



Date: December 17, 2019

To: Federal Legislation Committee

From: Thomas B. Modica, Acting City Manager *T.M.*

Subject: Federal FY 2020 Budget Updates

Attached are two memos, from Dentons US, LLP, the City's federal legislative advocates, highlighting the provisions of House Resolution 1158 (HR 1158), Four-Bill Mini-Bus, and House Resolution 1865 (HR 1865), Eight-Bill Appropriations Mini-Bus, for FY 2020. HR 1158 and HR 1865 combined propose all 12 annual spending bills, a total of \$1.4 trillion for the FY 2020 Federal Budget. HR 1158 includes Defense, Homeland Security, Commerce Justice Science and Financial Services spending text. HR 1865 includes spending text for Agriculture, Energy and Water, Interior and Environment, Labor HHS-Education, Legislative Branch, Military Construction-VA, State-Foreign Operations, and Transportation-HUD. HR 1865 also includes legislative provisions, including Repeal of certain Affordable Care Act Taxes, Age Limit for Tobacco Purchases, and Medicaid Funding for U.S. Territories.

Today, the U.S. House of Representatives will consider HR 1158 and HR 1865. The U.S. Senate will consider both HRs later in the week.

If you have questions or comments, please contact Julia Katz, Government Affairs Analyst, at 562-570-5191.

cc: Mayor and Members of the City Council
Charles Parkin, City Attorney
Laura L. Doud, City Auditor
Doug Haubert, City Prosecutor
Rebecca Guzman Garner, Acting Assistant City Manager
Kevin Jackson, Deputy City Manager
Teresa Chandler, Interim Deputy City Manager
Andrew Vialpando, Acting Administrative Deputy to the City Manager
Department Directors
Monique De La Garza, City Clerk
Bianca Villanueva, Acting Harbor Director of Government Affairs
Dentons

Attachments

JL:KJ:jk

M:\IGR\Federal\Federal Leg Comm\Memos 2020\MCC_FY20AppropsUpdate_12-17-19.docx

John R. Russell, IV
Principal
john.russell@dentons.com
D +1 202-408-6392

Dentons US LLP
1900 K Street, NW
Washington, DC 20006
United States

dentons.com

MEMORANDUM

To: Tom Mordica
From: John R. Russell, IV and Darry Sragow
Date: December 17, 2019
Subject: Four Bill Mini-Bus Update

:

This memo highlights the provisions of HR 1158 , Four-Bill Full Year Appropriations for FY 2020, which the House will consider on Tuesday. The package includes Defense, Homeland Security, Commerce Justice Science and Financial Services spending text.

The negotiated bipartisan measure includes four FY 2020 spending bills, which CBO estimates would provide a total of \$860 billion in discretionary funding for FY 2020. The measure and a companion appropriations package (HR 1865), together represent all 12 annual spending bills. The four-bill total includes \$695 billion for the Defense Department and \$1.375 billion for new and replacement barriers along the U.S. border with Mexico. Funding for the wall is equal to the FY 2019 level; President Trump had requested \$5 billion in Homeland Security funding for the wall. The measure does not restrict the president's ability to transfer other federal funding for wall construction.

Section I

Overview

The FY 2020 appropriations process this year started with Budget Control Act (BCA) sequester-reduced caps in place that would require a 10% cut in

discretionary funding from enacted FY 2019 levels, with President Trump proposing to leave the lower caps in place in order to cut domestic spending — while circumventing the caps in order to significantly boost defense spending.

In the absence of a bipartisan agreement on higher caps for FY 2020, House Democrats began work on FY 2020 spending bills using their own set of discretionary caps in order to get a start on the appropriations process and put pressure on the president and congressional Republicans to negotiate new caps. That enabled House Democrats in June, using their own defense and non-defense spending cap levels, to pass all but two of their 12 annual spending bills.

In July a bipartisan agreement (PL 116-37) was finally reached to increase defense and non-defense discretionary caps for FY 2020 and FY 2021 (the final two years of caps under the BCA), raising hopes that agreements on FY 2020 spending bills could be reached relatively quickly.

However, flashpoints between the two parties quickly emerged when the Senate Appropriations Committee in September began marking up its 12 spending bills using GOP spending allocations for the 12 individual bills that Democrats said short-changed Democratic priorities (particularly for the Labor-HHS-Education bill), while providing the increased funding requested by President Trump for construction of his border wall — the divisive issue that had triggered a 35-day partial government shutdown last December and January.

Disputes over funding for the border wall and various other issues, particularly abortion, resulted in Senate Appropriations approving just 10 of its 12 annual spending bills, with the Senate eventually passing just a single package of four relatively non-controversial bills that had also passed the House as a package (HR 3055, comprising Agriculture, Commerce-Justice-Science, Interior-Environment, and Transportation-HUD).

Agreement Reached

House and Senate leaders subsequently began negotiations to reach an agreement on a full-year funding package, and shortly before Thanksgiving — after the administration indicated it might agree to less funding than it originally proposed for the border wall — reached agreement on discretionary allocations for each of the 12 spending bills, consistent with the increased defense and non-defense caps for FY 2020 set by the July budget deal.

And negotiators last week reached final agreement after the White House backed off from demands for funding increases for the border wall and Democrats backed off from their insistence that both no money be provided and that the administration be restricted in its ability to transfer other federal funds to build the wall.

To avoid a single massive omnibus spending bill given that President Trump has vowed he would never again sign such an omnibus, comprehensive congressional leaders have decided to package the 12 bills into two separate packages — a four-bill "security" spending package comprised of the Defense, Homeland Security, Commerce-Justice-Science, and Financial Services spending bills, and an eight-bill package that includes all other spending bills along with unrelated legislation.

Current stopgap funding for the government expires at midnight Friday, Dec. 20. Floor Situation

The bill will be considered as a House amendment to a Senate amendment to HR 1158 , which originally authorized the Hunt and Incident Response Team within the Homeland Security Department's National Cybersecurity and Communications Integration Center.

This measure and a companion appropriations package (HR 1865), together represent all 12 annual spending bills. HR 1865 also includes

scores of tax, health, pension, foreign policy and other bills that congressional leaders want to enact before the end of the year.

The two massive spending packages were released late yesterday and will be considered by the House today. Because of the House's planned quick consideration of the two measures and their size and scope, House Action Reports is unable to provide detailed analyses of the two measures prior to House floor consideration. Updated HAR Fact Sheets with more detailed analyses for the two measures will be published in coming days.

Executive Summary of HR 1158

The agreement consists of four FY 2020 appropriations bills that combined provide a total of \$860.3 billion for FY 2020,

The total includes \$767.6 billion subject to caps, \$70.9 billion in OCO funding, \$17.5 billion in disaster relief, \$2.5 billion under a special cap adjustment for the 2020 census, and \$1.8 billion in emergency funding, according to the Congressional Budget Office.

Under the measure, funding is provided as follows:

- Defense — \$695.1 in discretionary funding for the Defense Department for FY 2020 — \$19.5 billion (3%) more than the FY 2019 level, but \$4.6 billion (0.5%) less than the president's request. The total includes \$622.7 billion subject to caps, \$70.7 billion in OCO funding, and \$1.8 billion in emergency funding. It includes almost \$10 billion for 98 new F-35 planes, \$2.0 billion than requested for 20 additional planes.
- Homeland Security — \$50.5 billion in net discretionary spending subject to regular budget caps, \$1.1 billion more than FY 2019 but \$1.2 billion less than requested. The total includes \$1.375 billion for continued construction of a border wall along the U.S.-Mexico border, matching FY 2019 funding. President Trump had requested \$5.0 billion for 722 miles of new barriers.

- Commerce-Justice-Science — \$70.7 billion in net discretionary spending subject to budget caps, \$6.6 billion more than FY 2019. The total includes \$32.6 billion for the Justice Department (including the FBI), \$15.2 billion for the Commerce Department (including \$7.6 billion for the Census Bureau, almost double FY 2019 levels), and \$22.6 billion for NASA and other federal science agencies.
- Financial Services — \$23.8 billion in discretionary funding subject to budget caps, an increase of \$669 million over FY 2019 levels, but \$370 million less than requested, according to Democratic appropriators. That total includes a \$151 million cap adjustment for disaster relief funding. It includes a 3.1% pay increase for federal civilian employees beginning in 2020.

Section II

Defense

This section highlights the provisions of HR 1158 , Four Bill Full Year Appropriations for FY 2020, that provide funding for programs and activities of the Defense Department.

According to Senate appropriators, the agreement appropriates a total of \$695.1 in discretionary funding for the Defense Department for FY 2020 — \$19.5 billion (3%) more than the FY 2019 level, but \$4.6 billion (0.5%) less than the president's request. The total includes \$622.7 billion subject to caps, \$70.7 billion in OCO funding, and \$1.8 billion in emergency funding.

Missile Defense

The bill provides approximately \$11 billion for various missile defense programs, including funding for Ground-Based Midcourse Defense (GMD), European missile defense and cooperative programs with Israel.

The total includes \$10.4 billion for programs within the Missile Defense Agency, of which \$628 million is for several MDA unfunded requirements, including \$231 million to accelerate hypersonic defense programs.

It appropriates \$407 million for THAAD launchers and tooling and test equipment, and \$303 million for terminal research and development, as requested. It also appropriates \$737 million for Aegis research and development, \$726 million for Aegis procurement, and \$500 million for cooperative missile defense programs with Israel.

Aircraft

The measure appropriates \$42.4 billion for aircraft across the services. The total includes \$19.7 billion for aircraft for the Navy (\$1.1 billion more than requested); \$18.4 billion for Air Force planes (\$1.3 billion more than requested); and \$4.3 billion for Army aircraft (\$225 million more than requested). The totals include OCO funding.

That total also includes \$9.8 billion for procurement of 98 new F-35 planes, \$1.9 billion more than requested for 20 additional aircraft. It includes funds to develop alternate sourcing of F-35 parts manufactured in Turkey and to convert F-35As that were previously designated for Turkey for use by the U.S. Air Force instead. Turkey was dropped from the F-35 program after it took delivery of a S-400 missile defense system from Russia.

It appropriates \$1.7 billion for 24 new F/A-18E/F aircraft, \$986 million for eight new F-15EX fighter aircraft, \$2.1 billion for procurement of 12 KC-46 aerial refueling aircraft, \$3.0 billion for continued development of a new long-range bomber, and \$758 million to continue research and development of a new Air Force One and \$617 million for procurement of six new presidential helicopters.

Helicopters

The bill appropriates the following for the purchase or development of military helicopters:

- UH-60 Blackhawk — \$1.4 billion for 73 new UH-60M multiuse Black Hawks for the Army and Guard.
- UH AH-64 Longbow Apache — \$819 million to upgrade 49 AH-64 Apache attack helicopters to the Longbow configuration. The Apache Longbow is the Army's upgraded heavy-attack helicopter.
- CH-53K Super Stallion — \$848 million for six new King Stallion transport helicopters, heavy-lift cargo helicopters being developed by Sikorsky Aircraft for the Marine Corps to transport armored vehicles, equipment and personnel to support operations deep inland from a sea-based center of operations. The measure also provides \$507 million for research and development of the aircraft.
- HH-60W Whiskey — \$851 million for 12 combat rescue helicopters. The new 60-Whiskey helicopter can be deployed in medical evacuation, non-combatant evacuation missions, civil search-and-rescue, humanitarian aid, disaster relief, and insertion or extraction of combat forces.

Navy Shipbuilding

The measure includes the following for new ships:

- New Attack Submarine — \$8.3 billion for construction and long-lead components for the next two boats in the Virginia class of new attack submarines. The administration requested \$9.9 billion for three vessels.
- New Ballistic Missile Submarine — \$1.8 billion for long-lead components for the new Columbia-class missile boat, and \$427 million for research and development.
- Aircraft Carriers — \$2.3 billion for the new carrier program and \$635 million for refueling overhauls of existing ships. It also provides \$17 million

in unrequested funds to begin procurement of the long lead items associated with refueling the Harry S. Truman that the Navy had wanted to decommission.

- FFG Frigate — \$1.3 billion for one FFG Frigate. The FFG is a new class of multimission guided-missile frigates beginning in 2020 as a follow-on to the Littoral Combat Ship (LCS).
- DDG-51 Destroyer — \$5.8 billion for the next three DDG-51 vessels, including \$744 in advanced procurement funding.

Combat Vehicles & Troop Protection

The bill includes the following for combat vehicles:

- Abrams Tanks — \$1.7 billion to upgrade 165 Abrams tanks to the M1A2 configuration. The M1A2 (SEP) tank is an upgraded, fully digitized, 72-ton Abrams tank with night vision capabilities.
- Joint Light Tactical Vehicle — \$1.5 billion for new JLTVs for the Army and Marines. The vehicle is meant to replace the Humvee combat-support utility vehicle with a family of more survivable vehicles with greater payload.
- Stryker — \$908 million for Stryker Double V-hull upgrades and other modifications, \$214 million more than requested. The 20-ton Stryker has a two-person crew and carries a squad of nine soldiers. The double V-shaped hull model was designed to better dissipate the force of roadside explosions.

Overseas Contingency Operations

Of the bill's total funding \$70.7 billion is Overseas Contingency Operations (OCO) funding primarily associated with the war in Afghanistan and other counterterrorism operations such as the fight against the Islamic State (ISIS).

Within the OCO total, \$1.0 billion is for Iraqi, Kurdish and other forces engaged in the fight against ISIS, and \$4.2 billion is to train and equip Afghanistan's national army and other security forces (\$604 million less than requested). It also includes additional funding for various initiatives in Europe in response to Russia's actions in Ukraine and Crimea, including \$250 million for weapons for Ukraine.

Other Defense Funding

The measure also appropriates or authorizes the following:

- Operation and Maintenance — \$253.3 billion to operate and maintain U.S. forces worldwide, including \$53.9 billion in the OCO portion.
- Personnel — Funds a 3.1% across-the-board pay raise and 1,339,500 active duty forces.
- Health Care — \$34.4 billion for defense health care programs (including \$348 million in OCO funding).
- Sexual Assault — \$294 million for sexual assault prevention and response programs.
- Drug Interdiction — \$1.0 billion for drug interdiction activities of the U.S. military, including \$153 million in OCO funding.
- Missiles & Munitions — \$17.7 billion for the procurement of missiles and ammunition.

Section III

Homeland Security

This section highlights the provisions of HR 1158 , Four-Bill Full Year Appropriations for FY 2020, that provides funding for the Homeland Security Department.

The agreement provides \$50.5 billion in net discretionary spending subject to regular budget caps, \$1.1 billion more than FY 2019 but \$1.2 billion less than requested.

It also includes \$17.4 billion in major disaster funding and \$190 million in Overseas Contingency Operations (OCO) funding — bringing the bill's total discretionary funding to \$68.0 billion. A number of programs and activities are automatically funded through user fees collected by the department's various agencies (which for FY 2020 is estimated to total \$4.7 billion). It includes \$1.8 billion in mandatory spending.

The measure includes \$1.375 billion for continued construction of the president's wall along the U.S.-Mexican border, equal to FY 2019. President Trump had requested \$5.0 billion for 722 miles of new barriers.

Border Security, Enforcement & Investigations

The bill appropriates a total of \$42.4 billion in net discretionary funding for border security (combined Customs and Border Protection and Immigration and Customs Enforcement funding), \$620 million (1.5%) more than FY 2019 but \$2.0 billion less than requested. An additional \$3.0 billion in spending for those agencies would be available through the collection of various fees.

It provides a total of \$14.9 billion for Customs and Border Protection (\$44 million more than FY 2019 but \$3.3 billion less than requested) and a total of \$8.1 billion for Immigration and Customs Enforcement (\$492 million, or 6%, more than FY 2019, but \$701 million less than requested).

The CBP total includes \$1.375 billion for new physical barrier along the U.S. southern border in the Rio Grande Valley of Texas — \$3.625 billion less than the \$5.0 billion requested by the president but equal to FY 2019. Unlike for FY 2019, the measure generally does not limit where along the border the funding could be used.

The total includes \$4.4 billion for immigration enforcement and removal activities, \$155 million (4%) more than FY 2019. Within that total, \$3.1 billion is for ICE's custody operations, \$28 million (1%) less than FY 2019. According to Senate appropriators, that funding would provide for 45,274 detention beds, equal to the FY 2019 level but 8,726 less than the president's request.

Transportation Security Administration

The agreement provides \$5.0 billion in net discretionary funding for the Transportation Security Administration (\$53 million more than FY 2019) and it assumes \$2.8 billion would be derived through offsetting collections — bringing total TSA funding for FY 2020 to \$8.3 billion, \$210 million more than FY 2019 and \$515 million more than requested.

The bulk of TSA funding is for aviation screening activities, for which \$5.4 billion is provided — \$271 million (5%) more than FY 2019 and 8% more than requested. The measure rejects the administration's proposal to increase TSA screening fees to raise another \$550 million.

Coast Guard

The measure provides a total of \$12.0 billion for the Coast Guard — which is one of the nation's five armed services but also has non-military responsibilities — including \$10.2 billion in discretionary spending and \$1.8 billion in mandatory spending for Coast Guard retirement pay. It also includes \$190 million in unrequested discretionary OCO funding for the Coast Guard. The discretionary total is \$112 million less than FY 2019 but \$847 million (9%) more than requested.

It allows the Coast Guard, during any lapse in appropriations, to make death gratuity payments to spouses of Coast Guard personnel who die in service.

Secret Service

The measure appropriates \$2.4 billion for the Secret Service, \$168 million (7%) more than FY 2019 and \$107 million more than requested. The Secret Service currently has 7,650 personnel.

The total includes \$1.0 billion for Secret Service protection activities (15% more than FY 2019), including \$755 million for protecting persons and facilities — of which \$155 million is for the 2020 presidential campaign.

FEMA & Other Activities

The bill provides a total of \$24.5 billion for Homeland Security Department activities focused on national protection, preparedness, response and recovery, including the Federal Emergency Management Agency (FEMA) and the department's National Protection and Programs Directorate.

The measure provides \$22.5 billion for FEMA (including \$240 million in offsetting collections) — \$5.4 billion (32%) more than FY 2019 and \$4.0 billion more than requested. It rejects the administration's proposal to substantially cut or eliminated many FEMA grant programs.

The FEMA total also includes \$17.9 billion in net funding for FEMA's Disaster Relief Fund, and \$3.2 billion for grants and training to State, Local, Tribal, and Territorial entities.

The bill also provides the following for other components of the Homeland Security Department:

- Cybersecurity and Infrastructure Security Agency — \$2.0 billion, \$334 million more than FY 2019 and \$407 more than requested.
- Science and Technology Directorate — \$737 million, \$83 million less than FY 2019 but \$155 million more than requested.
- DHS Headquarters Consolidation — \$224 million for continued construction of DHS headquarters on the St. Elizabeths campus in Washington, D.C.

- Targeted Violence and Terrorism Prevention — \$18 million for a new grant program for local and nonprofit organizations to determine the most effective terrorism prevention activities.

Section IV

Commerce-Justice-Science

This section highlights the provisions of HR 1158 , Four-Bill Full Year Appropriations for FY 2020, that provide FY 2020 funding for the Commerce and Justice departments and federal science agencies.

The agreement provides a total of \$79.4 billion for the programs and activities of the Commerce and Justice departments and federal science agencies such as NASA — \$6.4 billion (9% million) more than FY 2019 and 10% more than requested.

Discretionary spending subject to caps equals \$70.7 billion. However, the measure also includes an additional \$2.5 billion for the 2020 Decennial Census as allowed under a cap adjustment in the July budget deal, as well \$6.2 billion in funding offset by various means (including rescissions and a limit on spending from the Crime Victims Fund).

Justice Department

The bill provides a total of \$32.6 billion for the Justice Department (DOJ) — 5% more than FY 2019. That amount includes \$3.4 billion for DOJ Legal Activities (3% more than FY 2019), of which \$2.25 billion is for U.S. Attorneys' offices.

It appropriates a total of \$9.9 billion for the FBI (4% more than FY 2019), including \$9.5 billion for core activities and \$485 million for FBI construction. It also provides \$2.7 billion (a slight decrease) for the Drug Enforcement Administration, \$7.8 billion for the Federal Prison System (3.5% more than FY 2019), \$3.3 billion for the U.S. Marshals Service (13%

more), and \$1.4 billion for the Bureau of Alcohol, Tobacco, and Firearms (6% more).

