and for ex-service
20 members as authorized under 5 U.S.C. 8501–8523,
21 and the administration of trade readjustment allow-
22 ances, reemployment trade adjustment assistance,
23 and alternative trade adjustment assistance under
24 the Trade Act of 1974 and under sections 231(a)
25 and 233(b) of the Trade Adjustment Assistance Ex-

1 tension Act of 2011, and shall be available for obli-
2 gation by the States through December 31, 2016,
3 except that funds used for automation acquisitions
4 shall be available for Federal obligation through De-
5 cember 31, 2016, and for State obligation through
6 September 30, 2018, or, if the automation acquisi-
7 tion is being carried out through consortia of States,
8 for State obligation through September 30, 2021,
9 and for expenditure through September 30, 2022,
10 and funds for competitive grants awarded to States
11 for improved operations and to conduct in-person as-
12 sessments and reviews and provide reemployment
13 services and referrals shall be available for Federal
14 obligation through December 31, 2016, and for obli-
15 gation by the States through September 30, 2018,
16 and funds used for unemployment insurance work-
17 loads experienced by the States through September
18 30, 2016, shall be available for Federal obligation
19 through December 31, 2016;

20 (2) \$12,892,000 from the Trust Fund is for na-
21 tional activities necessary to support the administra-
22 tion of the Federal-State unemployment insurance
23 system;

24 (3) \$614,000,000 from the Trust Fund, to-
25 gether with \$20,775,000 from the General Fund of

1 the Treasury, is for grants to States in accordance
2 with section 6 of the Wagner-Peyser Act, and shall
3 be available for Federal obligation for the period
4 July 1, 2016 through June 30, 2017;

5 (4) \$19,000,000 from the Trust Fund is for na-
6 tional activities of the Employment Service, includ-
7 ing administration of the work opportunity tax cred-
8 it under section 51 of the Internal Revenue Code of
9 1986, and the provision of technical assistance and
10 staff training under the Wagner-Peyser Act;

11 (5) \$61,691,000 from the Trust Fund is for the
12 administration of foreign labor certifications and re-
13 lated activities under the Immigration and Nation-
14 ality Act and related laws, of which \$47,691,000
15 shall be available for the Federal administration of
16 such activities, and \$14,000,000 shall be available
17 for grants to States for the administration of such
18 activities; and

19 (6) \$65,653,000 from the General Fund is to
20 provide workforce information, national electronic
21 tools, and one-stop system building under the Wag-
22 ner-Peyser Act, including \$7,500,000 for grants re-
23 lating to occupational licensing, and shall be avail-
24 able for Federal obligation for the period July 1,
25 2016 through June 30, 2017:

1 *Provided*, That to the extent that the Average Weekly In-
2 sured Unemployment (“AWIU”) for fiscal year 2016 is
3 projected by the Department of Labor to exceed
4 2,957,000, an additional \$28,600,000 from the Trust
5 Fund shall be available for obligation for every 100,000
6 increase in the AWIU level (including a pro rata amount
7 for any increment less than 100,000) to carry out title
8 III of the Social Security Act: *Provided further*, That
9 funds appropriated in this Act that are allotted to a State
10 to carry out activities under title III of the Social Security
11 Act may be used by such State to assist other States in
12 carrying out activities under such title III if the other
13 States include areas that have suffered a major disaster
14 declared by the President under the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act: *Provided*
16 *further*, That the Secretary may use funds appropriated
17 for grants to States under title III of the Social Security
18 Act to make payments on behalf of States for the use of
19 the National Directory of New Hires under section
20 453(j)(8) of such Act: *Provided further*, That the Sec-
21 retary may use funds appropriated for grants to States
22 under title III of the Social Security Act to make pay-
23 ments on behalf of States to the entity operating the State
24 Information Data Exchange System: *Provided further*,
25 That funds appropriated in this Act which are used to es-

1 tablish a national one-stop career center system, or which
2 are used to support the national activities of the Federal-
3 State unemployment insurance, employment service, or
4 immigration programs, may be obligated in contracts,
5 grants, or agreements with States and non-State entities:
6 *Provided further*, That States awarded competitive grants
7 for improved operations under title III of the Social Secu-
8 rity Act, or awarded grants to support the national activi-
9 ties of the Federal-State unemployment insurance system,
10 may award subgrants to other States under such grants,
11 subject to the conditions applicable to the grants: *Provided*
12 *further*, That funds appropriated under this Act for activi-
13 ties authorized under title III of the Social Security Act
14 and the Wagner-Peyser Act may be used by States to fund
15 integrated Unemployment Insurance and Employment
16 Service automation efforts, notwithstanding cost allocation
17 principles prescribed under the Office of Management and
18 Budget Circular A-87: *Provided further*, That the Sec-
19 retary, at the request of a State participating in a consor-
20 tium with other States, may reallocate funds allotted to such
21 State under title III of the Social Security Act to other
22 States participating in the consortium in order to carry
23 out activities that benefit the administration of the unem-
24 ployment compensation law of the State making the re-
25 quest: *Provided further*, That the Secretary may collect

1 fees for the costs associated with additional data collec-
2 tion, analyses, and reporting services relating to the Na-
3 tional Agricultural Workers Survey requested by State
4 and local governments, public and private institutions of
5 higher education, and nonprofit organizations and may
6 utilize such sums, in accordance with the provisions of 29
7 U.S.C. 9a, for the National Agricultural Workers Survey
8 infrastructure, methodology, and data to meet the infor-
9 mation collection and reporting needs of such entities,
10 which shall be credited to this appropriation and shall re-
11 main available until September 30, 2017, for such pur-
12 poses.

13 In addition, \$20,000,000 from the Employment Se-
14 curity Administration Account of the Unemployment
15 Trust Fund shall be available for in-person reemployment
16 and eligibility assessments and unemployment insurance
17 improper payment reviews and to provide reemployment
18 services and referrals to training as appropriate, which
19 shall be available for Federal obligations through Decem-
20 ber 31, 2016, and for State obligation through September
21 30, 2018.

22 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
23 OTHER FUNDS

24 For repayable advances to the Unemployment Trust
25 Fund as authorized by sections 905(d) and 1203 of the

1 Social Security Act, and to the Black Lung Disability
2 Trust Fund as authorized by section 9501(c)(1) of the In-
3 ternal Revenue Code of 1986; and for nonrepayable ad-
4 vances to the revolving fund established by section 901(e)
5 of the Social Security Act, to the Unemployment Trust
6 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
7 Unemployment Benefits and Allowances” account, such
8 sums as may be necessary, which shall be available for
9 obligation through September 30, 2017.

10 PROGRAM ADMINISTRATION

11 For expenses of administering employment and train-
12 ing programs, \$97,733,000, together with not to exceed
13 \$46,284,000 which may be expended from the Employ-
14 ment Security Administration Account in the Unemploy-
15 ment Trust Fund.

16 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Employee Benefits
19 Security Administration, \$168,930,000.

20 PENSION BENEFIT GUARANTY CORPORATION

21 PENSION BENEFIT GUARANTY CORPORATION FUND

22 The Pension Benefit Guaranty Corporation (“Cor-
23 poration”) is authorized to make such expenditures, in-
24 cluding financial assistance authorized by subtitle E of
25 title IV of the Employee Retirement Income Security Act

1 of 1974, within limits of funds and borrowing authority
2 available to the Corporation, and in accord with law, and
3 to make such contracts and commitments without regard
4 to fiscal year limitations, as provided by 31 U.S.C. 9104,
5 as may be necessary in carrying out the program, includ-
6 ing associated administrative expenses, through Sep-
7 tember 30, 2016, for the Corporation: *Provided*, That
8 none of the funds available to the Corporation for fiscal
9 year 2016 shall be available for obligations for administra-
10 tive expenses in excess of \$431,799,000: *Provided further*,
11 That to the extent that the number of new plan partici-
12 pants in plans terminated by the Corporation exceeds
13 100,000 in fiscal year 2016, an amount not to exceed an
14 additional \$9,200,000 shall be available through Sep-
15 tember 30, 2017, for obligation for administrative ex-
16 penses for every 20,000 additional terminated partici-
17 pants: *Provided further*, That obligations in excess of the
18 amounts provided in this paragraph may be incurred for
19 unforeseen and extraordinary pretermination expenses or
20 extraordinary multiemployer program related expenses
21 after approval by the Office of Management and Budget
22 and notification of the Committees on Appropriations of
23 the House of Representatives and the Senate.

1 WAGE AND HOUR DIVISION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Wage and Hour Divi-
4 sion, including reimbursement to State, Federal, and local
5 agencies and their employees for inspection services ren-
6 dered, \$210,000,000.

7 OFFICE OF LABOR-MANAGEMENT STANDARDS

8 SALARIES AND EXPENSES

9 For necessary expenses for the Office of Labor-Man-
10 agement Standards, \$36,000,000.

11 OFFICE OF FEDERAL CONTRACT COMPLIANCE

12 PROGRAMS

13 SALARIES AND EXPENSES

14 For necessary expenses for the Office of Federal Con-
15 tract Compliance Programs, \$96,000,000.

16 OFFICE OF WORKERS' COMPENSATION PROGRAMS

17 SALARIES AND EXPENSES

18 For necessary expenses for the Office of Workers'
19 Compensation Programs, \$107,500,000, together with
20 \$2,177,000 which may be expended from the Special Fund
21 in accordance with sections 39(c), 44(d), and 44(j) of the
22 Longshore and Harbor Workers' Compensation Act.

1 unobligated on September 30, 2015, shall remain available
2 until expended for the payment of compensation, benefits,
3 and expenses: *Provided further*, That in addition there
4 shall be transferred to this appropriation from the Postal
5 Service and from any other corporation or instrumentality
6 required under 5 U.S.C. 8147(c) to pay an amount for
7 its fair share of the cost of administration, such sums as
8 the Secretary determines to be the cost of administration
9 for employees of such fair share entities through Sep-
10 tember 30, 2016: *Provided further*, That of those funds
11 transferred to this account from the fair share entities to
12 pay the cost of administration of the Federal Employees'
13 Compensation Act, \$62,170,000 shall be made available
14 to the Secretary as follows—

15 (1) for enhancement and maintenance of auto-
16 mated data processing systems operations and tele-
17 communications systems, \$21,140,000;

18 (2) for automated workload processing oper-
19 ations, including document imaging, centralized mail
20 intake, and medical bill processing, \$22,968,000;

21 (3) for periodic roll disability management and
22 medical review, \$16,668,000;

23 (4) for program integrity, \$1,394,000; and

24 (5) the remaining funds shall be paid into the
25 Treasury as miscellaneous receipts:

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

7 SPECIAL BENEFITS FOR DISABLED COAL MINERS

8 For carrying out title IV of the Federal Mine Safety
9 and Health Act of 1977, as amended by Public Law 107-
10 275, \$69,302,000, to remain available until expended.

11 For making after July 31 of the current fiscal year,
12 benefit payments to individuals under title IV of such Act,
13 for costs incurred in the current fiscal year, such amounts
14 as may be necessary.

15 For making benefit payments under title IV for the
16 first quarter of fiscal year 2017, \$19,000,000, to remain
17 available until expended.

18 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

19 OCCUPATIONAL ILLNESS COMPENSATION FUND

20 For necessary expenses to administer the Energy
21 Employees Occupational Illness Compensation Program
22 Act, \$58,552,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may require that any person fil-
24 ing a claim for benefits under the Act provide as part of

1 such claim such identifying information (including Social
2 Security account number) as may be prescribed.

3 BLACK LUNG DISABILITY TRUST FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 Such sums as may be necessary from the Black Lung
6 Disability Trust Fund (the “Fund”), to remain available
7 until expended, for payment of all benefits authorized by
8 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
9 enue Code of 1986; and repayment of, and payment of
10 interest on advances, as authorized by section 9501(d)(4)
11 of that Act. In addition, the following amounts may be
12 expended from the Fund for fiscal year 2016 for expenses
13 of operation and administration of the Black Lung Bene-
14 fits program, as authorized by section 9501(d)(5): not to
15 exceed \$35,244,000 for transfer to the Office of Workers’
16 Compensation Programs, “Salaries and Expenses”; not to
17 exceed \$30,279,000 for transfer to Departmental Manage-
18 ment, “Salaries and Expenses”; not to exceed \$327,000
19 for transfer to Departmental Management, “Office of In-
20 spector General”; and not to exceed \$356,000 for pay-
21 ments into miscellaneous receipts for the expenses of the
22 Department of the Treasury.

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Occupational Safety
4 and Health Administration, \$524,476,000, including not
5 to exceed \$98,746,000 which shall be the maximum
6 amount available for grants to States under section 23(g)
7 of the Occupational Safety and Health Act (the "Act"),
8 which grants shall be no less than 50 percent of the costs
9 of State occupational safety and health programs required
10 to be incurred under plans approved by the Secretary
11 under section 18 of the Act; and, in addition, notwith-
12 standing 31 U.S.C. 3302, the Occupational Safety and
13 Health Administration may retain up to \$499,000 per fis-
14 cal year of training institute course tuition and fees, other-
15 wise authorized by law to be collected, and may utilize
16 such sums for occupational safety and health training and
17 education: *Provided*, That notwithstanding 31 U.S.C.
18 3302, the Secretary is authorized, during the fiscal year
19 ending September 30, 2016, to collect and retain fees for
20 services provided to Nationally Recognized Testing Lab-
21 oratories, and may utilize such sums, in accordance with
22 the provisions of 29 U.S.C. 9a, to administer national and
23 international laboratory recognition programs that ensure
24 the safety of equipment and products used by workers in
25 the workplace: *Provided further*, That none of the funds

1 appropriated under this paragraph shall be obligated or
2 expended to prescribe, issue, administer, or enforce any
3 standard, rule, regulation, or order under the Act which
4 is applicable to any person who is engaged in a farming
5 operation which does not maintain a temporary labor
6 camp and employs 10 or fewer employees: *Provided fur-*
7 *ther*, That no funds appropriated under this paragraph
8 shall be obligated or expended to administer or enforce
9 any standard, rule, regulation, or order under the Act with
10 respect to any employer of 10 or fewer employees who is
11 included within a category having a Days Away, Re-
12 stricted, or Transferred (“DART”) occupational injury
13 and illness rate, at the most precise industrial classifica-
14 tion code for which such data are published, less than the
15 national average rate as such rates are most recently pub-
16 lished by the Secretary, acting through the Bureau of
17 Labor Statistics, in accordance with section 24 of the Act,
18 except—

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

22 (2) to conduct an inspection or investigation in
23 response to an employee complaint, to issue a cita-
24 tion for violations found during such inspection, and
25 to assess a penalty for violations which are not cor-

1 rected within a reasonable abatement period and for
2 any willful violations found;

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

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

7 (5) to take any action authorized by the Act
8 with respect to a report of an employment accident
9 which is fatal to one or more employees or which re-
10 sults in hospitalization of two or more employees,
11 and to take any action pursuant to such investiga-
12 tion authorized by the Act; and

13 (6) to take any action authorized by the Act
14 with respect to complaints of discrimination against
15 employees for exercising rights under the Act:

16 *Provided further*, That the foregoing proviso shall not
17 apply to any person who is engaged in a farming operation
18 which does not maintain a temporary labor camp and em-
19 ploys 10 or fewer employees: *Provided further*, That
20 \$10,149,000 shall be available for Susan Harwood train-
21 ing grants: *Provided further*, That not less than
22 \$3,500,000 shall be available for Voluntary Protection
23 Programs.

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$356,878,000, including purchase
5 and bestowal of certificates and trophies in connection
6 with mine rescue and first-aid work, and the hire of pas-
7 senger motor vehicles, including up to \$2,000,000 for
8 mine rescue and recovery activities and not less than
9 \$8,229,975 for state assistance grants: *Provided*, That
10 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
11 may be collected by the National Mine Health and Safety
12 Academy for room, board, tuition, and the sale of training
13 materials, otherwise authorized by law to be collected, to
14 be available for mine safety and health education and
15 training activities: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, the Mine Safety and Health Administra-
17 tion is authorized to collect and retain up to \$2,499,000
18 from fees collected for the approval and certification of
19 equipment, materials, and explosives for use in mines, and
20 may utilize such sums for such activities: *Provided further*,
21 That the Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, or private: *Provided*
25 *further*, That the Mine Safety and Health Administration

1 is authorized to promote health and safety education and
2 training in the mining community through cooperative
3 programs with States, industry, and safety associations:
4 *Provided further*, That the Secretary is authorized to rec-
5 ognize the Joseph A. Holmes Safety Association as a prin-
6 cipal safety association and, notwithstanding any other
7 provision of law, may provide funds and, with or without
8 reimbursement, personnel, including service of Mine Safe-
9 ty and Health Administration officials as officers in local
10 chapters or in the national organization: *Provided further*,
11 That any funds available to the Department of Labor may
12 be used, with the approval of the Secretary, to provide
13 for the costs of mine rescue and survival operations in the
14 event of a major disaster.

15 BUREAU OF LABOR STATISTICS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Bureau of Labor Sta-
18 tistics, including advances or reimbursements to State,
19 Federal, and local agencies and their employees for serv-
20 ices rendered, \$515,494,000, together with not to exceed
21 \$63,700,000 which may be expended from the Employ-
22 ment Security Administration account in the Unemploy-
23 ment Trust Fund.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$258,727,000, together with not to exceed \$293,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That funds available to the Bureau of
10 International Labor Affairs may be used to administer or
11 operate international labor activities, bilateral and multi-
12 lateral technical assistance, and microfinance programs,
13 by or through contracts, grants, subgrants and other ar-
14 rangements: *Provided further*, That \$7,236,000 shall be
15 used for program evaluation and shall be available for obli-
16 gation through September 30, 2017: *Provided further*,
17 That funds available for program evaluation may be trans-
18 ferred to any other appropriate account in the Department
19 for such purpose: *Provided further*, That the Committees
20 on Appropriations of the House of Representatives and the
21 Senate are notified at least 15 days in advance of any
22 transfer: *Provided further*, That the funds available to the
23 Women's Bureau may be used for grants to serve and pro-
24 mote the interests of women in the workforce.

