## In the Senate of the United States,

September 30, 2015.

*Resolved*, That the bill from the House of Representatives (H.R. 719) entitled "An Act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.", do pass with the following

## SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT:

At the end add the following:

The following sums are hereby appropriated, out of any
 money in the Treasury not otherwise appropriated, and out
 of applicable corporate or other revenues, receipts, and
 funds, for the several departments, agencies, corporations,
 and other organizational units of Government for fiscal
 year 2016, and for other purposes, namely:

7 SEC. 101. (a) Such amounts as may be necessary, at 8 a rate for operations as provided in the applicable appro-9 priations Acts for fiscal year 2015 and under the authority 10 and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and
 loan guarantees) that are not otherwise specifically pro vided for in this Act, that were conducted in fiscal year
 2015, and for which appropriations, funds, or other author ity were made available in the following appropriations
 Acts:

7 (1) The Agriculture, Rural Development, Food
8 and Drug Administration, and Related Agencies Ap9 propriations Act, 2015 (division A of Public Law
10 113–235), except section 743 and title VIII.

(2) The Commerce, Justice, Science, and Related
Agencies Appropriations Act, 2015 (division B of
Public Law 113–235).

14 (3) The Department of Defense Appropriations
15 Act, 2015 (division C of Public Law 113–235), except
16 title X.

17 (4) The Energy and Water Development and Re18 lated Agencies Appropriations Act, 2015 (division D
19 of Public Law 113–235).

20 (5) The Financial Services and General Govern21 ment Appropriations Act, 2015 (division E of Public
22 Law 113–235).

23 (6) The Department of Homeland Security Ap24 propriations Act, 2015 (Public Law 114-4).

1	(7) The Department of the Interior, Environ-
2	ment, and Related Agencies Appropriations Act, 2015
3	(division F of Public Law 113–235).
4	(8) The Departments of Labor, Health and
5	Human Services, and Education, and Related Agen-
6	cies Appropriations Act, 2015 (division G of Public
7	Law 113–235), except title VI.
8	(9) The Legislative Branch Appropriations Act,
9	2015 (division H of Public Law 113–235).
10	(10) The Military Construction and Veterans Af-
11	fairs, and Related Agencies Appropriations Act, 2015
12	(division I of Public Law 113–235).
13	(11) The Department of State, Foreign Oper-
14	ations, and Related Programs Appropriations Act,
15	2015 (division J of Public Law 113–235), except title
16	LX.
17	(12) The Transportation, Housing and Urban
18	Development, and Related Agencies Appropriations
19	Act, 2015 (division K of Public Law 113–235).
20	(13) Section 11 of the Consolidated and Further
21	Continuing Appropriations Act, 2015 (Public Law
22	113–235).
23	(b) The rate for operations provided by subsection (a)
24	is hereby reduced by 0.2108 percent.

SEC. 102. (a) No appropriation or funds made avail-1 able or authority granted pursuant to section 101 for the 2 Department of Defense shall be used for: (1) the new produc-3 tion of items not funded for production in fiscal year 2015 4 or prior years; (2) the increase in production rates above 5 those sustained with fiscal year 2015 funds; or (3) the initi-6 ation, resumption, or continuation of any project, activity, 7 operation, or organization (defined as any project, sub-8 9 project, activity, budget activity, program element, and subprogram within a program element, and for any investment 10 items defined as a P-1 line item in a budget activity within 11 12 an appropriation account and an R-1 line item that includes a program element and subprogram element within 13 14 an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 15 2015. 16

17 (b) No appropriation or funds made available or au-18 thority granted pursuant to section 101 for the Department 19 of Defense shall be used to initiate multi-year procurements 20 utilizing advance procurement funding for economic order 21 quantity procurement unless specifically appropriated 22 later.

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

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SEC. 104. Except as otherwise provided in section 102,
 no appropriation or funds made available or authority
 granted pursuant to section 101 shall be used to initiate
 or resume any project or activity for which appropriations,
 funds, or other authority were not available during fiscal
 year 2015.

7 SEC. 105. Appropriations made and authority granted 8 pursuant to this Act shall cover all obligations or expendi-9 tures incurred for any project or activity during the period 10 for which funds or authority for such project or activity 11 are available under this Act.

