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House of Representatives

CONFERENCE REPORT AND EXPLANATORY MATERIAL STATEMENT ON H.J. RES. 31, FURTHER CONTINUING APPROPRIATIONS FOR DEPARTMENT OF HOMELAND SECURITY, 2019, SUBMITTED BY MRS. LOWEY, CHAIRWOMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS

CONFERENCE REPORT (H. REPT. 116-9)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 31), making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2019".

SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of appropriations.
- Sec. 5. Availability of funds.
- Sec. 6. Adjustments to compensation.
- Sec. 7. Technical correction.

DIVISION A—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

- Title I—Departmental Management, Operations, Intelligence, and Oversight
- Title II—Security, Enforcement, and Investigations
- Title III—Protection, Preparedness, Response, and Recovery
- Title IV—Research, Development, Training, and Services
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DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

- Title I—Agricultural Programs

- Title II—Farm Production and Conservation Programs

- Title III—Rural Development Programs

- Title IV—Domestic Food Programs

- Title V—Foreign Assistance and Related Programs

- Title VI—Related Agency and Food and Drug Administration

- Title VII—General Provisions

DIVISION C—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

- Title I—Department of Commerce

- Title II—Department of Justice

- Title III—Science

- Title IV—Related Agencies

- Title V—General Provisions

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

- Title I—Department of the Treasury

- Title II—Executive Office of the President and Funds Appropriated to the President

- Title III—The Judiciary

- Title IV—District of Columbia

- Title V—Independent Agencies

- Title VI—General Provisions—This Act

- Title VII—General Provisions—Government-wide

- Title VIII—General Provisions—District of Columbia

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

- Title I—Department of the Interior

- Title II—Environmental Protection Agency

- Title III—Related Agencies

- Title IV—General Provisions

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

- Title I—Department of State and Related Agency

- Title II—United States Agency for International Development

- Title III—Bilateral Economic Assistance

- Title IV—International Security Assistance

- Title V—Multilateral Assistance

- Title VI—Export and Investment Assistance

- Title VII—General Provisions

- Title VIII—Overseas Contingency Operations/Global War on Terrorism

DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

- Title I—Department of Transportation

- Title II—Department of Housing and Urban Development

- Title III—Related Agencies

- Title IV—General Provisions—This Act

DIVISION H—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

- Title I—Immigration Extensions

- Title II—Technical Corrections

- Title III—Budgetary Effects

SEC. 3. REFERENCES TO ACT.

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

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019.

SEC. 5. AVAILABILITY OF FUNDS.

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

SEC. 6. ADJUSTMENTS TO COMPENSATION.

For a payment to Joe Anne Jones, widow of Waller B. Jones Jr., late a Representative from North Carolina, \$174,000.

SEC. 7. TECHNICAL CORRECTION.

Division O of the Consolidated Appropriations Act, 2018 (Public Law 115-141) is amended—

- (1) in the heading, by inserting "Stephen Sepp" before "Wildfire"; and

- (2) by amending section 101 to read as follows:

"SEC. 101. SHORT TITLE.

"(a) SHORT TITLE.—This division may be cited as the 'Stephen Sepp Wildfire Suppression Funding and Forest Management Activities Act'.

"(b) REFERENCES.—A reference to the Wildfire Suppression Funding and Forest Management Activities Act, including a reference in a regulation, order, or other law, is deemed to refer to the Stephen Sepp Wildfire Suppression Funding and Forest Management Activities Act."

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Legacy Roads and Trails.—While these projects are to be addressed as they rank in priority along with other infrastructure needs, the Service is directed to continue to track Legacy Roads and Trails accomplishments, including miles of roads and trails improved, miles of streams restored, number of bridges and culverts constructed, and miles of road decommissioned.

Requested Reports.—The Conferees request a report regarding options to improve parking and access to the Cleveland National Forest within 180 days of enactment of this Act. The Service should consult with the State of California, communities surrounding the forest, and private partners for their input and recommendations. The Conferees also request a report on its efforts to address road

construction and maintenance issues in the Uwharrie National Forest within 30 days of enactment of this Act.

Comprehensive Capital Improvement Plan.—The Service is reminded of the directive included in the explanatory statement accompanying P.L. 115-141 that required the development of a long-term, multi-year plan to guide needed investments in buildings, facilities, transportation systems, and other infrastructure by December 30, 2018. The Conferees look forward to reviewing the plan and expect the Service to utilize the plan in formulating future budget requests. The annual budget justification documents should detail the amounts requested for new construction, maintenance, decommissioning, and other

activities for the Facilities, Roads and Trails programs.

LAND ACQUISITION

The agreement provides \$72,564,000 for Land Acquisition. The amounts provided by this bill for projects are shown in the table below, listed in priority order pursuant to the project list received for fiscal year 2019. The agreement supports the continuation of Forest Service and nonprofit partner efforts to resolve Superior National Forest school trust land management using the private forestland alternative. Further instructions are contained under the Land and Water Conservation Fund heading in the front of this explanatory statement.

State	Project	Forest Unit	This Bill
MT	Beaverfall to Bearmouth	Lolo	\$3,800,000
CA	Sierra Nevada Checkerboard	Tahoe/El Dorado	2,500,000
OR	Wasson Creek	Siuslaw	3,422,000
MN	MN School Trust Lands	Superior	5,000,000
OH	Appalachian Foothills	Wayne	1,800,000
CA	Trinity Divide-Pacific Crest NST	Shasta-Trinity	3,200,000
AK	Cube Cove	Tongass	5,200,000
WA	Washington Cascades/Yakima River	Okanogan-Wenatchee	4,000,000
MT	Swan Range	Lolo	4,000,000
VT	Rolston Rest	Green	2,700,000
SD	Spring Creek	Black Hills	1,410,000
CO	Union Creek	Grand Mesa/Uncampahgre/Gunnison	2,000,000
AZ	Verde River String of Pearls	Coconino/Prescott	3,430,000
NC	North Carolina Threatened Treasures	Nanahala/Pisgah/Uwharrie	750,000
TN	Tennessee Mountain Trails and Waters	Cherokee	850,000
MT	Clearwater-Blackfoot Project	Lolo	5,000,000
VA/WV	George Washington and Jefferson NF	George Washington and Jefferson	1,000,000
CA	Sanhedrin	Mendocino	3,900,000
SC	Promise of the Piedmont	Sumter	2,000,000
AL	Alabama's Wild Wonders	National Forests of Alabama	2,000,000
Subtotal, FS Land Acquisitions			57,962,000
Acquisition Management			Budget Request 0
Recreational Access			This Bill 7,352,000
Critical Inholdings/Wilderness			0 5,000,000
Cash Equalization			0 2,000,000
Rescission of Funds			0 250
Total, FS Land Acquisition			—17,000,000 72,564,000

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The agreement provides \$700,000 for the Acquisition of Lands for National Forests Special Acts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The agreement provides \$150,000 for the Acquisition of Lands to Complete Land Exchanges.

RANGE BETTERMENT FUND

The agreement provides \$1,700,000 for the Range Betterment Fund.

GIFTS, DONATIONS AND REQUESTS FOR FOREST AND RANGELAND RESEARCH

The agreement provides \$45,000 for Gifts, Donations and Requests for Forest and Rangeland Research.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The agreement provides \$2,500,000 for the Management of National Forest Lands for Subsistence Uses.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The agreement provides a total of \$3,004,986,000 for Forest Service Wildland Fire Management. Of the funds provided, \$1,665,366,000 is for suppression operations, which includes an additional \$500,000,000 above the 10-year average.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The bill provides a total of \$5,804,223,000 for the Indian Health Service (IHS), of which \$4,103,190,000 is for the Services account as detailed below. All programs, projects, and

activities are maintained at fiscal year 2018 enacted levels unless otherwise specified below. The Service is expected to comply with the instructions and requirements at the beginning of this division and in House Report 115-765 and Senate Report 115-276, unless otherwise specified below. Additional details, instructions, and requirements follow below and in the table at the end of this division.

Staffing for New Facilities.—The agreement includes \$103,931,000 for staffing newly opened health facilities, which is the full amount based upon updated estimates provided to the Committees. Funds for the staffing of new facilities are limited to facilities funded through the Health Care Facilities Construction Priority System or the Joint Venture Construction Program that have opened in fiscal year 2018 or will open in fiscal year 2019. None of these funds may be allocated to a facility until such facility has achieved beneficial occupancy status.

Hospitals and Health Clinics.—The agreement provides \$2,147,343,000 for hospitals and health clinics, and includes \$36,000,000 for operations and maintenance of village built and tribally leased clinics, and \$4,000,000 for domestic violence prevention. The Conferees are aware of ongoing litigation between the Cherokee Nation and the United Keetoowah Band of Cherokee Indians. The Conferees are neutral on this matter and have provided the request of \$1,969,000 for new Tribes. The agency is expected to consult with both parties before disbursing funds.

Dental Health.—The agreement provides \$204,672,000 for dental health and includes the requested transfer of \$800,000 from direct operations. The Service is directed to backfill vacant dental health positions in headquarters.

Mental Health.—The agreement provides \$105,281,000 for mental health programs and

includes \$6,946,000 to continue behavioral health integration and \$3,600,000 to continue the suicide prevention initiative.

Alcohol and Substance Abuse.—The agreement provides \$245,566,000 for alcohol and substance abuse programs and includes: \$6,500,000 for the Generation Indigenous initiative; \$1,800,000 for the youth pilot project; and \$2,000,000 to fund essential detoxification and related services provided by the Service's public and private partners to IHS beneficiaries. The Conferees expect the Service to continue its partnership with the Na' Nizhoozhi Center in Gallup, New Mexico, as directed by the Consolidated Appropriations Act, 2017, and to distribute funds provided for detoxification services in the same manner as in fiscal year 2017. The Conferees believe that Service and Tribally operated facility participation in state prescription drug monitoring programs can help to combat the abuse of drugs like opioids and direct the agency to provide the report required by Senate Report 115-276 on this issue.

Opioid Grants.—To better combat the opioid epidemic, the Conferees have included an increase of \$10,000,000 and instruct the Service, in coordination with the Assistant Secretary for Mental Health and Substance Use, to use the additional funds provided above the fiscal year 2018 level to create a Special Behavioral Health Pilot Program modeled after the Special Diabetes Program for Indians. This Special Behavioral Health Pilot Program for Indians shall be developed after appropriate Tribal consultation and should support the development, documentation, and sharing of more locally-designed and culturally appropriate prevention, treatment, and aftercare services for mental health and substance use disorders in Tribal and urban Indian communities. The Director of the Indian Health Service, in coordination