1 VETERANS EMPLOYMENT AND TRAINING

2 Not to exceed \$231,872,000 may be derived from the
3 Employment Security Administration account in the Un-
4 employment Trust Fund to carry out the provisions of
5 chapters 41, 42, and 43 of title 38, United States Code,
6 of which:

7 (1) \$175,000,000 is for Jobs for Veterans State
8 grants under 38 U.S.C. 4102A(b)(5) to support dis-
9 abled veterans' outreach program specialists under
10 section 4103A of such title and local veterans' em-
11 ployment representatives under section 4104(b) of
12 such title, and for the expenses described in section
13 4102A(b)(5)(C), which shall be available for obliga-
14 tion by the States through December 31, 2016, and
15 not to exceed 3 percent for the necessary Federal ex-
16 penditures for data systems and contract support to
17 allow for the tracking of participant and perform-
18 ance information: *Provided*, That, in addition, such
19 funds may be used to support such specialists and
20 representatives in the provision of services to
21 transitioning members of the Armed Forces who
22 have participated in the Transition Assistance Pro-
23 gram and have been identified as in need of inten-
24 sive services, to members of the Armed Forces who
25 are wounded, ill, or injured and receiving treatment

1 in military treatment facilities or warrior transition
2 units, and to the spouses or other family caregivers
3 of such wounded, ill, or injured members;

4 (2) \$14,000,000 is for carrying out the Transi-
5 tion Assistance Program under 38 U.S.C. 4113 and
6 10 U.S.C. 1144;

7 (3) \$39,458,000 is for Federal administration
8 of chapters 41, 42, and 43 of title 38, United States
9 Code; and

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

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

17 In addition, from the General Fund of the Treasury,
18 \$38,109,000 is for carrying out programs to assist home-
19 less veterans and veterans at risk of homelessness who are
20 transitioning from certain institutions under sections
21 2021, 2021A, and 2023 of title 38, United States Code:
22 *Provided*, That notwithstanding subsections (c)(3) and (d)
23 of section 2023, the Secretary may award grants through
24 September 30, 2016, to provide services under such sec-
25 tion: *Provided further*, That services provided under sec-

1 tion 2023 may include, in addition to services to the indi-
2 viduals described in subsection (e) of such section, services
3 to veterans recently released from incarceration who are
4 at risk of homelessness.

5

IT MODERNIZATION

6 For necessary expenses for Department of Labor cen-
7 tralized infrastructure technology investment activities re-
8 lated to support systems and modernization, \$12,898,000.

9

OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$73,721,000, together with not to
13 exceed \$5,590,000 which may be expended from the Em-
14 ployment Security Administration account in the Unem-
15 ployment Trust Fund.

16

GENERAL PROVISIONS

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

22

(TRANSFER OF FUNDS)

23 SEC. 102. Not to exceed 1 percent of any discre-
24 tionary funds (pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985) which are appro-

1 priated for the current fiscal year for the Department of
2 Labor in this Act may be transferred between a program,
3 project, or activity, but no such program, project, or activ-
4 ity shall be increased by more than 3 percent by any such
5 transfer: *Provided*, That the transfer authority granted by
6 this section shall not be used to create any new program
7 or to fund any project or activity for which no funds are
8 provided in this Act: *Provided further*, That the Commit-
9 tees on Appropriations of the House of Representatives
10 and the Senate are notified at least 15 days in advance
11 of any transfer.

12 SEC. 103. In accordance with Executive Order
13 13126, none of the funds appropriated or otherwise made
14 available pursuant to this Act shall be obligated or ex-
15 pended for the procurement of goods mined, produced,
16 manufactured, or harvested or services rendered, in whole
17 or in part, by forced or indentured child labor in industries
18 and host countries already identified by the United States
19 Department of Labor prior to enactment of this Act.

20 SEC. 104. Except as otherwise provided in this sec-
21 tion, none of the funds made available to the Department
22 of Labor for grants under section 414(e) of the American
23 Competitiveness and Workforce Improvement Act of 1998
24 (29 U.S.C. 2916a) may be used for any purpose other
25 than competitive grants for training individuals who are

1 older than 16 years of age and are not currently enrolled
2 in school within a local educational agency in the occupa-
3 tions and industries for which employers are using H-1B
4 visas to hire foreign workers, and the related activities
5 necessary to support such training: *Provided*, That
6 \$13,000,000 of such funds shall be used in fiscal year
7 2016 to process permanent foreign labor certifications
8 under section 212(a)(5)(A) of the Immigration and Na-
9 tionality Act (8 U.S.C. 1182(a)(5)(A)): *Provided further*,
10 That the funding limitation under this section shall not
11 apply to funding provided pursuant to solicitations for
12 grant applications issued before January 15, 2014.

13 SEC. 105. None of the funds made available by this
14 Act under the heading “Employment and Training Ad-
15 ministration” shall be used by a recipient or subrecipient
16 of such funds to pay the salary and bonuses of an indi-
17 vidual, either as direct costs or indirect costs, at a rate
18 in excess of Executive Level II. This limitation shall not
19 apply to vendors providing goods and services as defined
20 in Office of Management and Budget Circular A-133.
21 Where States are recipients of such funds, States may es-
22 tablish a lower limit for salaries and bonuses of those re-
23 ceiving salaries and bonuses from subrecipients of such
24 funds, taking into account factors including the relative
25 cost-of-living in the State, the compensation levels for

1 comparable State or local government employees, and the
2 size of the organizations that administer Federal pro-
3 grams involved including Employment and Training Ad-
4 ministration programs.

5 (INCLUDING TRANSFER OF FUNDS)

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

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 107. (a) The Secretary may reserve not more
16 than 0.5 percent from each appropriation made available
17 in this Act identified in subsection (b) in order to carry
18 out evaluations of any of the programs or activities that
19 are funded under such accounts. Any funds reserved under
20 this section shall be transferred to “Departmental Man-
21 agement” for use by the Office of the Chief Evaluation
22 Officer within the Department of Labor, and shall be
23 available for obligation through September 30, 2017: *Pro-*
24 *vided*, That such funds shall only be available if the Chief
25 Evaluation Officer of the Department of Labor submits

1 a plan to the Committees on Appropriations of the House
2 of Representatives and the Senate describing the evalua-
3 tions to be carried out 15 days in advance of any transfer.

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

18 SEC. 108. Section 7 of the Fair Labor Standards Act
19 of 1938 (29 U.S.C. 207) is amended by adding the fol-
20 lowing text to such section:

21 “(s)(1) The provisions of this section shall not apply
22 for a period of 2 years after the occurrence of a major
23 disaster, as defined herein, to any employee—

24 “(A) employed to adjust or evaluate claims re-
25 sulting from or relating to such major disaster, by

1 an employer not engaged, directly or through an af-
2 filiate, in underwriting, selling, or marketing prop-
3 erty, casualty, or liability insurance policies or con-
4 tracts;

5 “(B) who receives on average weekly compensa-
6 tion of not less than \$591.00 per week or any min-
7 imum weekly amount established by the Secretary,
8 whichever is greater, over the number of weeks such
9 employee is engaged in any of the activities de-
10 scribed in subparagraph (C); and

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

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

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

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

23 “(iv) negotiating settlements; or

24 “(v) making recommendations regarding
25 litigation.

1 “(2) Notwithstanding any other provision of section
2 18, in the event of a major disaster, this Act exclusively
3 shall govern the payment of overtime to all employees de-
4 scribed in paragraph (1) above, and shall supersede any
5 other Federal, State, or local law, regulation, or order.

6 “(3) The exemption in this subsection shall not affect
7 the exemption provided by section 13(a)(1).

8 “(4) For purposes of this subsection—

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

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

1 “(C) the term ‘affiliate’ means a company that,
2 by reason of ownership or control of percent or more
3 of the outstanding shares of any class of voting se-
4 curities of one or more companies, directly or indi-
5 rectly, controls, is controlled by, or is under common
6 control with, another company.”.

7 SEC. 109. Notwithstanding any other provision of
8 law, beginning October 1, 2015, the Secretary of Labor,
9 in consultation with the Secretary of Agriculture may se-
10 lect an entity to operate a Civilian Conservation Center
11 on a competitive basis in accordance with section 147 of
12 the WIOA, if the Secretary of Labor determines such Cen-
13 ter has had consistently low performance under the per-
14 formance accountability system in effect for the Job Corps
15 program prior to July 1, 2016, or with respect to expected
16 levels of performance established under section 159(c) of
17 such Act beginning July 1, 2016.

18 SEC. 110. None of the funds made available by this
19 Act may be used to finalize, implement, administer, or en-
20 force the proposed Definition of the Term “Fiduciary”;
21 Conflict of Interest Rule—Retirement Investment Advice
22 regulation published by the Department of Labor in the
23 Federal Register on April 20, 2015 (80 Fed. Reg. 21928
24 et seq.).

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

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

24 SEC. 113. None of the funds in this Act shall be used
25 to implement 20 CFR 655.70 and 20 CFR 655.71.

1 SEC. 114. (a) FLEXIBILITY WITH RESPECT TO THE
2 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
3 SEAFOOD INDUSTRY.—

4 (1) IN GENERAL.—Subject to paragraph (2), if
5 a petition for H-2B nonimmigrants filed by an em-
6 ployer in the seafood industry is granted, the em-
7 ployer may bring the nonimmigrants described in
8 the petition into the United States at any time dur-
9 ing the 120-day period beginning on the start date
10 for which the employer is seeking the services of the
11 nonimmigrants without filing another petition.

12 (2) REQUIREMENTS FOR CROSSINGS AFTER
13 90TH DAY.—An employer in the seafood industry
14 may not bring H-2B nonimmigrants into the United
15 States after the date that is 90 days after the start
16 date for which the employer is seeking the services
17 of the nonimmigrants unless the employer—

18 (A) completes a new assessment of the
19 local labor market by—

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

22 (ii) posting the job opportunity on the
23 appropriate Department of Labor Elec-
24 tronic Job Registry and at the employer's
25 place of employment; and

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

3 (i) applies for the job; and

4 (ii) will be available at the time and
5 place of need.

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

14 (b) H–2B NONIMMIGRANTS DEFINED.—In this sec-
15 tion, the term “H–2B nonimmigrants” means aliens ad-
16 mitted to the United States pursuant to section
17 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
18 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

19 This title may be cited as the “Department of Labor
20 Appropriations Act, 2016”.

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Services Act (referred to in this Act as the “PHS Act”)
8 with respect to primary health care and the Native Hawai-
9 ian Health Care Act of 1988, \$1,630,100,000 (in addition
10 to the \$3,600,000,000 previously appropriated to the
11 Community Health Center Fund for fiscal year 2016):
12 *Provided*, That \$1,491,522,000 is appropriated from the
13 general fund, and \$138,478,000, to remain available until
14 expended, is derived from available unobligated balances
15 of amounts transferred from the Community Health Cen-
16 ter Fund in prior fiscal years: *Provided further*, That no
17 part of the unobligated balances from amounts appro-
18 priated in 42 U.S.C. 254b-2(b)(1) for prior fiscal years
19 shall be available to the Secretary of Health and Human
20 Services for obligation in fiscal year 2016 except as pro-
21 vided for in this Act: *Provided further*, That no more than
22 \$100,000 shall be available until expended for carrying
23 out the provisions of section 224(o) of the PHS Act: *Pro-*
24 *vided further*, That no more than \$99,893,000 shall be
25 available until expended for carrying out the provisions of

1 Public Law 104–73 and for expenses incurred by the De-
2 partment of Health and Human Services (referred to in
3 this Act as “HHS”) pertaining to administrative claims
4 made under such law: *Provided further*, That of funds pro-
5 vided for the Health Centers program, as defined by sec-
6 tion 330 of the PHS Act, by this Act or any other Act
7 for fiscal year 2016, not less than \$50,000,000 shall be
8 obligated in fiscal year 2016 to support new access points,
9 grants to expand medical services, behavioral health, oral
10 health, pharmacy, or vision services, and not less than
11 \$40,000,000 shall be obligated in fiscal year 2016 for con-
12 struction and capital improvement costs: *Provided further*,
13 That the time limitation in section 330(e)(3) of the PHS
14 Act shall not apply in fiscal year 2016.

15

HEALTH WORKFORCE

16 For carrying out titles III, VII, and VIII of the PHS
17 Act with respect to the health workforce, section 1128E
18 of the Social Security Act, and the Health Care Quality
19 Improvement Act of 1986, \$720,970,000: *Provided*, That
20 sections 747(c)(2), 751(j)(2), 762(k), and the proportional
21 funding amounts in paragraphs (1) through (4) of section
22 756(e) of the PHS Act shall not apply to funds made
23 available under this heading: *Provided further*, That for
24 any program operating under section 751 of the PHS Act
25 on or before January 1, 2009, the Secretary may hereafter

1 waive any of the requirements contained in sections
2 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full
3 project period of a grant under such section: *Provided fur-*
4 *ther*, That no funds shall be available for section 340G–
5 1 of the PHS Act: *Provided further*, That fees collected
6 for the disclosure of information under section 427(b) of
7 the Health Care Quality Improvement Act of 1986 and
8 sections 1128E(d)(2) and 1921 of the Social Security Act
9 shall be sufficient to recover the full costs of operating
10 the programs authorized by such sections and shall remain
11 available until expended for the National Practitioner
12 Data Bank: *Provided further*, That funds transferred to
13 this account to carry out section 846 and subpart 3 of
14 part D of title III of the PHS Act may be used to make
15 prior year adjustments to awards made under such sec-
16 tions.

17 MATERNAL AND CHILD HEALTH

18 For carrying out titles III, XI, XII, and XIX of the
19 PHS Act with respect to maternal and child health, title
20 V of the Social Security Act, and section 712 of the Amer-
21 ican Jobs Creation Act of 2004, \$828,014,000: *Provided*,
22 That notwithstanding sections 502(a)(1) and 502(b)(1) of
23 the Social Security Act, not more than \$50,000,000 shall
24 be available for carrying out special projects of regional
25 and national significance pursuant to section 501(a)(2) of

1 such Act and \$10,276,000 shall be available for projects
2 described in subparagraphs (A) through (F) of section
3 501(a)(3) of such Act: *Provided further*, That notwith-
4 standing section 502(c) of the Social Security Act, not less
5 than \$555,000,000 shall be available for the State Block
6 Grant Awards.

7 RYAN WHITE HIV/AIDS PROGRAM

8 For carrying out title XXVI of the PHS Act with
9 respect to the Ryan White HIV/AIDS program,
10 \$2,293,781,000, of which \$1,970,881,000 shall remain
11 available to the Secretary through September 30, 2018,
12 for parts A and B of title XXVI of the PHS Act, and
13 of which not less than \$900,313,000 shall be for State
14 AIDS Drug Assistance Programs under the authority of
15 section 2616 or 311(c) of such Act.

16 HEALTH CARE SYSTEMS

17 For carrying out titles III and XII of the PHS Act
18 with respect to health care systems, and the Stem Cell
19 Therapeutic and Research Act of 2005, \$103,193,000, of
20 which \$122,000 shall be available until expended for facili-
21 ties renovations at the Gillis W. Long Hansen's Disease
22 Center: *Provided*, That the Secretary may collect a fee of
23 0.1 percent of each purchase of 340B drugs from entities
24 participating in the Drug Pricing Program pursuant to
25 section 340B of the PHS Act to pay for the operating

1 costs of such program: *Provided further*, That fees pursu-
2 ant to the 340B Drug Pricing Program shall be collected
3 by the Secretary based on sales data that shall be sub-
4 mitted by drug manufacturers and shall be credited to this
5 account, to remain available until expended.

6

RURAL HEALTH

7 For carrying out titles III and IV of the PHS Act
8 with respect to rural health, section 427(a) of the Federal
9 Coal Mine Health and Safety Act of 1969, and sections
10 711 and 1820 of the Social Security Act, \$150,571,000,
11 of which \$41,609,000 from general revenues, notwith-
12 standing section 1820(j) of the Social Security Act, shall
13 be available for carrying out the Medicare rural hospital
14 flexibility grants program: *Provided*, That of the funds
15 made available under this heading for Medicare rural hos-
16 pital flexibility grants, \$14,942,000 shall be available for
17 the Small Rural Hospital Improvement Grant Program
18 for quality improvement and adoption of health informa-
19 tion technology and up to \$1,000,000 shall be to carry
20 out section 1820(g)(6) of the Social Security Act, with
21 funds provided for grants under section 1820(g)(6) avail-
22 able for the purchase and implementation of telehealth
23 services, including pilots and demonstrations on the use
24 of electronic health records to coordinate rural veterans
25 care between rural providers and the Department of Vet-

1 erans Affairs electronic health record system: *Provided*
2 *further*, That notwithstanding section 338J(k) of the PHS
3 Act, \$9,511,000 shall be available for State Offices of
4 Rural Health.

5

FAMILY PLANNING

6 For carrying out the program under title X of the
7 PHS Act to provide for voluntary family planning
8 projects, \$257,832,000: *Provided*, That amounts provided
9 to said projects under such title shall not be expended for
10 abortions, that all pregnancy counseling shall be nondirec-
11 tive, and that such amounts shall not be expended for any
12 activity (including the publication or distribution of lit-
13 erature) that in any way tends to promote public support
14 or opposition to any legislative proposal or candidate for
15 public office.

16

PROGRAM MANAGEMENT

17 For program support in the Health Resources and
18 Services Administration, \$151,000,000: *Provided*, That
19 funds made available under this heading may be used to
20 supplement program support funding provided under the
21 headings “Primary Health Care”, “Health Workforce”,
22 “Maternal and Child Health”, “Ryan White HIV/AIDS
23 Program”, “Health Care Systems”, and “Rural Health”.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation
3 Program Trust Fund (the “Trust Fund”), such sums as
4 may be necessary for claims associated with vaccine-re-
5 lated injury or death with respect to vaccines administered
6 after September 30, 1988, pursuant to subtitle 2 of title
7 XXI of the PHS Act, to remain available until expended:
8 *Provided*, That for necessary administrative expenses, not
9 to exceed \$7,500,000 shall be available from the Trust
10 Fund to the Secretary.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 IMMUNIZATION AND RESPIRATORY DISEASES

13 For carrying out titles II, III, XVII, and XXI, and
14 section 2821 of the PHS Act, titles II and IV of the Immi-
15 gration and Nationality Act, and section 501 of the Ref-
16 ugee Education Assistance Act, with respect to immuniza-
17 tion and respiratory diseases, \$573,105,000.

18 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

19 DISEASES, AND TUBERCULOSIS PREVENTION

20 For carrying out titles II, III, XVII, and XXIII of
21 the PHS Act with respect to HIV/AIDS, viral hepatitis,
22 sexually transmitted diseases, and tuberculosis prevention,
23 \$1,090,609,000.

1 EMERGING AND ZOO NOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section
3 2821 of the PHS Act, titles II and IV of the Immigration
4 and Nationality Act, and section 501 of the Refugee Edu-
5 cation Assistance Act, with respect to emerging and
6 zoonotic infectious diseases, \$388,590,000.

7 CHRONIC DISEASE PREVENTION AND HEALTH
8 PROMOTION

9 For carrying out titles II, III, XI, XV, XVII, and
10 XIX of the PHS Act with respect to chronic disease pre-
11 vention and health promotion, \$595,272,000: *Provided*,
12 That funds appropriated under this account may be avail-
13 able for making grants under section 1509 of the PHS
14 Act for not less than 21 States, tribes, or tribal organiza-
15 tions: *Provided further*, That of the funds available under
16 this heading, \$8,500,000 shall be available to continue and
17 expand community specific extension and outreach pro-
18 grams to combat obesity in counties with the highest levels
19 of obesity: *Provided further*, That the proportional funding
20 requirements under section 1503(a) of the PHS Act shall
21 not apply to funds made available under this Act.

1 ty and Health Act, with respect to occupational safety and
2 health, \$305,887,000.

3 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

4 COMPENSATION PROGRAM

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

11 GLOBAL HEALTH

12 For carrying out titles II, III, and XVII of the PHS
13 Act with respect to global health, \$411,758,000, of which
14 \$128,421,000 for international HIV/AIDS shall remain
15 available through September 30, 2017: *Provided*, That
16 funds may be used for purchase and insurance of official
17 motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to public health preparedness and re-
21 sponse, and for expenses necessary to support activities
22 related to countering potential biological, nuclear, radio-
23 logical, and chemical threats to civilian populations,
24 \$1,340,118,000, of which \$534,343,000 shall remain
25 available until expended for the Strategic National Stock-

1 pile: *Provided*, That in the event the Director of the CDC
2 activates the Emergency Operations Center, the Director
3 of the CDC may detail staff without reimbursement for
4 up to 120 days to support the work of the CDC Emer-
5 gency Operations Center, so long as the Director provides
6 a notice to the Committees on Appropriations of the
7 House of Representatives and the Senate within 15 days
8 of the use of this authority and a full report within 30
9 days after use of this authority which includes the number
10 of staff and funding level broken down by the originating
11 center and number of days detailed.

12 BUILDINGS AND FACILITIES

13 For acquisition of real property, equipment, construc-
14 tion, demolition, and renovation of facilities, \$10,000,000,
15 which shall remain available until September 30, 2020:
16 *Provided*, That funds previously set-aside by CDC for re-
17 pair and upgrade of the Lake Lynn Experimental Mine
18 and Laboratory shall be used to acquire a replacement
19 mine safety research facility: *Provided further*, That funds
20 made available by prior appropriations Acts for CDC for
21 construction and renovation of facilities may also be used,
22 in fiscal year 2016, for the construction of a replacement
23 freezer building in the Fort Collins, Colorado, area.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out titles II, III, XVII and XIX, and
4 section 2821 of the PHS Act and for cross-cutting activi-
5 ties and program support for activities funded in other
6 appropriations included in this Act for the Centers for
7 Disease Control and Prevention, \$107,892,000: *Provided*,
8 That paragraphs (1) through (3) of subsection (b) of sec-
9 tion 2821 of the PHS Act shall not apply to funds appro-
10 priated under this heading and in all other accounts of
11 the CDC: *Provided further*, That funds appropriated under
12 this heading and in all other accounts of CDC may be
13 used to support the hire, maintenance, and operation of
14 aircraft in direct support of activities throughout CDC
15 and to ensure the agency is prepared to address public
16 health preparedness emergencies: *Provided further*, That
17 employees of CDC or the Public Health Service, both civil-
18 ian and commissioned officers, detailed to States, munici-
19 palities, or other organizations under authority of section
20 214 of the PHS Act, or in overseas assignments, shall be
21 treated as non-Federal employees for reporting purposes
22 only and shall not be included within any personnel ceiling
23 applicable to the Agency, Service, or HHS during the pe-
24 riod of detail or assignment: *Provided further*, That CDC
25 may use up to \$10,000 from amounts appropriated to

1 CDC in this Act for official reception and representation
2 expenses when specifically approved by the Director of
3 CDC: *Provided further*, That in addition, such sums as
4 may be derived from authorized user fees, which shall be
5 credited to the appropriation charged with the cost there-
6 of: *Provided further*, That with respect to the previous pro-
7 viso, authorized user fees from the Vessel Sanitation Pro-
8 gram and the Respirator Certification Program shall be
9 available through September 30, 2017: *Provided further*,
10 That of the funds made available under this heading and
11 in all other accounts of CDC, up to \$1,000 per eligible
12 employee of CDC shall be made available until expended
13 for Individual Learning Accounts.

14 NATIONAL INSTITUTES OF HEALTH

15 NATIONAL CANCER INSTITUTE

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to cancer, \$5,204,058,000, of which up
18 to \$16,000,000 may be used for facilities repairs and im-
19 provements at the National Cancer Institute—Frederick
20 Federally Funded Research and Development Center in
21 Frederick, Maryland.

22 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to cardiovascular, lung, and blood dis-
25 eases, and blood and blood products, \$3,135,519,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to dental and craniofacial diseases,
5 \$415,169,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to diabetes and digestive and kidney dis-
10 ease, \$1,825,162,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to neurological disorders and stroke,
15 \$1,694,758,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to allergy and infectious diseases,
20 \$4,710,342,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to general medical sciences,
24 \$2,511,431,000, of which \$940,000,000 shall be from
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$300,000,000 is provided for
2 the Institutional Development Awards program.

3 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
4 CHILD HEALTH AND HUMAN DEVELOPMENT

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to child health and human development,
7 \$1,345,355,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to eye diseases and visual disorders,
11 \$709,549,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to environmental health sciences,
16 \$695,900,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to aging, \$1,548,494,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to arthritis and musculoskeletal and skin
24 diseases, \$544,274,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$424,860,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$147,508,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$469,355,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,069,086,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$1,520,260,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$526,166,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$344,299,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$130,162,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$287,379,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$70,944,000.

20 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
21 SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to translational sciences, \$699,319,000:
24 *Provided*, That up to \$25,835,000 shall be available to im-
25 plement section 480 of the PHS Act, relating to the Cures

1 Acceleration Network: *Provided further*, That at least
2 \$499,746,000 is provided to the Clinical and Translational
3 Sciences Awards program.

4 NATIONAL LIBRARY OF MEDICINE

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to health information communications,
7 \$402,251,000: *Provided*, That of the amounts available for
8 improvement of information systems, \$4,000,000 shall be
9 available until September 30, 2017: *Provided further*, That
10 in fiscal year 2016, the National Library of Medicine may
11 enter into personal services contracts for the provision of
12 services in facilities owned, operated, or constructed under
13 the jurisdiction of the National Institutes of Health (re-
14 ferred to in this title as “NIH”).

15 OFFICE OF THE DIRECTOR

16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out the responsibilities of the Office of
18 the Director, NIH, \$860,937,000, of which up to
19 \$30,000,000 may be used to carry out section 212 of this
20 Act: *Provided*, That funding shall be available for the pur-
21 chase of not to exceed 29 passenger motor vehicles for re-
22 placement only: *Provided further*, That all funds credited
23 to the NIH Management Fund shall remain available for
24 one fiscal year after the fiscal year in which they are de-
25 posited: *Provided further*, That \$165,000,000 shall be for

1 longitudinal studies related to environmental influences on
2 child health and development as a follow-on to the Na-
3 tional Children's Study, and may be transferred to and
4 merged with the accounts for the various Institutes and
5 Centers to support activities related to this goal: *Provided*
6 *further*, That NIH shall submit a spend plan and research
7 strategy to the Committees on Appropriations of the
8 House of Representatives and the Senate not later than
9 90 days after the date of enactment of this Act: *Provided*
10 *further*, That \$544,077,000 shall be available for the Com-
11 mon Fund established under section 402A(c)(1) of the
12 PHS Act: *Provided further*, That of the funds provided,
13 \$10,000 shall be for official reception and representation
14 expenses when specifically approved by the Director of the
15 NIH: *Provided further*, That the Office of AIDS Research
16 within the Office of the Director of the NIH may spend
17 up to \$8,000,000 to make grants for construction or ren-
18 ovation of facilities as provided for in section
19 2354(a)(5)(B) of the PHS Act: *Provided further*, That
20 \$50,000,000 shall be used to carry out section 404I of
21 the PHS Act (42 U.S.C. 283k), relating to biomedical and
22 behavioral research facilities: Of the amount provided to
23 the NIH, the Director of NIH shall enter into an agree-
24 ment with the National Academy of Sciences, as part of
25 the studies conducted under section 489 of the PHSA, to

1 conduct a comprehensive study on policies affecting the
2 next generation of researchers in the United States: *Pro-*
3 *vided further*, That the Director may direct up to 1 per-
4 cent of the total made available in this or any other Act
5 to all NIH appropriations to activities that the Director
6 may so designate: *Provided further*, That no such appro-
7 priation shall be decreased by more than 1 percent by any
8 such transfers and that the Committees on Appropriations
9 of the House of Representatives and the Senate are noti-
10 fied at least 15 days in advance of any transfer.

11 In addition to other funds appropriated for the Com-
12 mon Fund established under section 402A(c) of the PHS
13 Act, \$12,600,000 is appropriated to the Common Fund
14 from the 10-year Pediatric Research Initiative Fund de-
15 scribed in section 9008 of title 26, United States Code,
16 for the purpose of carrying out section 402(b)(7)(B)(ii)
17 of the PHS Act (relating to pediatric research), as author-
18 ized in the Gabriella Miller Kids First Research Act.

19 BUILDINGS AND FACILITIES

20 For the study of, construction or demolition of, ren-
21 ovation of, and acquisition of equipment for, facilities of
22 or used by NIH, including the acquisition of real property,
23 \$128,863,000, to remain available through September 30,
24 2020.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$1,021,301,000: *Provided*, That notwithstanding section
8 520A(f)(2) of the PHS Act, no funds appropriated for car-
9 rying out section 520A shall be available for carrying out
10 section 1971 of the PHS Act: *Provided further*, That in
11 addition to amounts provided herein, \$21,039,000 shall be
12 available under section 241 of the PHS Act to carry out
13 subpart I of part B of title XIX of the PHS Act to fund
14 section 1920(b) technical assistance, national data, data
15 collection and evaluation activities, and further that the
16 total available under this Act for section 1920(b) activities
17 shall not exceed 5 percent of the amounts appropriated
18 for subpart I of part B of title XIX: *Provided further*, That
19 section 520E(b)(2) of the PHS Act shall not apply to
20 funds appropriated in this Act for fiscal year 2016: *Pro-*
21 *vided further*, That of the amount appropriated under this
22 heading, \$45,887,000 shall be for the National Child
23 Traumatic Stress Initiative as described in section 582 of
24 the PHS Act: *Provided further*, That notwithstanding sec-
25 tion 565(b)(1) of the PHS Act, technical assistance may

1 of the amounts appropriated for subpart II of part B of
2 title XIX; and (2) \$2,000,000 to evaluate substance abuse
3 treatment programs: *Provided further*, That none of the
4 funds provided for section 1921 of the PHS Act shall be
5 subject to section 241 of such Act.

6 SUBSTANCE ABUSE PREVENTION

7 For carrying out titles III and V of the PHS Act
8 with respect to substance abuse prevention, \$182,731,000.

9 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

10 For program support and cross-cutting activities that
11 supplement activities funded under the headings “Mental
12 Health”, “Substance Abuse Treatment”, and “Substance
13 Abuse Prevention” in carrying out titles III, V, and XIX
14 of the PHS Act and the Protection and Advocacy for Indi-
15 viduals with Mental Illness Act in the Substance Abuse
16 and Mental Health Services Administration,
17 \$137,869,000: *Provided*, That in addition to amounts pro-
18 vided herein, \$31,428,000 shall be available under section
19 241 of the PHS Act to supplement funds available to
20 carry out national surveys on drug abuse and mental
21 health, to collect and analyze program data, and to con-
22 duct public awareness and technical assistance activities:
23 *Provided further*, That, in addition, fees may be collected
24 for the costs of publications, data, data tabulations, and
25 data analysis completed under title V of the PHS Act and

1 provided to a public or private entity upon request, which
2 shall be credited to this appropriation and shall remain
3 available until expended for such purposes: *Provided fur-*
4 *ther*, That amounts made available in this Act for carrying
5 out section 501(m) of the PHS Act shall remain available
6 through September 30, 2017: *Provided further*, That funds
7 made available under this heading may be used to supple-
8 ment program support funding provided under the head-
9 ings “Mental Health”, “Substance Abuse Treatment”,
10 and “Substance Abuse Prevention”.

11 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

12 HEALTHCARE RESEARCH AND QUALITY

13 For carrying out titles III and IX of the PHS Act,
14 part A of title XI of the Social Security Act, and section
15 1013 of the Medicare Prescription Drug, Improvement,
16 and Modernization Act of 2003, \$236,001,000: *Provided*,
17 That section 947(c) of the PHS Act shall not apply in
18 fiscal year 2016: *Provided further*, That in addition,
19 amounts received from Freedom of Information Act fees,
20 reimbursable and interagency agreements, and the sale of
21 data shall be credited to this appropriation and shall re-
22 main available until September 30, 2017.

1 CENTERS FOR MEDICARE AND MEDICAID SERVICES

2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$243,545,410,000,
5 to remain available until expended.

6 For making, after May 31, 2016, payments to States
7 under title XIX or in the case of section 1928 on behalf
8 of States under title XIX of the Social Security Act for
9 the last quarter of fiscal year 2016 for unanticipated costs
10 incurred for the current fiscal year, such sums as may be
11 necessary.

12 For making payments to States or in the case of sec-
13 tion 1928 on behalf of States under title XIX of the Social
14 Security Act for the first quarter of fiscal year 2017,
15 \$115,582,502,000, to remain available until expended.

16 Payment under such title XIX may be made for any
17 quarter with respect to a State plan or plan amendment
18 in effect during such quarter, if submitted in or prior to
19 such quarter and approved in that or any subsequent
20 quarter.

21 PAYMENTS TO HEALTH CARE TRUST FUNDS

22 For payment to the Federal Hospital Insurance
23 Trust Fund and the Federal Supplementary Medical In-
24 surance Trust Fund, as provided under sections 217(g),
25 1844, and 1860D–16 of the Social Security Act, sections

1 103(c) and 111(d) of the Social Security Amendments of
2 1965, section 278(d)(3) of Public Law 97-248, and for
3 administrative expenses incurred pursuant to section
4 201(g) of the Social Security Act, \$283,171,800,000.

5 In addition, for making matching payments under
6 section 1844 and benefit payments under section 1860D-
7 16 of the Social Security Act that were not anticipated
8 in budget estimates, such sums as may be necessary.

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles
12 XIII and XXVII of the PHS Act, the Clinical Laboratory
13 Improvement Amendments of 1988, and other responsibil-
14 ities of the Centers for Medicare and Medicaid Services,
15 not to exceed \$3,027,590,000, to be transferred from the
16 Federal Hospital Insurance Trust Fund and the Federal
17 Supplementary Medical Insurance Trust Fund, as author-
18 ized by section 201(g) of the Social Security Act; together
19 with all funds collected in accordance with section 353 of
20 the PHS Act and section 1857(e)(2) of the Social Security
21 Act, funds retained by the Secretary pursuant to section
22 302 of the Tax Relief and Health Care Act of 2006; and
23 such sums as may be collected from authorized user fees
24 and the sale of data, which shall be credited to this ac-
25 count and remain available until September 30, 2021: *Pro-*

1 *vided*, That all funds derived in accordance with 31 U.S.C.
2 9701 from organizations established under title XIII of
3 the PHS Act shall be credited to and available for carrying
4 out the purposes of this appropriation: *Provided further*,
5 That the Secretary is directed to collect fees in fiscal year
6 2016 from Medicare Advantage organizations pursuant to
7 section 1857(e)(2) of the Social Security Act and from eli-
8 gible organizations with risk-sharing contracts under sec-
9 tion 1876 of that Act pursuant to section 1876(k)(4)(D)
10 of that Act.

11 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

12 In addition to amounts otherwise available for pro-
13 gram integrity and program management, \$706,000,000,
14 to remain available through September 30, 2017, to be
15 transferred from the Federal Hospital Insurance Trust
16 Fund and the Federal Supplementary Medical Insurance
17 Trust Fund, as authorized by section 201(g) of the Social
18 Security Act, of which \$474,175,000 shall be for the Medi-
19 care Integrity Program at the Centers for Medicare and
20 Medicaid Services, including administrative costs, to con-
21 duct oversight activities for Medicare Advantage under
22 Part C and the Medicare Prescription Drug Program
23 under Part D of the Social Security Act and for activities
24 described in section 1893(b) of such Act, of which
25 \$77,275,000 shall be for the Department of Health and

1 Human Services Office of Inspector General to carry out
2 fraud and abuse activities authorized by section
3 1817(k)(3) of such Act, of which \$77,275,000 shall be for
4 the Medicaid and Children's Health Insurance Program
5 ("CHIP") program integrity activities, and of which
6 \$77,275,000 shall be for the Department of Justice to
7 carry out fraud and abuse activities authorized by section
8 1817(k)(3) of such Act: *Provided*, That the report re-
9 quired by section 1817(k)(5) of the Social Security Act
10 for fiscal year 2016 shall include measures of the oper-
11 ational efficiency and impact on fraud, waste, and abuse
12 in the Medicare, Medicaid, and CHIP programs for the
13 funds provided by this appropriation: *Provided further*,
14 That of the amount provided under this heading,
15 \$311,000,000 is provided to meet the terms of section
16 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended, and
18 \$395,000,000 is additional new budget authority specified
19 for purposes of section 251(b)(2)(C) of such Act.

20 ADMINISTRATION FOR CHILDREN AND FAMILIES

21 PAYMENTS TO STATES FOR CHILD SUPPORT

22 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

23 For carrying out, except as otherwise provided, titles
24 I, IV-D, X, XI, XIV, and XVI of the Social Security Act
25 and the Act of July 5, 1960, \$2,944,906,000, to remain

1 available until expended; and for such purposes for the
2 first quarter of fiscal year 2017, \$1,300,000,000, to re-
3 main available until expended.

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

10 LOW INCOME HOME ENERGY ASSISTANCE

11 For making payments under subsections (b) and (d)
12 of section 2602 of the Low Income Home Energy Assist-
13 ance Act of 1981, \$3,390,304,000: *Provided*, That all but
14 \$491,000,000 of this amount shall be allocated as though
15 the total appropriation for such payments for fiscal year
16 2016 was less than \$1,975,000,000: *Provided further*,
17 That notwithstanding section 2609A(a), of the amounts
18 appropriated under section 2602(b), not more than
19 \$2,988,000 of such amounts may be reserved by the Sec-
20 retary for technical assistance, training, and monitoring
21 of program activities for compliance with internal controls,
22 policies and procedures and may, in addition to the au-
23 thorities provided in section 2609A(a)(1), use such funds
24 through contracts with private entities that do not qualify
25 as nonprofit organizations.

1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-
3 sistance activities authorized by section 414 of the Immi-
4 gration and Nationality Act and section 501 of the Ref-
5 ugee Education Assistance Act of 1980, and for carrying
6 out section 462 of the Homeland Security Act of 2002,
7 section 235 of the William Wilberforce Trafficking Victims
8 Protection Reauthorization Act of 2008, the Trafficking
9 Victims Protection Act of 2000 (“TVPA”), section 203
10 of the Trafficking Victims Protection Reauthorization Act
11 of 2005, and the Torture Victims Relief Act of 1998,
12 \$1,405,367,000, of which \$1,378,877,000 shall remain
13 available through September 30, 2018 for carrying out
14 such sections 414, 501, 462, and 235: *Provided*, That
15 amounts available under this heading to carry out such
16 section 203 and the TVPA shall also be available for re-
17 search and evaluation with respect to activities under
18 those authorities: *Provided further*, That the limitation in
19 section 205 of this Act regarding transfers increasing any
20 appropriation shall apply to transfers to appropriations
21 under this heading by substituting “10 percent” for “3
22 percent”.

1 PAYMENTS TO STATES FOR THE CHILD CARE AND
2 DEVELOPMENT BLOCK GRANT

3 For carrying out the Child Care and Development
4 Block Grant Act of 2014 (“CCDBG Act”),
5 \$2,585,000,000 shall be used to supplement, not supplant
6 State general revenue funds for child care assistance for
7 low-income families: *Provided*, That, in addition to the
8 amounts required to be reserved by the States under sec-
9 tion 658G of the CCDBG Act, \$119,098,000 shall be for
10 activities that improve the quality of infant and toddler
11 care: *Provided further*, That technical assistance under
12 section 658I(a)(3) of such Act may be provided directly,
13 or through the use of contracts, grants, cooperative agree-
14 ments, or interagency agreements: *Provided further*, That
15 the reservation of funds specified in paragraphs (4) and
16 (5) of section 658O(a) of such Act shall also be applied
17 to funds appropriated in this or any other Act, including
18 section 418 of the Social Security Act (42 U.S.C. 618),
19 to carry out such section 418.

20 SOCIAL SERVICES BLOCK GRANT

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

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

3 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For carrying out, except as otherwise provided, the
5 Runaway and Homeless Youth Act, the Head Start Act,
6 the Child Abuse Prevention and Treatment Act, sections
7 303 and 313 of the Family Violence Prevention and Serv-
8 ices Act, the Native American Programs Act of 1974, title
9 II of the Child Abuse Prevention and Treatment and
10 Adoption Reform Act of 1978 (adoption opportunities),
11 part B–1 of title IV and sections 413, 429, 473A, 477(i),
12 1110, 1114A, and 1115 of the Social Security Act; for
13 making payments under the Community Services Block
14 Grant Act (“CSBG Act”), sections 473B and 477(i) of
15 the Social Security Act, and the Assets for Independence
16 Act; for necessary administrative expenses to carry out ti-
17 tles I, IV, V, X, XI, XIV, XVI, and XX of the Social Secu-
18 rity Act, the Act of July 5, 1960, the Low Income Home
19 Energy Assistance Act of 1981, title IV of the Immigra-
20 tion and Nationality Act, and section 501 of the Refugee
21 Education Assistance Act of 1980; and for the administra-
22 tion of prior year obligations made by the Administration
23 for Children and Families under the Developmental Dis-
24 abilities Assistance and Bill of Rights Act and the Help
25 America Vote Act of 2002, \$10,388,620,000, of which

1 \$37,943,000, to remain available through September 30,
2 2017, shall be for grants to States for adoption and legal
3 guardianship incentive payments, as defined by section
4 473A of the Social Security Act and may be made for
5 adoptions completed before September 30, 2015: *Provided*,
6 That \$8,698,095,000 shall be for making payments under
7 the Head Start Act: *Provided further*, That of the amount
8 in the previous proviso, \$8,073,095,000 shall be available
9 for payments under section 640 of the Head Start Act:
10 *Provided further*, That of the amount provided for making
11 payments under the Head Start Act, \$25,000,000 shall
12 be available for allocation by the Secretary to supplement
13 activities described in paragraphs (7)(B) and (9) of sec-
14 tion 641(e) of such Act under the Designation Renewal
15 System, established under the authority of sections
16 641(e)(7), 645A(b)(12) and 645A(d) of such Act: *Pro-*
17 *vided further*, That notwithstanding such section 640, of
18 the amount provided for making payments under the
19 Head Start Act, and in addition to funds otherwise avail-
20 able under such section 640 for such purposes,
21 \$600,000,000 shall be available for Early Head Start pro-
22 grams as described in section 645A of such Act, for con-
23 version of Head Start services to Early Head Start serv-
24 ices as described in section 645(a)(5)(A) of such Act, for
25 discretionary grants for high quality infant and toddler

1 care through Early Head Start-Child Care Partnerships,
2 to entities defined as eligible under section 645A(d) of
3 such Act, for training and technical assistance for such
4 activities, and for up to \$14,000,000 in Federal costs of
5 administration and evaluation, and, notwithstanding sec-
6 tion 645A(c)(2) of such Act, these funds are available to
7 serve children under age 4: *Provided further*, That funds
8 described in the preceding two provisos shall not be in-
9 cluded in the calculation of “base grant” in subsequent
10 fiscal years, as such term is used in section 640(a)(7)(A)
11 of such Act: *Provided further*, That \$674,000,000 shall be
12 for making payments under the CSBG Act: *Provided fur-*
13 *ther*, That not more than \$350,000 shall be reserved under
14 section 674(b)(3) of the CSBG Act, all of which shall be
15 solely for carrying out section 678(b)(2) of such Act: *Pro-*
16 *vided further*, That section 303(a)(2)(A)(i) of the Family
17 Violence Prevention and Services Act shall not apply to
18 amounts provided herein: *Provided further*, That
19 \$1,864,000 shall be for a human services case manage-
20 ment system for federally declared disasters, to include a
21 comprehensive national case management contract and
22 Federal costs of administering the system: *Provided fur-*
23 *ther*, That up to \$2,000,000 shall be for improving the
24 Public Assistance Reporting Information System, includ-

1 ing grants to States to support data collection for a study
2 of the system's effectiveness.

3 PROMOTING SAFE AND STABLE FAMILIES

4 For carrying out, except as otherwise provided, sec-
5 tion 436 of the Social Security Act, \$345,000,000 and,
6 for carrying out, except as otherwise provided, section 437
7 of such Act, \$59,765,000.

8 PAYMENTS FOR FOSTER CARE AND PERMANENCY

9 For carrying out, except as otherwise provided, title
10 IV-E of the Social Security Act, \$5,298,000,000.

11 For carrying out, except as otherwise provided, title
12 IV-E of the Social Security Act, for the first quarter of
13 fiscal year 2017, \$2,300,000,000.

14 For carrying out, after May 31 of the current fiscal
15 year, except as otherwise provided, section 474 of title IV-
16 E of the Social Security Act, for the last 3 months of the
17 current fiscal year for unanticipated costs, incurred for the
18 current fiscal year, such sums as may be necessary.

19 ADMINISTRATION FOR COMMUNITY LIVING

20 AGING AND DISABILITY SERVICES PROGRAMS

21 (INCLUDING TRANSFER OF FUNDS)

22 For carrying out, to the extent not otherwise pro-
23 vided, the OAA, titles III and XXIX of the PHS Act, sec-
24 tion 119 of the Medicare Improvements for Patients and
25 Providers Act of 2008, title XX-B of the Social Security

1 Act, the Developmental Disabilities Assistance and Bill of
2 Rights Act, parts 2 and 5 of subtitle D of title II of the
3 Help America Vote Act of 2002, the Assistive Technology
4 Act of 1998, titles II and VII (and section 14 with respect
5 to such titles) of the Rehabilitation Act of 1973, and for
6 Department-wide coordination of policy and program ac-
7 tivities that assist individuals with disabilities,
8 \$1,831,089,000, together with \$30,000,000 to be trans-
9 ferred from the Federal Hospital Insurance Trust Fund
10 and the Federal Supplementary Medical Insurance Trust
11 Fund to carry out section 4360 of the Omnibus Budget
12 Reconciliation Act of 1990: *Provided*, That amounts ap-
13 propriated under this heading may be used for grants to
14 States under section 361 of the OAA only for disease pre-
15 vention and health promotion programs and activities
16 which have been demonstrated through rigorous evalua-
17 tion to be evidence-based and effective: *Provided further*,
18 That notwithstanding any other provision of this Act,
19 funds made available under this heading to carry out sec-
20 tion 311 of the OAA may be transferred to the Secretary
21 of Agriculture in accordance with such section.

22 OFFICE OF THE SECRETARY

23 GENERAL DEPARTMENTAL MANAGEMENT

24 For necessary expenses, not otherwise provided, for
25 general departmental management, including hire of six

1 passenger motor vehicles, and for carrying out titles III,
2 XVII, XXI, and section 229 of the PHS Act, the United
3 States-Mexico Border Health Commission Act, and re-
4 search studies under section 1110 of the Social Security
5 Act, \$301,500,000, together with \$46,762,000 from the
6 amounts available under section 241 of the PHS Act to
7 carry out national health or human services research and
8 evaluation activities: *Provided*, That of the funds made
9 available under this heading, \$20,000,000 shall be for
10 making competitive contracts and grants to public and pri-
11 vate entities to fund medically accurate and age appro-
12 priate programs that reduce teen pregnancy and for the
13 Federal costs associated with administering and evalu-
14 ating such contracts and grants, of which not more than
15 10 percent of the available funds shall be for training and
16 technical assistance, evaluation, outreach, and additional
17 program support activities, and of the remaining amount
18 75 percent shall be for replicating programs that have
19 been proven effective through rigorous evaluation to re-
20 duce teenage pregnancy, behavioral risk factors underlying
21 teenage pregnancy, or other associated risk factors, and
22 25 percent shall be available for research and demonstra-
23 tion grants to develop, replicate, refine, and test additional
24 models and innovative strategies for preventing teenage
25 pregnancy: *Provided further*, That of the funds made avail-

1 able under this heading, \$1,750,000 is for strengthening
2 the Department's acquisition workforce capacity and capa-
3 bilities: *Provided further*, That with respect to the previous
4 proviso, such funds shall be available for training, recruit-
5 ing, retaining, and hiring members of the acquisition
6 workforce as defined by 41 U.S.C. 1703, for information
7 technology in support of acquisition workforce effective-
8 ness and for management solutions to improve acquisition
9 management: *Provided further*, That of the funds made
10 available under this heading, \$20,000,000 shall be for
11 making competitive grants to provide abstinence education
12 (as defined by section 510(b)(2)(A)–(H) of the Social Se-
13 curity Act) to adolescents, and for Federal costs of admin-
14 istering the grant: *Provided further*, That grants made
15 under the authority of section 510(b)(2)(A)–(H) of the
16 Social Security Act shall be made only to public and pri-
17 vate entities that agree that, with respect to an adolescent
18 to whom the entities provide abstinence education under
19 such grant, the entities will not provide to that adolescent
20 any other education regarding sexual conduct, except that,
21 in the case of an entity expressly required by law to pro-
22 vide health information or services the adolescent shall not
23 be precluded from seeking health information or services
24 from the entity in a different setting than the setting in
25 which abstinence education was provided: *Provided fur-*

1 *ther*, That funds provided in this Act for embryo adoption
2 activities may be used to provide to individuals adopting
3 embryos, through grants and other mechanisms, medical
4 and administrative services deemed necessary for such
5 adoptions: *Provided further*, That such services shall be
6 provided consistent with 42 CFR 59.5(a)(4).

7 OFFICE OF MEDICARE HEARINGS AND APPEALS

8 For expenses necessary for the Office of Medicare
9 Hearings and Appeals, \$97,381,000, to be transferred in
10 appropriate part from the Federal Hospital Insurance
11 Trust Fund and the Federal Supplementary Medical In-
12 surance Trust Fund.

13 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
14 INFORMATION TECHNOLOGY

15 For expenses necessary for the Office of the National
16 Coordinator for Health Information Technology, including
17 grants, contracts, and cooperative agreements for the de-
18 velopment and advancement of interoperable health infor-
19 mation technology, \$60,367,000.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General, including the hire of passenger motor vehicles for
23 investigations, in carrying out the provisions of the Inspec-
24 tor General Act of 1978, \$71,000,000: *Provided*, That of
25 such amount, necessary sums shall be available for pro-

1 viding protective services to the Secretary and inves-
2 tigating non-payment of child support cases for which non-
3 payment is a Federal offense under 18 U.S.C. 228.

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil
6 Rights, \$38,798,000.

7 RETIREMENT PAY AND MEDICAL BENEFITS FOR
8 COMMISSIONED OFFICERS

9 For retirement pay and medical benefits of Public
10 Health Service Commissioned Officers as authorized by
11 law, for payments under the Retired Serviceman's Family
12 Protection Plan and Survivor Benefit Plan, and for med-
13 ical care of dependents and retired personnel under the
14 Dependents' Medical Care Act, such amounts as may be
15 required during the current fiscal year.

16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
17 FUND

18 For expenses necessary to support activities related
19 to countering potential biological, nuclear, radiological,
20 chemical, and cybersecurity threats to civilian populations,
21 and for other public health emergencies, \$900,362,000, of
22 which \$473,000,000 shall remain available through Sep-
23 tember 30, 2017, for expenses necessary to support ad-
24 vanced research and development pursuant to section
25 319L of the PHS Act and other administrative expenses

1 of the Biomedical Advanced Research and Development
2 Authority: *Provided*, That funds provided under this head-
3 ing for the purpose of acquisition of security counter-
4 measures shall be in addition to any other funds available
5 for such purpose: *Provided further*, That products pur-
6 chased with funds provided under this heading may, at
7 the discretion of the Secretary, be deposited in the Stra-
8 tegic National Stockpile pursuant to section 319F-2 of
9 the PHS Act: *Provided further*, That \$5,000,000 of the
10 amounts made available to support emergency operations
11 shall remain available through September 30, 2018.

12 For expenses necessary for procuring security coun-
13 termeasures (as defined in section 319F-2(c)(1)(B) of the
14 PHS Act), \$255,000,000, to remain available until ex-
15 pended.

16 For an additional amount for expenses necessary to
17 prepare for or respond to an influenza pandemic,
18 \$71,915,000; of which \$39,906,000 shall be available until
19 expended, for activities including the development and
20 purchase of vaccine, antivirals, necessary medical supplies,
21 diagnostics, and other surveillance tools: *Provided*, That
22 notwithstanding section 496(b) of the PHS Act, funds
23 may be used for the construction or renovation of privately
24 owned facilities for the production of pandemic influenza
25 vaccines and other biologics, if the Secretary finds such

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the execution
20 of a contract awarded in fiscal year 2016 under section
21 338B of such Act.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

9 SEC. 209. None of the funds appropriated by this Act
10 (including funds appropriated to any trust fund) may be
11 used to carry out the Medicare Advantage program if the
12 Secretary denies participation in such program to an oth-
13 erwise eligible entity (including a Provider Sponsored Or-
14 ganization) because the entity informs the Secretary that
15 it will not provide, pay for, provide coverage of, or provide
16 referrals for abortions: *Provided*, That the Secretary shall
17 make appropriate prospective adjustments to the capita-
18 tion payment to such an entity (based on an actuarially
19 sound estimate of the expected costs of providing the serv-
20 ice to such entity's enrollees): *Provided further*, That noth-
21 ing in this section shall be construed to change the Medi-
22 care program's coverage for such services and a Medicare
23 Advantage organization described in this section shall be
24 responsible for informing enrollees where to obtain infor-
25 mation about all Medicare covered services.