The measure provides \$2.8 billion for DOJ-funded grants to state, local, and tribal law enforcement — 13% more than FY 2019. This amount includes \$2.4 billion for grants through the Office of Justice Programs, including those related to opioid abuse (\$378 million), firearm background checks (\$78 million), school safety (\$75 million), and helping local law enforcement reduce backlogs of untested forensic evidence and sexual assault kits (\$180 million). It provides an additional \$502 million for grants through the Office on Violence Against Women (1% more than FY 2019), and another \$343 million through the Community Oriented Policing Services (COPS) program (13% more).

It provides \$673 million for administrative reviews and appeals of immigration cases by the Executive Office for Immigration Review (EOIR) — 19% more than FY 2019. Under the measure, \$18 million of that funding would be available for the Legal Orientation Program, which provides information regarding the immigration court process to individuals facing possible deportation proceedings.

Commerce Department

The bill provides a total of \$15.2 billion for the Commerce Department — 33% more than FY 2019.

It appropriates a total of \$5.4 billion for the National Oceanic and Atmospheric Administration (NOAA) — 1% less than FY 2019 funding. Of this total, \$3.8 billion is for NOAA operations, research and facilities (4.6% more than FY 2019), including \$1.1 billion for the National Weather Service, \$948 million for the National Marine Fisheries Service, and \$599 million for the National Ocean Service. The measure also provides \$1.5 billion for NOAA procurement, acquisition and construction, 13% less than

FY 2019 — reflecting the anticipated need for fewer new weather satellites as existing programs enter the operational phase.

The measure provides \$7.6 billion for the Census Bureau — almost double FY 2019 funding and 28% more than requested. The total includes \$7.3 billion for periodic censuses and programs, including \$6.7 billion for the 2020 Decennial Census. Of that amount, \$3.5 billion is to be transferred to the Commerce Department inspector general for oversight of the 2020 Census. The bill directs the Census Bureau to use the funds provided to support new initiatives aimed at increasing response in historically undercounted and hard to count communities through the use of mobile assistance centers.

The bill appropriates \$1 billion for the National Institute of Standards and Technology (NIST), 5% more than FY 2019, and allocates \$146 million to the private-public Manufacturing Extension Partnership (MEP) program — rejecting the administration's proposal to eliminate the program. It also rejects the proposed elimination of the Economic Development Administration, instead providing \$333 million — including \$293 million for EDA economic development programs (10% more than FY 2019).

Science

The measure appropriates \$30.9 billion for science-related agencies — \$4.5% more than FY 2019.

It provides \$22.6 billion for NASA, 5% more than FY 2019. Within this amount, \$6 billion is for space exploration, \$4.1 billion is for space operations, \$1.97 billion is for Earth sciences, and \$1.1 billion is for space technology. It includes funding for the deep-space Orion spacecraft and the proposed Lunar Gateway project, and it rejects the administration's proposal to reorganize NASA's space exploration accounts and to cut to its climate science missions.

The bill appropriates \$8.3 billion for the National Science Foundation (NSF), 2.5% more than FY 2019.

Other Agencies & Provisions

The bill also appropriates funds for several independent agencies, including the Legal Services Corporation (\$440 million), the Equal Employment Opportunity Commission (\$389.5 million), and the Office of the U.S. Trade Representative (\$54 million).

It includes a number of funding restrictions that are similar or identical to those included in past appropriations act, including a provision that prohibits the Justice Department from using funds to prevent U.S. states and territories, including the District of Columbia, from implementing laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

It also continues to prohibit the transfer of detainees located at the U.S. Naval Station at Guantanamo Bay, Cuba, to the United States.

Section V

Financial Services

This section highlights the provisions of HR 1158 , Four-Bill Full Year Appropriations, that provide FY 2020 funding for the Treasury department and IRS, the federal courts and White House, various independent agencies.

The agreement provides a total \$23.8 billion in discretionary funding subject to budget caps, an increase of \$669 million over FY 2019 levels, but \$370 million less than requested, according to Democratic appropriators. That total includes a \$151 million cap adjustment for disaster relief funding.

It provides \$11.5 billion for the IRS and increases funding for base IRS activities, while also increasing funding to modernize IRS business systems. It increases funding for Treasury's Office of Terrorism and Financial Intelligence by 7%, and the Financial Crimes Enforcement Network by 7%, and keeps funding for the Alcohol and Tobacco Tax and Trade Bureau at FY 2019 levels.

It increases funding for the federal court system and for the Executive Office of the President each by 2%, and rejects the president's proposal to eliminate funding for the High Intensity Drug Trafficking Areas program.

For independent agencies, it decreases GSA spending for federal office space and facilities from the Federal Buildings Fund by 6%. It also increases funding for operations of the Securities and Exchange Commission by 7%, the Small Business Administration (40%), and the Office of Personnel Management (11%). It keeps funding for the Federal Communications Commission at the FY 2019 level of \$339 million and provides a federal payment of \$719 million to the District of Columbia, 1.5% less than the FY 2019 level.

It also provides funding for a 3.1% pay increase for federal civilian employees in calendar year 2020.

Treasury Department / IRS

The bill appropriates a total of \$13.1 billion for Treasury Department programs and activities, 2% more than FY 2019. The vast majority (88%) of funding provided to the Treasury Department goes to the IRS.

The bill provides \$11.5 billion for the IRS in FY 2020 — 2% more than FY 2019. It continues a number of provisions restricting IRS activities, including prohibitions against the targeting of groups for regulatory scrutiny based on their ideological belief or individuals for exercising their First Amendment rights, and prohibitions against the payment of bonuses to IRS employees or hiring former employees unless their conduct and tax

compliance has been considered. It ends a long-standing prohibition against the use of pre-populated tax returns by the IRS.

It provides \$170 million for the Office of Terrorism and Financial Intelligence (7% more than FY 2019), \$126 million (7% more) for the Financial Crimes Enforcement Network (FinCEN), \$340 million for the Bureau of the Fiscal Service (slightly more than FY 2019), and \$120 million for the Alcohol and Tobacco Tax and Trade Bureau (equal to FY 2019). The measure rejects the administration's proposal to terminate the Community Development Financial Institutions (CDFI) Fund, providing \$262 million (a 5% increase). The administration requested just \$14 million to wind down the Fund's operations.

The Judiciary

The bill provides \$7.9 billion for the operation of the federal court system, including salaries of judges, magistrates, support personnel and other expenses of the federal judiciary, 3% more than FY 2019. Of the total, \$7.5 billion is discretionary funding and \$418 million is mandatory funding (for judicial salaries).

The measure provides almost \$90 million for the salaries and expenses of the Supreme Court, \$2 million (3%) more than FY 2019, and \$7.6 billion (3% more) for the Courts of Appeals, U.S. district courts and other judicial services. The bulk of the funding, \$5.3 billion, is for salaries and expenses.

White House / Executive Office of the President

The measure provides \$727 million for the White House and the Executive Office of the President, \$12 million less than FY 2019 but \$397 million more than requested. The total provides \$102 million for the Office of Management and Budget (OMB), a slight decrease from FY 2019 levels. The measure rejects the administration's proposal to shift certain federal human resource functions from the Office of Personnel Management (OPM) to the OMB and the General Services Administration (GSA).

It also appropriates a total of \$425 million (2% more than FY 2019) for the Office of National Drug Control Policy (ONDCP), which is responsible for developing policies, objectives and priorities for the National Drug Control Program. That amount includes \$285 million for the High Intensity Drug Trafficking Areas (HIDTA) Program, rejecting the administration's proposal to transfer the program to the Justice Department.

Other Federal Agencies

The bill funds a wide range of other federal agencies, including the Office of Personnel Management, the General Services Administration (GSA), the Small Business Administration, and the Securities and Exchange Commission.

The bill allows the GSA to spend \$8.9 billion from the Federal Buildings Fund, which is used to pay for the construction and repair of federal buildings and other purposes — 6% less than FY 2019 levels. This amount will be offset by \$10.2 billion in estimated income to the fund, for a net \$1.3 billion reduction in spending. The amount includes \$152 million for construction of U.S. Customs and border security facilities at the San Luis Land Port of Entry in Arizona.

The measure also provides \$1.8 billion (7% more than FY 2019) to the Securities and Exchange Commission, though this amount is fully offset through fee collections. It provides \$440 million to the Election Assistance Commission, including \$425 million in new grants to improve the security and integrity of elections for Federal office. It also provides:

- Small Business Administration — \$998 million (40% more than FY 2019), including \$259 million in SBA loans and an additional \$177 in SBA Disaster loans (with a \$151 million budget cap adjustment).
- Office of Personnel Management — \$330 million (11% more). It also rejects the administration's proposal to abolish the agency.

As required by law, the measure includes \$21.9 billion for a variety of mandatory accounts, including various government employee retirement pension and health benefit funds, as well as the Presidential salary.

District of Columbia

The bill provides \$714 million in federal payments to the District of Columbia for FY 2019, 1.5% less than FY 2019. That amount provides funding for D.C. school programs and the D.C. Court System.

The measure continues several legislative riders from prior years, including those that prohibit the use of both federal and local funds for abortion (except in the cases of rape or incest or if necessary to save the life of the mother), that prohibit the legalization of cannabis, and that prohibit the use of federal funds for needle exchange programs.

JR:

John R. Russell, IV
Principal
john.russell@dentons.com
D +1 202-408-6392

Dentons US LLP
1900 K Street, NW
Washington, DC 20006
United States

dentons.com

MEMORANDUM

To: Tom Modica
From: John R. Russell, IV and Darry Sragow
Date: December 17, 2019
Subject: 8 Bill Appropriations Mini-Bus Update

:

This memo highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations for FY 2020, which the House will consider on Tuesday.

The package includes spending text for Agriculture, Energy & Water, Interior & Environment, Labor HHS-Education, Legislative Branch, Military Construction-VA, State-Foreign Operations, and Transportation-HUD. The text also includes legislative provision regarding Tax Extenders, a Repeal of certain ACA Taxes, Health Care Reauthorizations, Age Limit for Tobacco Purchases, Coal Miner Pension & Health, Medicaid Funding for US Territories, EX-IM Bank Reauthorization and Terrorism Risk Insurance.

The negotiated bipartisan measure includes eight FY 2020 spending bills, which CBO estimates would provide a total of \$540 billion in discretionary funding for FY 2020. The measure and a companion appropriations package (HR 1158), together represent all 12 annual spending bills. This bill also includes scores of tax, health, pension, foreign policy and other bills that congressional leaders want to enact before the end of the year, including a permanent repeal of Obamacare taxes on medical devices and high cost "Cadillac" health plans.

Section I

Overview

The FY 2020 appropriations process this year started with Budget Control Act (BCA) sequester-reduced caps in place that would require a 10% cut in discretionary funding

from enacted FY 2019 levels, with President Trump proposing to leave the lower caps in place in order to cut domestic spending — while circumventing the caps in order to significantly boost defense spending.

In the absence of a bipartisan agreement on higher caps for FY 2020, House Democrats began work on FY 2020 spending bills using their own set of discretionary caps in order to get a start on the appropriations process and put pressure on the president and congressional Republicans to negotiate new caps. That enabled House Democrats in June, using their own defense and non-defense spending cap levels, to pass all but two of their 12 annual spending bills.

In July a bipartisan agreement (PL 116-37) was finally reached to increase defense and non-defense discretionary caps for FY 2020 and FY 2021 (the final two years of caps under the BCA), raising hopes that agreements on FY 2020 spending bills could be reached relatively quickly.

However, flashpoints between the two parties quickly emerged when the Senate Appropriations Committee in September began marking up its 12 spending bills using GOP spending allocations for the 12 individual bills that Democrats said short-changed Democratic priorities (particularly for the Labor-HHS-Education bill), while providing the increased funding requested by President Trump for construction of his border wall — the divisive issue that had triggered a 35-day partial government shutdown last December and January.

Disputes over funding for the border wall and various other issues, particularly abortion, resulted in Senate Appropriations approving just 10 of its 12 annual spending bills, with the Senate eventually passing just a single package of four relatively non-controversial bills that had also passed the House as a package (HR 3055, comprising Agriculture, Commerce-Justice-Science, Interior-Environment, and Transportation-HUD).

Agreement Reached

House and Senate leaders subsequently began negotiations to reach an agreement on a full-year funding package, and shortly before Thanksgiving — after the administration indicated it might agree to less funding than it originally proposed for the border wall — reached agreement on discretionary allocations for each of the 12 spending bills, consistent with the increased defense and non-defense caps for FY 2020 set by the July budget deal.

And negotiators last week reached final agreement after the White House backed off from demands for funding increases for the border wall and Democrats backed off from their insistence that both no money be provided and that the administration be restricted in its ability to transfer other federal funds to build the wall.

To avoid a single massive omnibus spending bill given that President Trump has vowed he would never again sign such an omnibus, comprehensive congressional leaders have decided to package the 12 bills into two separate packages — a four-bill "security" spending package comprised of the Defense, Homeland Security, Financial Services, and Commerce-Justice-Science spending bills, and an eight-bill package that includes all other spending bills along with unrelated legislation — including extending various expiring programs, repealing major health taxes that support Obamacare, and funding pensions for miners.

Current stopgap funding for the government expires at midnight Friday, Dec. 20. Floor Situation

The bill will be considered as a House amendment to a Senate amendment to HR 1865 , which originally required the issuance of a commemorative coin in honor of the National Law Enforcement Museum. The floor rule recommended by the Rules Committee would also, upon the rule's adoption, automatically modify the bill to incorporate additional provisions to extend numerous tax provisions.

This fact sheet reflects the modification to the bill included in that self-executing rule.

This measure and a companion appropriations package (HR 1158), together represent all 12 annual spending bills. This bill also includes scores of tax, health, pension, foreign policy and other bills that congressional leaders want to enact before the end of the year.

The two massive spending packages were released late yesterday and will be considered by the House today. Because of the House's planned quick consideration of the two measures and their size and scope, House Action Reports is unable to provide detailed analyses of the two measures prior to House floor consideration. Updated HAR Fact Sheets with more detailed analyses for the two measures will be published in coming days.

Executive Summary of HR 1865

The agreement consists of eight FY 2020 appropriations bills that combined provide a total of \$539.9 billion in discretionary funding for FY 2020.

caps, \$8.6 billion in OCO funding, \$6.8 billion in emergency funding, \$1.8 billion in program integrity funding, and \$2.3 billion under a special cap adjustment for wildfire suppression funding, according to the Congressional Budget Office.

Appropriations Bills

Under the measure, funding is provided for the following eight spending bills:

- Agriculture — \$23.5 billion in discretionary funding subject to budget caps — \$183 million (1%) more than FY 2019, according to Democratic appropriators. Together with mandatory spending for programs such as food stamps, it provides a total of \$154 billion for the Agriculture Department (USDA), the Food and Drug Administration (FDA) and other covered agencies — \$1.3 billion (1%) more than comparable FY 2019 funding. It also allows up to \$46.6 billion in loans for farmers and rural development programs.
- Energy-Water — \$48.3 billion in appropriations subject to discretionary caps for FY 2020, \$3.7 billion (8%) more than the FY 2019 level and \$10.3 billion (27%) more than the administration's request. Of the total, \$24.3 billion is for defense-related activities (\$1.0 billion more than FY 2019) and \$24.1 billion is for nondefense activities (\$1.9 billion more) according to the House Appropriations Committee.
- Interior-Environment — \$36.0 billion in net discretionary spending subject to budget caps — \$437 million more than FY 2019 funding and \$5.8 billion more than the administration's request, according to the appropriations committee.
- Labor-HHS-Education — \$184.9 billion in discretionary spending subject to caps for FY 2020, including advance funding for FY 2020 enacted in prior years. According to appropriators, that total is \$4.9 billion (3%) more than the comparable FY 2019 level and \$43.0 billion (30%) more than requested by the president.
- Legislative Branch — \$5.0 billion for discretionary operations of the House of Representatives, Senate, and legislative branch entities. The total is \$203 million (almost 4%) more than the FY 2019 level but \$239 million (4.5%) less than was requested by the offices and agencies covered by the measure.
- Military Construction-VA — \$110.3 billion in discretionary funding for FY 2020, according to Senate appropriators, including \$6.2 billion in emergency disaster funding

and \$645 million in Overseas Contingency Operations (OCO) funding. The total is \$10.7 billion more than comparable FY 2019 funding.

- State-Foreign Operations — \$467 million more than comparable FY 2019 funding and \$11.3 billion more than the president's request (which included no OCO funding), according to House appropriators.
- Transportation-HUD — \$74.3 billion in net spending subject to discretionary caps (including advance appropriations from prior years) and \$61.3 billion from the highway and aviation trust funds — for a total of \$135.6 billion for FY 2020. That total is \$1.2 billion more than FY 2019 (excluding emergency FY 2019 appropriations) and \$15.8 billion more than requested.

Legislative Provisions

Congressional leaders have also attached to this spending bill package numerous legislative provisions dealing with various issues, including the following:

- Tax Extenders — Retroactively extends for 2019 through 2020 more than two dozen temporary tax provisions that expired at the end of 2018 and extends others that are about to expire at the end of 2019.
- Repeal ACA Taxes — Permanently repeals three major health industry taxes that were imposed to help pay for Obamacare. The measure repeals the so-called "Cadillac Tax" on expensive employer-provided health insurance plans provided by wealthy companies and major labor unions. It also repeals a 2.3% tax on medical devices and a health insurance fee.
- Health Care Reauthorizations — Extends and programs for outreach, enrollment, and education activities for low-income Medicare beneficiaries seeking insurance coverage; activities related to quality measurement and performance improvement in the Medicare and Medicaid programs; a program to reimburse hospitals for the costs of searching for donors and acquiring cells and bone marrow; as well as other health programs.
- Age Limit for Tobacco Purchases — Increases the minimum age of sale of tobacco products from 18 to 21 years of age.
- Coal Miner Pensions & Health — Prevents insolvency of the 1974 UMWA Pension Plan and protects health benefits for miners impacted by coal company bankruptcies that took place in 2018 and 2019.

- **Medicaid Funding for U.S. Territories** — Extends numerous programs relating to health care including extending funding to U.S. territories for FY 2020 and FY 2021. It includes program integrity improvements for Puerto Rico's Medicaid program and will include a federal match rate of 76% for Puerto Rico and 83% for the other territories.
- **Ex-Im Bank Reauthorization** — Extends the charter of the U.S. Export-Import Bank for seven years and provides for procedures to establish a temporary board in the absence of a sufficient number of Senate-confirmed directors to comprise a quorum.
- **Terrorism Risk Insurance** — Reauthorizes the program for seven years through Dec. 31, 2027 and adjusts the timing of mandatory recoupment.

Section II

Agriculture

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations for FY 2020, that provide funding for the Agriculture Department, the Food and Drug Administration, and related federal agencies.

The agreement provides \$23.5 billion in discretionary funding subject to budget caps — \$183 million (1%) more than FY 2019, according to Democratic appropriators. Together with mandatory spending for programs such as food stamps, it provides a total of \$154 billion for the Agriculture Department (USDA), the Food and Drug Administration (FDA) and other covered agencies — \$1.3 billion (1%) more than comparable FY 2019 funding. It also allows up to \$46.6 billion in loans for farmers and rural development programs.

It provides \$472 million for USDA departmental administration (21% more than FY 2019) and increases funding for USDA farm production and conservation programs by 16%, including for the two government-owned entities that provide commodity support and crop insurance. Funding for other agricultural programs, including research and inspections, would be increased by 2%, while overall funding for rural development programs would be increased by 7.5% — including a 20% increase for rural utility programs.

The measure provides a total of \$96 billion for domestic food programs (5% less than FY 2019), and also increases international food aid through the McGovern-Dole program (by 5%) and through the PL 480 Food for Peace grant program (by 15%).

Agriculture Programs

Agriculture Department farm- and agriculture-related programs include crop insurance and Commodity Credit Corporation (CCC) activities, conservation programs, food safety and inspection, marketing, and agricultural research.

The bill provides the requested \$26.3 billion in mandatory funding (18% more than FY 2019) to reimburse the CCC for expenditures previously incurred by the CCC to finance farm price supports, export promotion, disposition of surplus commodities and other programs. Similarly, it provides the requested \$10 billion for crop insurance, 35% less than FY 2019.

It includes \$1.1 billion for the Farm Service Agency (4% more than FY 2019), and would support \$8.4 billion in loans to farmers through the Agricultural Credit Insurance Fund. It appropriates \$187 million (18% more than FY 2019) for USDA marketing programs, \$3.2 billion to support the Agriculture Research Service (5% less than FY 2019), \$1.0 billion for the Animal and Plant Health Inspection Service (3% more), and \$1.1 billion for food safety inspections (slightly more than FY 2019 levels).

It also includes \$1.0 billion for various USDA conservation and watershed rehabilitation programs, a 3.6% increase from FY 2019.

Rural Development

The Agriculture Department administers a number of loan and grant programs targeted to underserved, impoverished or economically declining rural areas. These programs provide assistance for single and multifamily housing, community facilities and infrastructure, and business development.

The measure provides \$3.2 billion for USDA Rural Development programs, including \$2.1 billion for rural housing (4% more than FY 2019), \$764 million for rural utilities and telecommunication (20% more), and \$109 million for rural business development (6% more). Those funds would support more than \$38 billion in grants, subsidized loans, and unsubsidized loans — including \$24 billion for housing, \$1.4 billion for rural water and waste programs, and \$1.1 billion for rural businesses, as well as \$87 million for various rural broadband grant and loan programs.

Food & Nutrition Programs

The bill provides a total of \$96 billion for Agriculture Department domestic food assistance programs — \$5.2 billion (5%) less than FY 2019. Those programs include the Supplemental Nutrition Assistance Program (SNAP, previously known as food

stamps), the school lunch and breakfast programs, and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Except for WIC, the programs are primarily financed with mandatory funding.

Specifically, it includes \$67.9 billion in required mandatory spending for SNAP (7.6% less than FY 2019) and \$23.6 billion in mandatory spending for Child Nutrition Programs (2% more). It includes \$6 billion in discretionary funding for WIC (1% less).

It also increases funding for the McGovern-Dole International Food for Education and Child Nutrition Program providing \$220 million (a 5% increase over FY 2019), and it provides \$1.7 billion for the PL 480 Food for Peace grant program (a 15% increase), which provides commodities to developing nations and emerging democracies.

Independent Agencies

The bill provides the Food and Drug Administration (FDA) with a direct appropriation of \$3.2 billion and it assumes \$2.7 billion in user fees — thereby providing the FDA with a total of \$5.9 billion for operations in FY 20290. That total is 3% more than FY 2019. House appropriators say the measure provides targeted increases for medical product and food safety activities, including new initiatives to revolutionize the safety of the nation's blood supply and to enable faster responses to foodborne illness outbreaks.

The measure sets a \$77 million limit (3% more than FY 2019) on the expenses of the Farm Credit Administration, which provides credit and related services for all creditworthy and eligible persons in agriculture and rural America.

It provides \$315 million for the Commodity Futures Trading Commission, an independent agency that regulates commodities futures and option markets. The total provided is \$47 million (17.5%) more than FY 2019 and \$65 million more than requested. (For FY 2019, the CFTC was funded as part of the Financial Services appropriations act.)

Other Provisions

The measure does not include any new disaster relief funding, but it would allow eligible farmers and ranchers to continue to access previously appropriated USDA disaster aid during FY 2020.

It also contains language requiring the words "genetically engineered" to be used in marketing any genetically engineered animal approved before the Agriculture

Department's standard for the labeling of bioengineered foods took effect in February 2019.

Section III

Energy-Water

This section highlights the provisions HR 1865 , Eight-Bill Full Year Appropriations for FY 2020, that provide funding for the Energy Department, Army Corps of Engineers, Bureau of Reclamation and related agencies.

The agreement provides a total of \$48.3 billion in appropriations subject to discretionary caps for FY 2020, \$3.7 billion (8%) more than the FY 2019 level and \$10.3 billion (27%) more than the administration's request. Of the total, \$24.3 billion is for defense-related activities (\$1.0 billion more than FY 2019) and \$24.1 billion is for nondefense activities (\$1.9 billion more) according to the House Appropriations Committee.

Army Corps of Engineers

The measure provides \$7.7 billion for activities of the Army Corps of Engineers — \$652 million (9%) more than FY 2019 and \$2.7 billion (54%) more than requested. The Corps is responsible for civil flood control, navigation and ecosystem restoration projects.

Within the total, it provides \$3.8 billion for Corps operations and maintenance activities (\$51 million more than FY 2019) and \$2.7 billion for construction projects (\$500 million more than FY 2019).

It provides \$210 million for the Corps regulatory program, which oversees activities affecting U.S. waters, including wetlands, in accordance with various laws — such as the 1899 Rivers and Harbors Appropriation Act, the Clean Water Act, and the 1972 Marine Protection, Research, and Sanctuaries Act. The amount provided is \$10 million more than both FY 2019 and the request.

Appropriators note that an estimated \$1.6 billion of the Corps' activities under the bill are eligible for reimbursement from the Harbor Maintenance Trust Fund (equal to the FY 2019 level and \$665 million more than requested), and that the measure makes use of all estimated annual revenues from the Inland Waterways Trust Fund.

The measure prohibits the reorganization of the Army Corps of Engineers or to transfer its functions to other agencies.

Energy Department

The bill provides a total of \$38.6 billion for the Energy Department — \$2.9 billion (8%) more than FY 2019 funding and \$7.1 billion (22%) more than requested.

Within the total provided for the department, almost half (\$16.7 billion) is for nuclear weapons activities conducted by the National Nuclear Security Administration (NNSA) and another \$6.3 billion is for continued environmental cleanup of defense facilities where nuclear weapons activities were conducted. When including non-defense cleanup programs, the bill provides a total of \$7.5 billion for environmental cleanup.

It provides \$7.0 billion for the Energy Department's science account — \$415 million (6%) more than FY 2019 and \$1.5 billion (26%) more than requested. The account funds the department's work on basic energy research, nuclear physics, biological and environmental sciences, fusion and other related endeavors.

It rejects the administration's request to eliminate funding for the Advanced Research Projects Agency-Energy (ARPA-E) research program and instead provides \$425 million (\$59 million, or 16%, more than FY 2019). ARPA-E supports research and related projects attempting to rapidly develop energy technologies that are too risky to attract substantial private investment.

Energy Programs

The bill provides \$2.8 billion for the Energy Department's energy efficiency and renewable-energy account — \$411 million (17%) more than the FY 2019 total and \$2.4 billion more than requested.

It provides \$750 million for research and development of fossil fuels, including ways to make the use of such fuels more efficient and sustainable. The total is \$10 million more than FY 2019 and \$188 million (33%) more than requested.

The measure provides \$1.5 billion for nuclear power development and research, \$167 million (13%) more than FY 2019 and \$669 million (81%) more than requested. Nuclear energy funding includes multiple programs, such as spacecraft propulsion systems, cancer treatment technology and reactor technologies.

Bureau of Reclamation

The measure provides \$1.7 billion for activities of the Bureau of Reclamation, \$110 million (7%) more than FY 2019 and \$550 million (50%) more than requested. The

bureau is charged with developing water supplies and reclaiming arid lands in the Western United States.

Most of that total, \$1.5 billion, is for activities that support the development, construction, management and restoration of water and related natural resources. It also includes the requested \$55 million for the Central Valley Project Restoration Fund, \$7 million less than FY 2019.

Other Provisions

The bill includes no funding for the Yucca Mountain Waste Repository in Nevada, nor does it include any funding for interim storage of spent nuclear fuel.

It also provides the following:

- Nuclear Regulatory Commission — \$128 million in net appropriations after accounting for fees and other revenue; the agency would have \$842 million available for salaries and expenses, 6% less than FY 2019.
- Federal Energy Regulatory Commission — \$382 million (3% more than FY 2019), although all of the commission's funding would be offset by fees paid by regulated energy companies and providers, resulting in no net appropriation.

Section IV

Interior-Environment

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations, that provide FY 2020 funding for the Interior Department, EPA and related agencies.

The agreement provides \$36.0 billion in net discretionary spending subject to budget caps — \$437 million more than FY 2019 funding and \$5.8 billion more than the administration's request, according to the appropriations committee.

It rejects the administration's proposed 23% cut to EPA and increases funding for the agency by \$208 million to \$9.1 billion. It also rejects proposed cuts to other agencies, increasing funding for the National Park Service, the Bureau of Land Management, the U.S. Geologic Survey, the U.S. Fish and Wildlife Service, and for core, non-wildfire functions of the U.S. Forest Service. It provides \$5.6 billion for wildfire activities of the Forest Service and Interior Department, \$1.6 billion more than FY 2019.

It increases funding for the Indian Health Service by 5% and provides slight increases for the Smithsonian Institution and the National Endowments for the Art and Humanities.

The measure also reauthorizes mandatory spending for the Payments in Lieu of Taxes (PILT) program for FY 2020, which would fully fund PILT payments to local governments for the year.

Environmental Protection Agency

The bill provides \$9.1 billion in net appropriations for the Environmental Protection Agency (EPA) — \$208 million more than comparable FY 2019 funding and \$2.8 billion (46%) more than requested, according to the committee.

The measure generally rejects the deep reductions proposed by the administration for most EPA activities, instead increasing most programs above the 2019 levels.

The measure appropriates \$2.7 billion for EPA environmental programs and management accounts, through which EPA performs its general environmental oversight activities, including \$273 million for clean air, \$102 million for compliance, \$240 million for enforcement, and \$510 million for its geographic programs, which fund environmental restoration and preservation initiatives for specified areas.

The measure provides \$4.3 billion for these EPA state and tribal assistance grants (\$115 million more than FY 2019) and \$3.4 billion for its core science and environmental programs (\$70 million more than FY 2019). The state and tribal grants include \$2.8 billion for the Clean Water and Drinking Water State Revolving Funds and \$89 million for brownfield cleanups.

It also provides \$1.8 billion for Superfund, a \$25 million increase compared to FY 2019 and \$139 million more than requested, and \$10 million for environmental justice programs, 47% more than the FY 2019 level.

The measure prohibits EPA from issuing a rule requiring the reporting of greenhouse gas emissions from manure management systems, bars the EPA from imposing reporting requirements regarding greenhouse gas emissions, and prohibits EPA from using funds to regulate lead content in ammunition or fishing tackle under the Toxic Substances Control Act (PL 94-469).

Interior Department

The bill provides a total of \$13.5 billion in discretionary funding for the Interior Department and related agencies — \$545 million more than FY 2019 and \$2.1 billion (19%) more than the administration's request. It also provides \$62 million in mandatory funding and \$300 million in adjustments to the budget caps, bringing the overall total for the department to \$13.9 billion.

The measure extends until Oct. 1, 2021, the authority for five federal agencies to collect and expend recreation fees on the public lands they manage: the Interior Department's National Park Service, Bureau of Land Management, Bureau of Reclamation and Fish and Wildlife Service, and the U.S. Forest Service in the Agriculture Department.

The bill provides \$3.4 billion for the National Park Service — \$155 million more than FY 2019 and \$636 million more than the request. The vast majority, \$2.4 billion, is for operation and maintenance of national parks, \$66 million (3%) more than FY 2019 and \$151 million (7%) more than requested.

The agreement provides \$1.4 billion in discretionary funding for Bureau of Land Management (BLM) activities, \$24 million more than FY 2019 and \$182 million more than requested, and it provides \$1.6 billion for the U.S. Fish and Wildlife Service, \$66 million more than FY 2019.

Finally, it provides \$1.3 billion to the U.S. Geological Survey, \$110 million more than FY 2019.

U.S. Forest Service & Wildfire Funding

The measure provides a total of \$5.6 billion in total funding for wildland firefighting, \$1.6 billion more than FY 2019. The total includes \$1.4 billion in base wildland fire suppression funding and \$2.3 billion in additional wildfire suppression funding from the wildfire cap adjustment.

Of the cap adjustment funding, \$2.0 billion is from the Agriculture Department's U.S. Forest Service and \$300 million is from the Interior Department.

Indian Affairs and Health

The bill provides \$3.2 billion for the Bureau of Indian Affairs and Bureau of Indian Education, \$142 million more than FY 2019 and \$449 million more than requested. The total includes \$1.6 billion for Indian programs, \$127 million for construction and \$12 million for the Indian Guaranteed Loan Program.

The Indian Health Service, which is part of the Health and Human Services Department, is provided \$6.0 billion, \$243 million more than FY 2019. Of the total, \$4.3 billion is for health services (\$212 million more than FY 2019) and \$912 million is for health facilities construction (\$33 million more than FY 2019).

Section V

Labor-HHS-Education

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations, that provide funding for programs and activities of the Labor, Health and Human Services, and Education departments, as well as related agencies.

The agreement provides a total of \$184.9 billion in discretionary spending subject to caps for FY 2020, including advance funding for FY 2020 enacted in prior years. According to appropriators, that total is \$4.9 billion (3%) more than the comparable FY 2019 level and \$43.0 billion (30%) more than requested by the president. All three departments would receive funding increases.

The departments and agencies funded by the bill also would receive a total of \$900.0 billion in mandatory funding for FY 2020 for various programs and activities, including Medicaid grants to states, payments to health care trust funds, and Social Security Supplemental Security Income benefit payments. The mandatory total (which also includes advance funding) is \$33.5 billion (4%) more than the FY 2019 level of mandatory funding.

Health and Human Services Department

The bill provides \$94.9 billion in discretionary spending for FY 2020 for programs and activities of the Health and Human Services (HHS) Department, according to the Appropriations Committee, \$4.4 billion more than FY 2019 and \$16.8 billion more than requested.

The National Institutes of Health (NIH) would receive \$41.7 billion, \$2.6 billion more than FY 2019 and \$7.5 billion more than requested. According to appropriators, each institute and center receives an increase of at least 3.3%. The total includes \$2.8 billion for Alzheimer's disease research, \$3.1 billion for HIV/AIDS research, \$500 million for the All of Us precision medicine research initiative, \$200 million for a universal flu vaccine, and \$195 million for the Cancer Moonshot research initiative.

It provides \$8.0 billion for the Centers for Disease Control and Prevention (CDC) (\$637 million more than FY 2019 and \$1.4 billion more than requested), including \$140 million to support efforts to reduce new HIV infections by 90% in 10 years, \$230 million to address tobacco and e-cigarettes (\$20 million more than FY 2019); and \$173.4 million for global disease detection (\$75 million more).

Both NIH and CDC would receive \$12.5 million to conduct research into firearm injury and mortality prevention. Appropriators note this research has not been funded in over 20 years.

The measure provides \$5.9 billion for the Substance Abuse and Mental Health Services Administration (SAMHSA), \$140 million more than FY 2019 and \$205 million more than requested. SAMHSA's funding supports mental health resources, suicide prevention, and substance abuse treatment and prevention.

It provides \$7.3 billion for the Health Resources and Services Administration (HRSA), \$172 million more than FY 2019 and \$1.2 billion more than requested. The total includes increases in funding to reduce new HIV infections. It also includes \$1.6 billion for Health Centers, \$286 million for Title X Family Planning, and \$944 million to improve maternal and child health.

For early childhood programs funded under Administration for Children and Families (ACF), it provides \$39.5 billion (\$1.1 billion more than FY 2019), and it also increases funding for senior nutrition programs and family caregiver services within the Administration for Community Living (ACL).

It also provides \$2.7 billion for the Public Health and Social Services Emergency Fund (\$106 million more than FY 2019) and \$705 million for the Strategic National Stockpile (\$95 million more).

Education Department

The bill provides \$72.8 billion in discretionary funding for programs and activities of the Education Department — \$1.3 billion more than FY 2019 and \$8.7 billion more than requested.

For elementary and secondary school education, it provides \$40.1 billion, \$1.2 billion more than FY 2019 and \$5.9 billion more than requested. Within that total, \$16.3 billion is for Title I Grants to Local Educational Agencies, \$2.1 billion is for Supporting Effective Instruction State Grants, \$1.2 billion is for Student Support and Academic Enrichment

State Grants, \$1.2 billion is for 21st Century Community Learning Centers, and \$123 million is for a new Social-Emotional Learning (SEL) Initiative to support SEL and "whole child" approaches to education. Funding for charter schools would remain flat at \$440 million.

It provides \$24.5 billion for federal student aid programs (\$75 million more than FY 2019 and \$1.5 billion more than requested), which would allow for an increase of \$150 in the maximum Pell Grant, to \$6,345. The bill rejects the administration's proposal to eliminate the Federal Supplemental Educational Opportunity Grant program, funding it at \$865 million (\$25 million more than FY 2019). It provides \$1.2 billion for the Federal Work Study program, \$50 million more than FY 2019 and \$680 million more than requested.

Higher education would receive \$2.5 billion, \$163 million more than FY 2019 and \$941 million more than requested. Within that total, it provides \$760 million for minority serving institutions (\$93 million more than FY 2019 and \$220 million more than requested), \$1.1 billion for TRIO and \$365 million for GEAR UP.

Labor Department

The measure provides \$12.4 billion in discretionary spending for programs and activities of the Labor Department, according to appropriators, including advance appropriations from prior years. That total is \$291 million more than FY 2019 and \$1.4 billion more than requested.

It provides \$9.3 billion for the Employment Training Administration (ETA) (\$178 million more than FY 2019 and \$1.4 billion more than requested), and within that total provides \$2.8 billion for Workforce Innovation and Opportunity Act Grants, \$1.7 billion for Job Corps, \$175 million for Registered Apprenticeships, \$98 million for the Reintegration of Ex-Offenders, and \$95 million for YouthBuild. The measure rejects the administration's proposal to eliminate funding for Migrant and Seasonal Farmworkers (providing \$92 million) and for the Senior Community Service Employment for Older Americans Program (providing \$405 million).

It provides \$1.7 billion for worker protection agencies (\$48 million more than FY 2019 and \$9 million more than requested), \$242 million for the Wage and Hour Division, \$582 million for the Occupational Safety and Health Administration, and \$311 million for Veterans Employment and Training Service (VETS).

Related Agencies

The measure also provides funding for the following:

- Corporation for National & Community Service — \$1.1 billion (\$21 million more than FY 2019); the administration proposed no funding.
- Corporation for Public Broadcasting (CPB) — \$465 million in 2022 advance funding (\$20 million more); the administration also proposed eliminating the CPB.
- Social Security Supplemental Security Income (SSI) Program — \$12.9 billion for SSI's operating expenses (\$100 million more than FY 2019).
- Institute of Museum and Library Services (IMLS) — \$252 million (\$10 million more); the administration proposed eliminating IMLS.

Section VI

Legislative Branch

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations, that provide FY 2020 funding for the House of Representatives, Senate, and other elements of the Legislative Branch.

The agreement appropriates a total of \$5.0 billion for discretionary operations of the House of Representatives, Senate, joint House-Senate items and legislative branch entities such as the Capitol Police, Library of Congress, the Government Accountability Office (GAO) and the Government Printing Office (GPO). The total is \$203 million (almost 4%) more than the FY 2019 level but \$239 million (4.5%) less than was requested by the offices and agencies covered by the measure.

The measure increases funding for the U.S. Capitol Police to enhance security for members of Congress, especially at events outside the Capitol complex, in the wake of last year's shooting at a practice for the annual congressional baseball game. It also provides additional funds for paid internships.

The bill also continues the freeze on salaries of members of Congress, thereby preventing any pay increase for 2020; a pay freeze for lawmakers has been in place since 2009. However, it does increase the salary cap on senior staff members to \$173,900 to respond to complaints that lower salaries were preventing Congress from attracting staff with the required technical expertise to address complex issues.

In total, the measure increases funding for operations of the House of Representatives by 11%, the Senate by 4%, and for the Capitol Police by 2%, the Library of Congress by 4%,. It provides a 7% increase in funding for GAO while keeping funding for GPO at FY 2019 levels. Funding for the Architect of the Capitol is reduced by 5%.

House Operations

The agreement appropriates \$1.4 billion for operations of the House of Representatives in FY 2019, \$138 million (11%) more than FY 2019 and \$15 million more than requested.

It appropriates \$29 million for Republican and Democratic leadership offices and party caucuses in the House, \$4 million (14%) more than FY 2019.

The agreement provides \$615 million for members' representational allowances in FY 2019 — \$41 million more than FY 2019.

This account funds each member's staff salaries, office expenses and official mail costs — but contains no funds for members' salaries, which are paid out of a permanent appropriation for the compensation of members. Members may also pay for certain security costs out of their allowances. Unspent funds in the members' representational allowances be used for deficit or debt reduction.

Senate Operations

The bill appropriates \$969 million for Senate operations in FY 2020 — \$35 million more than the FY 2019 level but \$77 million (7%) less than requested.

The measure provides \$216 million for the salaries of officers and employees of the Senate, \$8 million (4%) more than FY 2019. Included in this total is \$86 million for the Office of the Sergeant at Arms and the Doorkeeper, \$2 million more than FY 2019 to help provide additional security to senators.

The agreement also includes \$27 million for the Office of the Secretary (2% more than FY 2019), \$5.5 million for the offices of the majority and minority leaders and \$3.5 million for the offices of the majority and minority whips (both 2% more than FY 2019), and \$16 million for the Appropriations Committee (2% more than 2019). It also provides \$65 million for agency contributions, \$4.9 million more than FY 2019 but equal to the request.

Joint House-Senate Items

The bill appropriates a total of \$23 million for certain items and activities jointly operated by the House and Senate — \$2 million more than both FY 2019 and the request.

Funding for joint items is provided as follows:

- Joint Committee on Taxation — \$11.6 million for operations of the joint committee, equal to both the current level and request. The committee helps in the preparation and budgetary scoring of tax legislation and investigates aspects and administration of the federal tax system.
- Joint Economic Committee — \$4.2 million for the Joint Economic Committee, equal to both current funding and the request. The committee reviews economic conditions, conducts economic research and analysis, and recommends improvements in economic policy.
- Attending Physician — \$3.9 million for medical supplies, equipment, expenses and allowances for Navy personnel in the Capitol's Office of the Attending Physician. This amount is equal to FY 2019 and the request.

Other Agencies

The measure includes \$696 million for the Architect of the Capital, \$38 million less than FY 2019. The committee notes that several projects have changes since their submission, leading to decreases in project funding.

It also provides \$464 million for the Capitol Police, \$8 million more than FY 2019 in order to help cover the cost of support at the national party conventions in 2020.

Finally it provides \$725 million for the Library of Congress (\$29 million increase for FY 2019), \$630 million for the Government Accountability Office (\$40 million increase), \$117 million for the Government Printing Office (equal to FY 2020), and \$55 million for the Congressional Budget Office (\$4 million more than FY 2019)

Section VII

Military Construction & Veterans Affairs

This section describes the provisions of HR 1865 , Eight-Bill Full Year Appropriations, that provide funding for military construction and for programs and activities of the Veterans Affairs (VA) Department.

The agreement provides a total \$110.3 billion in discretionary funding for FY 2020, according to Senate appropriators, including \$6.2 billion in emergency disaster funding and \$645 million in Overseas Contingency Operations (OCO) funding. The total is \$10.7 billion more than comparable FY 2019 funding.

Military Construction

The agreement provides a net total of \$11.3 billion for base military construction spending in FY 2020, \$983 million more than FY 2019 and \$73 million more than requested.

Separately, it also provides \$6.2 billion in emergency military construction funding to help repair damage to military bases caused by hurricanes Florence and Michael, flooding in the Midwest, tornadoes in Louisiana and earthquakes in California, as well as \$645 million in OCO funding — almost all of which is for construction associated with the European Reassurance Initiative.

Within the total provided for military construction, \$1.4 billion is for military family housing, including \$141 million to address mismanagement and neglect by private housing contractors. The measure also provides \$266 million for military medical facilities, \$125 million for overseas military schools, \$551 million for National Guard and Reserve forces construction, \$172 million for the NATO security investment program, and \$120 million to address base closing and PFAS chemical cleanup issues.

Veterans Programs

The agreement provides for a total of \$216.5 billion in FY 2020 for all veterans programs — including \$91.9 billion in discretionary spending, primarily for veterans health programs, and \$124.6 billion for mandatory programs, primarily veterans compensation and pensions. The discretionary total for FY 2020 is \$5.4 billion more than FY 2019.

Of the total for FY 2020, \$198.8 billion represents advance appropriations for FY 2020 provided by prior-year appropriations laws. In addition, the measure provides \$218.6 billion in advance appropriations for FY 2021 — \$87.6 billion for VA's medical accounts and \$131.0 billion for mandatory VA benefits.

The measure provides \$81.0 billion in funding for VA medical care, including \$9.4 billion for mental health, \$1.1 billion for telehealth service, \$402 million for opioid misuse

prevention and treatment, \$800 for medical and prosthetic research, \$585 million for health care for women veterans, and \$300 million for rural health.

The agreement funds the VA MISSION Act at \$8.9 billion in FY 2020 and \$11.3 billion in FY 2021. It also provides \$154 million for the Blue Water Navy Vietnam Veterans Act.

Finally, it provides \$1.9 billion for VA homelessness programs and \$3.1 billion for claims processing.

Related Agencies

The measure also funds the following:

- American Battle Monuments Commission — \$84 million
- U.S. Court of Appeals for Veterans Claims — \$35 million
- Arlington National Cemetery — \$81 million
- Armed Forces Retirement Home — \$75 million

Section VIII

State-Foreign Operations

This section highlights the provisions of HR 1865 , Eight- Bill Full Year Appropriations for FY 2020, that provide funding for foreign operations and the State Department.

The agreement provides a total of \$54.7 billion in discretionary funding — including \$8 billion in Overseas Contingency Operations (OCO) funding.

The combined total is \$467 million more than comparable FY 2019 funding and \$11.3 billion more than the president's request (which included no OCO funding), according to House appropriators.

The measure rejects most of the major spending reductions proposed by President Trump, whose budget would have reduced non-military foreign spending by 21%. It includes \$9.1 billion for global health programs, \$3.3 billion for military assistance to Israel, \$1.4 billion in assistance to Egypt, \$1.5 billion for Jordan and \$448 million for Ukraine. It includes \$6.3 billion to combat HIV/AIDS, and \$520 million to respond to the surge of migrants from Central America entering the United States.

Security Assistance / Bilateral Aid

The agreement includes a total of \$9.0 billion for international security assistance to nations, \$415 million more than FY 2019 and \$1.6 billion above the president's request.

Middle East

The agreement provides \$3.3 billion in military assistance for Israel. Of the total, \$805 million could be used for purchases or research and development in Israel; the remainder must be spent on U.S. goods and services.

It appropriates \$1.4 billion in aid for Egypt, including \$1.3 billion for military grants through the Foreign Military Financing program and \$125 million in economic assistance. It also provides \$75 million for security assistance programs for the West Bank and \$75 million for the humanitarian and development needs of the Palestinian people in the West Bank and Gaza Strip.

The measure provides at least \$1.5 billion for Jordan, equal to the FY 2019 level.

Ukraine Aid & Other Responses to Russian Aggression

The agreement provides \$448 million for Ukraine and restricts assistance to any country that recognizes the Russian annexation of Crimea or any other territory in Ukraine. The Ukraine total includes economic assistance, military aid, counter-drug assistance, and funds to counter the influence of Russian media in the region.

It provides \$290 million for the Countering Russian Influence Fund, \$15 million more than the FY 2019 level. The fund assists countries in Europe and Eurasia in enhancing the capacity of their security forces, including the modernization of NATO partners such as Greece. The funds may also be used by the Baltic states for cyber and democracy programs to counter Russian influence and aggression.

China

The measure provides \$300 million for a new Countering Chinese Influence Fund to combat malign Chinese influence activities and increase transparency and accountability associated with the Belt and Road Initiative.

Colombia

The bill provides \$448 million for Colombia. The total includes anti-drug and economic support aid as well as funds for rule of law and human rights activities.

Health Programs

The measure provides a total of \$9.1 billion for global health programs — \$459 million more than FY 2019 and \$3.0 billion (47%) more than requested — of which \$3.2 billion would be provided through the US Agency for International Development (USAID).

The agreement's total for global health programs includes \$6.3 billion to combat HIV/AIDS, including \$5.9 billion for PEPFAR — of which \$1.6 billion is for the Global Fund. The PEPFAR total is \$210 million more than FY 2019 and \$1.6 billion (16%) more than requested.

(Additional international AIDS FY 2020 funding is provided in the Labor-HHS-Education Appropriations section.)

Section VIII.

State-Foreign Operations

The measure provides \$770 million for programs and activities related to malaria and \$851 million for various programs and activities to promote the health of mothers and children in less developed nations — including \$290 million for the GAVI Alliance, a fund that provides vaccines to children in the world's poorest countries, and \$61 million for polio prevention programs.

Abortion / International Family Planning

Within the total for global health programs, the agreement provides the FY 2019 level of \$575 million for family planning and reproductive health programs.

The measure does not take any actions with regard to the Mexico City restrictions on international family-planning funding that were reinstated by President Trump in January 2017, and it is silent on the May 2017 expansion of the policy, effectively leaving in place current restrictions. The House bill would have repealed the administration's expansion of the Mexico City anti-abortion restrictions, which critics call the "Global Gag Rule."

Other Funding

The bill provides nearly \$1.5 billion in assessed contributions to international organizations including the United Nations, \$114 million more than FY 2019. It provides \$1.5 billion for international peacekeeping efforts, \$4.4 billion to the International Disaster Assistance account, which is used to assist people displaced inside their

countries due to natural disasters and man-made conflicts, and allocates \$3.4 billion to the Refugee Assistance account.

Section IX

Transportation-HUD

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations for FY 2020, that provide funding for transportation, infrastructure and low-income housing assistance programs.

The agreement provides \$74.3 billion in net spending subject to discretionary caps (including advance appropriations from prior years) and \$61.3 billion from the highway and aviation trust funds — for a total of \$135.6 billion for FY 2020. That total is \$1.2 billion more than FY 2019 (excluding emergency FY 2019 appropriations) and \$15.8 billion more than requested.

Transportation Department

The bill provides a net total of \$86.2 billion in non-emergency budgetary resources for the Transportation Department — including \$24.8 billion in discretionary appropriations (\$1.7 billion less than FY 2019 but \$3.0 billion more than requested) and \$61.3 billion in obligation authority for releases from transportation trust funds for federal highway, transit and aviation programs (\$1.3 billion more than FY 2019 and \$3 million more than requested). Overall funding for the department is effectively equal to FY 2019 but \$3.3 billion more than requested.

It provides \$1 billion for BUILD grants (previously known as TIGER grants), \$100 million more than FY 2019 and equal to the request.

For programs and activities of the Federal Aviation Administration (FAA), it provides \$166 million (1%) more than FY 2019 and \$513 million (3%) more than requested. The total includes \$3.35 billion in obligations from the Airport and Airway Trust Fund for airport grants.

The measure provides \$49.3 billion in spending authority for programs and activities of the Federal Highway Administration (\$13 million more than FY 2019 and \$2.1 billion, or 4%, more than requested) and it increases funding for both the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration FMCSA. NHTSA would receive \$989 million (2% more than FY 2019 and 6% more than

requested) and FMCSA would receive \$679 million (2% more FY 2019 funding and slightly more than the request.

It cuts funding for Federal Transit Administration (FTA) and Federal Railroad Administration, providing \$12.9 billion for the FTA (4% less than FY 2019 but 4% more than requested) and \$2.8 billion for the FRA (3% less than FY 2019 but \$701 million, or 33%, more than requested). Of total FRA funding, \$2.0 billion is for Amtrak — \$58 million more than FY 2019 and \$1.1 billion more than requested.

The measure also provides the following:

- Maritime Administration — \$1.0 billion, \$68 million (6%) less than FY 2019 but \$390 million (59%) more than requested.
- Pipeline & Hazardous Materials Safety Administration — \$282 million, \$7 million more than FY 2019 and \$27 million more than requested.

Housing & Community Development

The bill provides a net total of \$49.1 billion for programs and activities of the Housing and Urban Development Department (HUD) — \$4.9 billion (11%) more than FY 2019 and \$12.4 billion (34%) more than requested.

It increases funding for Section 8 Tenant-Based Assistance, appropriating \$23.9 billion — \$1.3 billion more than FY 2019 and \$1.6 billion more than requested. It rejects the administration's proposal to eliminate the Public Housing Capital Fund, instead providing \$2.9 billion (\$95 million more than FY 2019). The Public Housing Operating Fund would receive \$4.5 billion, \$104 million less than FY 2019.

It provides \$825 million for Native American Programs, \$5 million more than FY 2019 and \$225 million more than the request, including \$70 million for Indian Community Development Block Grants.

The measure provides \$8.0 billion for programs under HUD's Office of Community Planning and Development — \$319 million more than FY 2019 and \$5.1 billion more than requested.

It rejects the president's proposal to end funding for the Community Development Block Grant (CDBG), community development loan guarantees, and HOME Investments Partnership programs, providing \$3.4 billion for community development activities (\$80

million more than FY 2019) and \$1.35 billion for the HOME Investments Partnership program (\$100 million more than FY 2019).

Section IX.

Transportation-HUD

The bill increases funding for Housing Programs, providing \$13.6 billion — \$957 million more than FY 2019 and \$752 million more than requested. Within this total, it provides \$12.6 billion for Section 8 project-based rental assistance (\$823 million more than FY 2019); \$793 million for elderly housing (\$115 million more); \$202 million for housing for the disabled (\$18 million more); and \$53 million for housing counseling (\$3 million more).

It also provides funding for the following:

- Lead Reduction Programs — \$290 million for grants to state and local governments to perform lead hazard reduction activities in housing occupied by low-income families (\$11 million more than FY 2019 and equal to the request).
- Fair-Housing Programs — \$70 million for fair-housing activities of HUD's Office of Fair Housing and Equal Opportunity (8% more than FY 2019 and 13% more than requested).
- Policy Development and Research — \$98 million for HUD to conduct research and evaluation relating to the department's mission and programs (2% more than FY 2019 and 13% more than requested).
- Information Technology Fund — \$280 million for information technology systems that support HUD programs and operations (equal to both FY 2019 and the request).

Section X

Extensions, Tax Provisions, and Other Matters

This section highlights the provisions of HR 1865 , Eight-Bill Full Year Appropriations for FY 2020, that extend various expiring programs, repeal major health taxes that support Obamacare, and fund pensions for miners.

The measure also contains scores of foreign policy and other bills that were originally considered separately.

The Congressional Budget Office (CBO) estimates that this section's provisions (exclusive of the tax extenders that are being automatically added to the bill by the recommended rule) would increase the overall federal budget deficit by \$390.8 billion over a ten year period.

Tax Extenders

The bill retroactively extends through 2020 more than two dozen temporary tax provisions that expired at the end of 2018, and it extends others that are about to expire at the end of 2019. Two temporary tax provisions — biodiesel and short-line railroad maintenance credit — would be extended through 2022.

It also provides tax relief to individuals and businesses who have been harmed by certain hurricanes, wildfires and other natural disasters, and it corrects two provisions in the 2017 tax law (PL 115-97). One such "technical correction" would benefit churches and other nonprofits' who provide employee parking; the other would benefit rural electric cooperatives in danger of losing their tax-exempt status.

(These tax provisions are being automatically incorporated into the bill upon adoption of the recommended rule.)

Obamacare Tax Repeals

The bill permanently repeals three major health industry taxes that were imposed under the 2010 healthcare overhaul to help pay for Obamacare.

Specifically, it repeals the so-called "Cadillac Tax" on expensive employer-provided health insurance plans provided by wealthy companies and major labor unions, and also repeals a 2.3% tax on medical devices and an annual health insurance fee.

The Cadillac tax in particular was intended both to pay for Obamacare and to help "bend the cost curve" of spiraling healthcare costs by encouraging individuals to insist on lower cost plans.

CBO estimates the repeals will would cost \$377 billion in lost revenue over ten years.

Miners' Pensions & Health

The bill includes the Bipartisan American Miners Act to prevent insolvency of the 1974 UMWA Pension Plan. The measure also protects health benefits for miners impacted by coal company bankruptcies that took place in 2018 and 2019.

CBO estimates the provisions would on net cost \$4.5 billion over ten years.

Health Extenders

The bill extends numerous programs relating to health care, including with regard to U.S. territories for FY 2020 and FY 2021. It includes program integrity improvements for Puerto Rico's Medicaid program, and establishes a federal Medicaid match rate of 76% for Puerto Rico and 83% for other U.S. territories.

The measure also extends programs that support outreach, enrollment, and education activities for low-income Medicare beneficiaries seeking insurance coverage; activities related to quality measurement and performance improvement in the Medicare and Medicaid programs; a program to reimburse hospitals for the costs of searching for donors and acquiring cells and bone marrow; as well as other health programs.

CBO estimates the Health and Human Services extenders would cost \$10.0 billion over ten years.

Other Extenders

The bill extends numerous expiring programs, including:

- Ex-Im Bank — Extends the charter of the U.S. Export-Import Bank for seven years and provides for procedures to establish a temporary board in the absence of a sufficient number of Senate-confirmed directors to comprise a quorum.
- Flood Insurance — Extends the National Flood Insurance Program authorization to Sept. 30, 2020.
- Terrorism Risk Insurance — Reauthorizes the program for seven years through Dec. 31, 2027 and adjusts the timing of mandatory recoupment. CBO estimates the extension would on net reduce the deficit by \$1.3 billion over ten years.
- Visas — Reauthorizes four visa programs and the E-verify employment eligibility verification system, including the Conrad-30 program for foreign doctors, the EB-5 investor visa regional center program, and the religious workers (R-1) program. The measure also allows the Homeland Security secretary to add more H-2B visas to the 66,000 H-2B visas currently authorized annually.

- Rural Schools — Extends for two years the Secure Rural Schools program, which provides funding for rural forest counties that are struggling to fund essential services. CBO estimates the provision would cost \$320 million over ten years.
- TANF — Extends the temporary assistance for needy families program and the Child Care Entitlement to States through May 22, 2020.

SECURE Act

This bill includes numerous provisions intended to boost the ability of individuals to take advantage of tax-favored retirement accounts, including by making it easier for small businesses (including unrelated businesses) to offer retirement savings plans for their employees, allowing individuals to continue making contributions to a regular IRA after reaching the age of 70 and one-half, increasing from 70 and one-half to 72 the age at which individuals must take required minimum distributions from their retirement accounts, expanding and creating tax credits for small employers to set up retirement plans and automatic enrollment, and requiring employers to allow certain part-time employees to participate in their retirement savings plans.

It also seeks to make it easier for individuals and families to save for other purposes, including by modifying 529 education plans to allow them to be used to pay for student loans and to cover expenses associated with apprenticeship programs; and by allowing individuals to withdraw up to \$5,000 from their retirement plans, without penalty, to help pay for the expenses of a new baby or adopted child.

Foreign Policy

The bill contains dozens of foreign policy measures that had been introduced or considered as separate bills, including the following:

- European Energy Security and Diversification Act — Authorizes financing to catalyze public and private sector investment in strategically important energy projects in European and Eurasian countries in order to counter Russia's Nord Stream gas pipeline.
- VERDAD Act — Strengthens the U.S. response to Venezuela's growing humanitarian crisis and its impact on neighboring countries.
- Eastern Mediterranean Security and Energy Partnership Act — Deepens U.S. security and energy relationships in the Eastern Mediterranean region, including

authorizing security assistance for Cyprus and Greece and lifting arms restrictions on Cyprus.

- Global Fragility Act — Authorizes funds to improve the coordination and effectiveness of U.S. government programs to stabilize conflict-affected areas, address global fragility, and lead international efforts to prevent extremism.
- Space Station — Ensures continued U.S. access to the International Space Station by extending a waiver allowing the U.S. to continue to obtain needed Space Station-related goods and services from Russia, including allowing U.S. astronauts to fly on Russian launch vehicles.
- Religious Freedom — Extends the United States Commission on International Religious Freedom for three years.
- Cuba/China Injured FSOs — Authorizes the State Department to provide U.S. government personnel with brain injuries and cognitive issues stemming from health incidents that occurred during their service in Cuba and China with additional benefits if their worker's compensation or primary insurance does not cover their prescribed care.
- Saudi Fugitive Act — Requires the FBI, in coordination with the DNI, to declassify any information about whether the Saudi government has assisted Saudi nationals charged with or investigated for crimes in the United States and have fled the country.
- Anti-Terrorism Clarification Act — Provides American victims of international terrorism with additional legal grounds on which to pursue justice in U.S. courts against perpetrators or supporters of terrorist attacks.

Other Provisions

The bill also contains the following miscellaneous provisions, including:

- Smoking Age — Updates the Federal Food, Drug, and Cosmetic Act to increase the minimum age of sale of tobacco products from 18 to 21 years of age.
- Poison Center Network — Reauthorizes the national poison center network program through FY 2024.
- Kay Hagan Tick Act — Requires the Health and Human Services Department to ensure the development and implementation of a national strategy for vectorborne diseases, including tick-borne diseases.

- Kennedy Center — Reauthorizes funding for maintenance, repair, security, and capital projects at the John F. Kennedy Center for the Performing Arts in Washington, D.C.
- Television Viewer Protection Act — Makes permanent the requirement that multichannel video programming distributors and television broadcasters negotiate retransmission consent in good faith.
- Vision Impaired Readers — Renames the National Library Service as the National Library Service for the Blind and Print Disabled, and expands services to the reading disabled population.
- World Bank — Provides for a U.S. contribution to the capital increase for the International Bank for Reconstruction and Development (World Bank).

JR: