

PUBLIC LAW 115-123—FEB. 9, 2018

Bipartisan Budget Act of 2018

P.L. 115 - 123

Excerpts Pertaining to Employment and Training
Administration

(See bookmarks)

BIPARTISAN BUDGET ACT OF 2018

Public Law 115-123
115th Congress

An Act

Provisions Applying
to All Divisions

Feb. 9, 2018
[H.R. 1892]

To amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Bipartisan
Budget Act
of 2018.
42 USC 1305
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bipartisan Budget Act of 2018”.

Honoring
Hometown
Heroes Act.

**DIVISION A—HONORING HOMETOWN
HEROES ACT**

4 USC 1 note.

SECTION 10101. SHORT TITLE.

This division may be cited as the “Honoring Hometown Heroes Act”.

**SEC. 10102. PERMITTING THE FLAG TO BE FLOWN AT HALF-STAFF
IN THE EVENT OF THE DEATH OF A FIRST RESPONDER
SERVING IN THE LINE OF DUTY.**

(a) AMENDMENT.—The sixth sentence of section 7(m) of title 4, United States Code, is amended—

(1) by striking “or” after “possession of the United States” and inserting a comma;

(2) by inserting “or the death of a first responder working in any State, territory, or possession who dies while serving in the line of duty,” after “while serving on active duty,”;

(3) by striking “and” after “former officials of the District of Columbia” and inserting a comma; and

(4) by inserting before the period the following: “, and first responders working in the District of Columbia”.

(b) FIRST RESPONDER DEFINED.—Such subsection is further amended—

(1) in paragraph (2), by striking “, United States Code; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph: “(4) the term ‘first responder’ means a ‘public safety officer’ as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284).”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths of first responders occurring on or after the date of the enactment of this Act.

Applicability.
4 USC 7 note.

DIVISION B—SUPPLEMENTAL APPROPRIATIONS, TAX RELIEF, AND MEDICAID CHANGES RELATING TO CERTAIN DISASTERS AND FURTHER EXTENSION OF CONTINUING APPROPRIATIONS

Subdivision 1—Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018

Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018.

The following sums in this subdivision are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018 and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

For an additional amount for the “Office of the Secretary”, \$2,360,000,000, which shall remain available until December 31, 2019, for necessary expenses related to crops, trees, bushes, and vine losses related to the consequences of Hurricanes Harvey, Irma, Maria, and other hurricanes and wildfires occurring in calendar year 2017 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 85 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the 2017 crop year, or 2018 crop year as applicable, under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the 2017 crop year, or 2018 crop year as applicable, under NAP for the crop incurring the losses shall not exceed 65 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 90 days after the end of fiscal year 2018, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory and the status of the amounts obligated and plans for

Deadline Reports.

Harvey, Irma, and Maria, \$7,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$20,652,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and the 2017 fire season, \$91,600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 20701. Agencies receiving funds appropriated by this title shall each provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds by account, beginning not later than 90 days after enactment of this Act.

Reports.
Deadline.

TITLE VIII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Training and Employment Services”, \$100,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Harvey, Maria, and Irma and those jurisdictions that received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to wildfires in 2017, which shall be available from the date of enactment of this subdivision through September 30, 2019: *Provided*, That the Secretary of Labor may transfer up to \$2,500,000 of such funds to any other Department of Labor account for reconstruction and recovery needs, including worker protection activities: *Provided further*, That these sums may be used to replace grant funds previously obligated to the impacted areas: *Provided further*, That of the amount provided, up to

Division B: Department of Labor, Health and Human Services, and Education, and Related Agencies Title VIII: Department of Labor

\$500,000, to remain available until expended, shall be transferred to “Office of Inspector General” for oversight of activities responding to such hurricanes and wildfires: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOB CORPS

For an additional amount for “Job Corps” for construction, rehabilitation and acquisition for Job Corps Centers in Puerto Rico, \$30,900,000, which shall be available upon the date of enactment of this subdivision and remain available for obligation through June 30, 2021: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Division B, Title
VIII: General
Provisions

Deadline.
Time period.

GENERAL PROVISIONS—DEPARTMENT OF LABOR

DEFERRAL OF INTEREST PAYMENTS FOR VIRGIN ISLANDS

SEC. 20801. Notwithstanding any other provision of law, the interest payment of the Virgin Islands that was due under section 1202(b)(1) of the Social Security Act on September 29, 2017, shall not be due until September 28, 2018, and no interest shall accrue on such amount through September 28, 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLEXIBILITY IN USE OF FUNDS UNDER WIOA

SEC. 20802. (a) IN GENERAL.—Notwithstanding section 133(b)(4) of the Workforce Innovation and Opportunity Act, in States, as defined by section 3(56) of such Act, affected by Hurricanes Harvey, Irma, and Maria, a local board, as defined by section 3(33) of such Act, in a local area, as defined by section 3(32) of such Act, affected by such Hurricanes may transfer, if such transfer is approved by the Governor, up to 100 percent of the funds allocated to the local area for Program Years 2016 and 2017 for Youth Workforce Investment activities under paragraphs (2) or (3) of section 128(b) of such Act, for Adult employment and training activities under paragraphs (2)(A) or (3) of section 133(b) of such Act, or for Dislocated Worker employment and training activities under paragraph (2)(B) of section 133(b) of such Act among—

- (1) adult employment and training activities;
- (2) dislocated worker employment and training activities;

and

- (3) youth workforce investment activities.

(b) THE VIRGIN ISLANDS.—Except for the funds reserved to carry out required statewide activities under sections 127(b) and 134(a)(2) of the Workforce Innovation and Opportunity Act, the Governor of the Virgin Islands may authorize the transfer of up to 100 percent of the remaining funds provided to the Virgin Islands for Program Years 2016 and 2017 for Youth Workforce Investment activities under section 127(b)(1)(B) of such Act, for Adult employment and training activities under section 132(b)(1)(A) of such

Act, or for Dislocated Worker employment and training activities under section 133(b)(2)(A) of such Act among—

- (1) adult employment and training activities;
 - (2) dislocated worker employment and training activities;
- and
- (3) youth workforce investment activities.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “CDC-Wide Activities and Program Support”, \$200,000,000, to remain available until September 30, 2020, for response, recovery, preparation, mitigation, and other expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That obligations incurred for the purposes provided herein prior to the date of enactment of this subdivision may be charged to funds appropriated by this paragraph: *Provided further*, That of the amount provided, not less than \$6,000,000 shall be transferred to the “Buildings and Facilities” account for the purposes provided herein: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

OFFICE OF THE DIRECTOR

For an additional amount for fiscal year 2018 for “Office of the Director”, \$50,000,000, to remain available until September 30, 2020, for response, recovery, and other expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That obligations incurred for these purposes prior to the date of enactment of this subdivision may be charged to funds appropriated by this paragraph: *Provided further*, That funds appropriated by this paragraph may be used for construction grants or contracts under section 404I of the Public Health Service Act without regard to section 404I(c)(2): *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for “Children and Families Services Programs”, \$650,000,000, to remain available until September 30, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria, including making payments under the Head Start Act: *Provided*, That none of the funds appropriated in this paragraph shall be included in the calculation of the “base grant” in subsequent fiscal