12 SEC. 106. Unless otherwise provided for in this Act 13' or in the applicable appropriations Act for fiscal year 2016, appropriations and funds made available and authority 14 granted pursuant to this Act shall be available until which-15 ever of the following first occurs: (1) the enactment into law 16 17 of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable 18 19 appropriations Act for fiscal year 2016 without any provi-20 sion for such project or activity; or (3) December 11, 2015. 21 SEC. 107. Expenditures made pursuant to this Act 22 shall be charged to the applicable appropriation, fund, or 23 authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted 24 into law. 25

1 SEC. 108. Appropriations made and funds made avail-2 able by or authority granted pursuant to this Act may be 3 used without regard to the time limitations for submission 4 and approval of apportionments set forth in section 1513 5 of title 31, United States Code, but nothing in this Act may 6 be construed to waive any other provision of law governing 7 the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this 8 Act, except section 106, for those programs that would other-9 wise have high initial rates of operation or complete dis-10 11 tribution of appropriations at the beginning of fiscal year 2016 because of distributions of funding to States, foreign 12 13 countries, grantees, or others, such high initial rates of oper-14 ation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this 15 Act that would impinge on final funding prerogatives. 16

17 SEC. 110. This Act shall be implemented so that only 18 the most limited funding action of that permitted in the 19 Act shall be taken in order to provide for continuation of 20 projects and activities.

21 SEC. 111. (a) For entitlements and other mandatory 22 payments whose budget authority was provided in appro-23 priations Acts for fiscal year 2015, and for activities under 24 the Food and Nutrition Act of 2008, activities shall be con-25 tinued at the rate to maintain program levels under current law, under the authority and conditions provided in the
 applicable appropriations Act for fiscal year 2015, to be
 continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for man-4 datory payments due on or about the first day of any month 5 that begins after October 2015 but not later than 30 days 6 after the date specified in section 106(3) may continue to 7 8 be made, and funds shall be available for such payments. 9 SEC. 112. Amounts made available under section 101 10 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate 11 12 for operations necessary to avoid furloughs within such de-13 partment or agency, consistent with the applicable appro-14 priations Act for fiscal year 2015, except that such authority provided under this section shall not be used until after 15 the department or agency has taken all necessary actions 16 to reduce or defer non-personnel-related administrative ex-17 18 penses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public
Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680),
section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section

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504(a)(1) of the National Security Act of 1947 (50 U.S.C.
 3094(a)(1)).

3 SEC. 114. (a) Each amount incorporated by reference in this Act that was previously designated by the Congress 4 for Overseas Contingency Operations/Global War on Ter-5 rorism pursuant to section 251(b)(2)(A) of the Balanced 6 Budget and Emergency Deficit Control Act of 1985 or as 7 being for disaster relief pursuant to section 251(b)(2)(D)8 of such Act is designated by the Congress for Overseas Con-9 tingency Operations/Global War on Terrorism pursuant to 10 11 section 251(b)(2)(A) of such Act or as being for disaster re-12 lief pursuant to section 251(b)(2)(D) of such Act, respectively. 13

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

16 (1) amounts designated under subsection (a) of
17 this section; or

(2) amounts made available by section 101(a) by
reference to the second paragraph under the heading
"Social Security Administration—Limitation on Administrative Expenses" in division G of Public Law
113–235; or

23 (3) amounts made available by section 101(a) by
24 reference to the paragraph under the heading "Centers
25 for Medicare and Medicaid Services—Health Care

Fraud and Abuse Control Account" in division G of Public Law 113–235.

3 (c) Section 6 of Public Law 113-235 shall apply to
4 amounts designated in subsection (a) for Overseas Contin5 gency Operations/Global War on Terrorism.

6 SEC. 115. During the period covered by this Act, dis-7 cretionary amounts appropriated for fiscal year 2016 that 8 were provided in advance by appropriations Acts shall be 9 available in the amounts provided in such Acts, reduced 10 by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts are
 provided for "Department of Agriculture—Domestic Food
 Programs—Food and Nutrition Service—Commodity As sistance Program" at a rate for operations of \$288,317,000,
 of which \$221,298,000 shall be for the Commodity Supple mental Food Program.

17 SEC. 117. Amounts made available by section 101 for 18 "Department of Agriculture-Rural Housing Service-Rental Assistance Program" may be apportioned up to the 19 20 rate for operations necessary to pay ongoing debt service 21 for the multi-family direct loan programs under sections 514 and 515 of the Housing Act of 1949 (42 U.S.C. 1484 22 and 1485): Provided, That the Secretary may waive the 23 24 prohibition in the second proviso under such heading in division A of Public Law 113–235 with respect to rental 25

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assistance contracts entered into or renewed during fiscal
 year 2015.

3 SEC. 118. Amounts made available by section 101 for 4 "Department of Commerce—National Oceanic and Atmos-5 pheric Administration—Procurement, Acquisition and 6 Construction" may be apportioned up to the rate for oper-7 ations necessary to maintain the planned launch schedules 8 for the Joint Polar Satellite System.

9 SEC. 119. (a) The first proviso under the heading 10 "United States Marshals Service—Federal Prisoner Deten-11 tion" in title II of division B of Public Law 113–235 shall 12 not apply during the period covered by this Act.

(b) The limitation in section 217(c) of division B of
Public Law 113–235 on the amount of excess unobligated
balances available under section 524(c)(8)(E) of title 28,
United States Code, shall not apply under this Act to the
use of such funds for "United States Marshals Service—
Federal Prisoner Detention".

SEC. 120. (a) The authority regarding closeout of
Space Shuttle contracts and associated programs provided
by language under the heading "National Aeronautics and
Space Administration—Administrative Provisions" in the
Omnibus Appropriations Act, 2009 (Public Law 111–8)
shall continue in effect through fiscal year 2021.

(b) This section shall be applied as if it were in effect
 on September 30, 2015.

SEC. 121. (a) Notwithstanding section 1552 of title 31,
United States Code, funds made available, including funds
that have expired but have not been cancelled, and identified by Treasury Appropriation Fund Symbol 13–09/10–
0554 shall remain available for expenditure through fiscal
year 2020 for the purpose of liquidating valid obligations
of active grants.

(b) For the purpose of subsection (a), grants for which
the period of performance has expired but are not finally
closed out shall be considered active grants.

13 (c) This section shall be applied as if it were in effect14 on September 30, 2015.

15 SEC. 122. The following provisions shall be applied by 16 substituting "2016" for "2015" through the earlier of the 17 date specified in section 106(3) of this Act or the date of 18 the enactment of an Act authorizing appropriations for fis-19 cal year 2016 for military activities of the Department of 20 Defense:

(1) Section 1215(f)(1) of the National Defense
Authorization Act for Fiscal Year 2012 (Public Law
112-81; 10 U.S.C. 113 note), as most recently amended by section 1237 of the Carl Levin and Howard P.

## "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

3 (2) Section 127b(c)(3)(C) of title 10, United
4 States Code.

5 SEC. 123. (a) Funds made available by section 101 6 for "Department of Energy—Energy Programs—Uranium 7 Enrichment Decontamination and Decommissioning 8 Fund" may be apportioned up to the rate for operations 9 necessary to avoid disruption of continuing projects or ac-10 tivities funded in this appropriation.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and
the Senate not later than 3 days after each use of the authority provided in subsection (a).

15 SEC. 124. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may ex-16 pend local funds under the heading "District of Columbia 17 Funds" for such programs and activities under the District 18 of Columbia Appropriations Act, 2015 (title IV of division 19 E of Public Law 113–235) at the rate set forth under "Dis-20 trict of Columbia Funds-Summary of Expenses" as in-21 22 cluded in the Fiscal Year 2016 Budget Request Act of 2015 23 (D.C. Act 21–99), as modified as of the date of the enact-24 ment of this Act.

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SEC. 125. Notwithstanding section 101, no funds are
 provided by this Act for "Recovery Accountability and
 Transparency Board—Salaries and Expenses".

4 SEC. 126. Amounts made available by section 101 for 5 "Small Business Administration—Business Loans Pro-6 gram Account" may be apportioned up to the rate for oper-7 ations necessary to accommodate increased demand for 8 commitments for general business loans authorized under 9 section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

10 SEC. 127. Sections 1101(a) and 1104(a)(2)(A) of the 11 Internet Tax Freedom Act (title XI of division C of Public 12 Law 105–277; 47 U.S.C. 151 note) shall be applied by sub-13 stituting the date specified in section 106(3) of this Act for 14 "October 1, 2015".

15 SEC. 128. Section 101 shall be applied by assuming
16 that section 7 of Public Law 113–235 was enacted as part
17 of title VII of division E of Public Law 113–235.

18 SEC. 129. The authority provided by section 831 of 19 the Homeland Security Act of 2002 (6 U.S.C. 391) shall 20 continue in effect through the date specified in section 21 106(3) of this Act.

SEC. 130. Section 401(b) of the Illegal Immigration
Reform and Immigrant Responsibility Act of 1996 (8
U.S.C. 1324a note) shall be applied by substituting the date

specified in section 106(3) of this Act for "September 30,
 2015".

3 SEC. 131. Section 610(b) of the Departments of Com-4 merce, Justice, and State, the Judiciary, and Related Agen-5 cies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall 6 be applied by substituting the date specified in section 7 106(3) of this Act for "September 30, 2015".

8 SEC. 132. Subclauses 101(a)(27)(C)(ii)(II) and (III) 9 of the Immigration and Nationality Act (8 U.S.C. 10 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by sub-11 stituting the date specified in section 106(3) of this Act for 12 "September 30, 2015".

SEC. 133. Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182
note) shall be applied by substituting the date specified in
section 106(3) of this Act for "September 30, 2015".

SEC. 134. Section 810 of the Federal Lands Recreation
Enhancement Act (16 U.S.C. 6809) is amended by striking
all that follows after "shall terminate" and inserting "September 30, 2017.".

21 SEC. 135. In addition to the amount otherwise pro-22 vided by section 101 for "Department of Agriculture—For-23 est Service—Wildland Fire Management", there is appro-24 priated \$700,000,000 for an additional amount for fiscal 25 year 2016, to remain available until expended, for urgent

1 wildland fire suppression activities: Provided, That such 2 funds shall only become available if funds previously pro-3 vided for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the Com-4 mittees on Appropriations of the House of Representatives 5 and the Senate in writing of the need for these additional 6 funds: Provided further, That such funds are also available 7 8 for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression: 9 10 Provided further, That such amount is designated by the 11 Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency 12 Deficit Control Act of 1985, except that such amount shall 13 be available only if the President subsequently so designates 14 15 such amount and transmits such designation to the Con-16 gress.

SEC. 136. The authorities provided by sections 117 and
18 123 of division G of Public Law 113–76 shall continue in
19 effect through the date specified in section 106(3) of this
20 Act.

SEC. 137. (a) The authority provided by subsection
(m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–
79) shall continue in effect through the date specified in
section 106(3) of this Act.

(b) For the period covered by this Act, the authority
 provided by the provisos under the heading "Dwight D. Ei senhower Memorial Commission—Capital Construction" in
 division E of Public Law 112–74 shall not be in effect.

5 SEC. 138. Section 3096(2) of the Carl Levin and How-6 ard P. "Buck" McKeon National Defense Authorization Act 7 for Fiscal Year 2015 is amended by inserting "for fiscal 8 year 2015" after "\$37,000,000".

9 SEC. 139. Funds made available in prior appropria-10 tions Acts for construction and renovation of facilities for 11 the Centers for Disease Control and Prevention may also 12 be used for construction on leased land.

SEC. 140. Subsection (b) of section 163 of Public Law
14 111–242, as amended, is further amended by striking
15 "2015–2016" and inserting "2016–2017".

16 SEC. 141. Section 101 shall be applied by assuming 17 that section 139 of Public Law 113–164 was enacted as part of division G of Public Law 113–235, and section 139 of 18 Public Law 113–164 shall be applied by adding at the end 19 20 the following: "and of the unobligated balance of amounts deposited or available in the Child Enrollment Contingency 21 Fund from appropriations to the Fund under section 22 2104(n)(2)(A)(i) of the Social Security Act and the income 23 derived from investment of those funds pursuant to 24 25 2104(n)(2)(C) of that Act, \$1,664,000,000 is rescinded".

SEC. 142. Section 114(f) of the Higher Education Act
 of 1965 (20 U.S.C. 1011c(f)) shall be applied by sub stituting the date specified in section 106(3) of this Act for
 "September 30, 2015".

5 SEC. 143. Notwithstanding any other provision of this
6 Act, there is appropriated for payment to Tori B. Nunnelee,
7 widow of Alan Nunnelee, late a Representative from the
8 State of Mississippi, \$174,000.

SEC. 144. Of the discretionary unobligated balances of 9 the Department of Veterans Affairs from fiscal year 2015 10 11 or prior fiscal years, or discretionary amounts appro-12 priated in advance for fiscal year 2016, the Secretary of Veterans Affairs may transfer up to \$625,000,000 to "De-13 partment of Veterans Affairs-Departmental Administra-14 15 tion—Construction, Major Projects", to be merged with the amounts available in such account: Provided, That no 16 amounts may be transferred from amounts that were des-17 18 ignated by the Congress as an emergency requirement pur-19 suant to the Concurrent Resolution on the Budget, the Bal-20anced Budget and Emergency Deficit Control Act of 1985, 21 or the Statutory Pay-As-You-Go Act of 2010: Provided fur-22 ther, That no amounts may be transferred until the Sec-23 retary submits to the Committees on Appropriations of the 24 House of Representatives and the Senate a request for, and receives from the Committees written approval of, such 25

transfers: Provided further, That the Secretary shall specify
 in such request the donor account and amount of each pro posed transfer, the fiscal year of each appropriation to be
 transferred, the amount of unobligated balances remaining
 in the account after the transfer, and the project or program
 impact of the transfer.

SEC. 145. Notwithstanding section 101, amounts are
provided for "Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration" at a rate for operations of
\$2,697,734,000.

12 SEC. 146. Notwithstanding section 101, section 226(a) 13 of division I of Public Law 113–235 shall be applied to 14 amounts made available by this Act by substituting "divi-15 sion I of Public Law 113–235" for "division J of Public 16 Law 113–76" and by substituting "2015" for "2014".

SEC. 147. Section 209 of the International Religious
Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by
substituting the date specified in section 106(3) of this Act
for "September 30, 2015".

SEC. 148. Amounts made available by section 101 for
 "Broadcasting Board of Governors—International Broad casting Operations", "Bilateral Economic Assistance—
 Funds Appropriated to the President—Economic Support
 Fund", "International Security Assistance—Department of

State—International Narcotics Control and Law Enforce-1 2 ment", "International Security Assistance—Department of State—Nonproliferation, Anti-terrorism, Demining and 3 Related Programs", and "International Security Assist-4 ance—Funds Appropriated to the President—Foreign Mili-5 tary Financing Program" shall be obligated at a rate for 6 7 operations as necessary to sustain assistance for Ukraine to counter external, regional aggression and influence, in-8 cluding for the costs of authorized loan guarantees. 9

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SEC. 149. Section 1334 of the Foreign Affairs Reform
and Restructuring Act of 1998 (22 U.S.C. 6553) shall be
applied by substituting the date specified in section 106(3)
of this Act for "October 1, 2015".

SEC. 150. (a) Funds made available by section 101
for "Department of Housing and Urban Development—
Management and Administration—Administrative Support Offices" may be apportioned up to the rate for operations necessary to maintain the planned schedule for the
New Core Shared Services Project.

(b) Not later than 3 days before the first use of the
apportionment authority in subsection (a), each 30 days
thereafter, and 3 days after the authority expires under this
Act, the Secretary of Housing and Urban Development shall
submit to the Committees on Appropriations of the House

of Representatives and the Senate a report specifying each
 use of the authority through the date of the report.

3 This Act may be cited as the "Continuing Appropria4 tions Act, 2016".

Attest:

\*. Adams For Secretary Sus Secretary.

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114TH CONGRESS 1ST SESSION H.R. 719

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SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT