



Committee on Appropriations – Democrats

"NO MONEY SHALL BE DRAWN FROM THE TREASURY BUT IN CONSEQUENCE OF APPROPRIATIONS MADE BY LAW" US CONSTITUTION ARTICLE I, SECTION 9, CLAUSE 7



FY2017 Omnibus Appropriations Act

The Fiscal Year 2017 Omnibus Appropriations Act appropriates \$1.070 trillion in base discretionary budget authority, pursuant to the two-year budget agreement enacted in November 2015, including:

- \$551 billion in base defense spending; and
- \$518.5 billion in base non-defense spending
- \$62.1 billion in OCO defense spending; and
- \$16.5 billion in OCO non-defense spending.

Additionally, in a budget amendment of March 16, President Trump requested \$30 billion in additional defense budget authority and \$3 billion in additional nondefense budget authority for the purpose of bolstering border security, including through construction of a wall on the U.S.-Mexico border. Of this request, the Omnibus includes:

- \$15 billion in additional defense budget authority; and
- \$1.2 billion in additional nondefense budget authority.

The Omnibus **does not include:**

- President Trump's request to cut FY2017 non-defense budget authority by \$18 billion;
- President Trump's request for funding to construct a wall on the U.S.-Mexico border;
- Supplemental funding to hire additional ICE agents or to expedite hiring;
- Poison pill riders restricting so-called 'sanctuary cities' from receiving federal grants, defunding Planned Parenthood, or undermining the Affordable Care Act.
- More than 160 policy riders

The Omnibus **includes:**

- \$295.9 million to alleviate an emergency budget shortfall in Puerto Rico;
- Extension of health insurance benefits for retired mine workers;
- \$1.1 billion in disaster assistance for regions affected by storms and flooding in 2015 and 2016; and
- \$990 million in additional humanitarian assistance to alleviate international famine.

Summary of Divisions A-L of the Omnibus Appropriations Act follows.

Division A: Agriculture

2016 enacted:	\$21.750 billion
2017 House bill:	\$21.299 billion
2017 Omnibus:	\$20.877 billion

The Omnibus provides:

- A total of \$1.6 billion for Food for Peace, which is \$134 million above the House bill and \$112 million below the 2016 level.
- \$201.626 million for the McGovern-Dole Food for Education Program, which is the same as the House bill and the 2016 enacted level.
- \$250 million for the Commodity Futures Trading Commission (CFTC), which is \$5 million than the House bill and the same as the 2016 enacted level.
- \$2.771 billion for the Food and Drug Administration (FDA), which is \$6 million more than the House bill and \$42 million more than the 2016 enacted level.
- \$23 million for the summer Electronic Benefits Transfer (EBT) program, which is \$2 million more than the House bill and the same as the 2016 enacted level.
- \$6.350 billion for Special Supplemental Nutrition for Women, Infants, and Children (WIC), plus a rescission of \$850 million of unobligated balances, which is consistent with the current estimate of need.

The omnibus includes the following provisions:

- Banning funding to inspect facilities for the slaughter of horses for human consumption.
- Prohibiting processed poultry from China from use in USDA school meal programs.
- Setting aside at least 10 percent of most rural development programs for counties with at least a 20 percent poverty rate for the last 30 years (“10-20-30”).
- Prohibiting FDA from reviewing or approving a drug or biological “in which a human embryo is intentionally created or modified to include a heritable genetic modification.”
- Directing FDA and USDA to coordinate on consumer outreach on “agricultural biotechnology and biotechnology-derived food products and animal feed,” and providing \$3 million for this purpose.
- Continuing to allow waivers for school districts to comply with sodium and whole grain standards in school lunches and providing for waivers for low-fat flavored milk.

The omnibus does not include:

- The Omnibus **does not include** a House provision allowing thousands of unregulated tobacco products to escape full FDA review. The House provision would have exempted e-cigarettes, little cigars, cigarillos, hookah, cigars and other products from the Tobacco Control Act’s pre-market review requirement, allowing products to escape regulations and requirements that Congress enacted to protect the public health from the nation’s leading preventable cause of death.
- The Omnibus **does not include** a House provision exempting “premium cigars” from the Tobacco Control Act’s pre-market review requirement.

- The Omnibus **does not include** any bill or statement language related to menu labeling.
- The Omnibus **does not include** a House provision related to generic drug labels.
- The Omnibus **does not include** any bill or statement language related to organic livestock.
- The Omnibus **does not include** the “GIPSA rider” stopping implementation of a USDA rule protecting poultry farmers from strong-arm tactics of the processing industry (featured by John Oliver on HBO’s *Last Week Tonight*).

Division B: Commerce, Justice, Science

2016 enacted: \$55.7 billion

2017 House bill: \$56 billion

2017 Omnibus: \$56.6 billion

*Significant differences in rescissions and scorekeeping adjustments exist among the FY2016 CJS Act, FY 2017 CJS House bill, and FY2017 CJS Act, making topline comparisons misleading. In total new non-emergency discretionary budget authority, the FY2017 bill provides \$ 65.9 billion, \$250.5 million above the comparable FY 16 enacted level, \$44.5 million above the FY 17 House bill, and \$8.6 million below President Obama's FY 17 request.

The Omnibus provides:

- \$2.41 billion overall for total State and Local Law Enforcement Activities, which is \$66.2 million below the comparable FY 2016 level and \$15.8 million more than the House bill.
 - \$221.5 million for the Community Oriented Policing Services (COPS) Program. Within this funding, \$137 million is for the hiring of law enforcement, which is the same as the FY 2016 level and \$137 million above the House bill, which eliminated this funding.
 - \$481.5 million for Violence Against Women Prevention and Prosecution programs, which is \$1.5 million more than the FY 2016 level and \$1 million below the House bill when adjusted for the inclusion of trafficking grants in this heading.
 - \$376 million for the Byrne-JAG program excluding set-asides, which is \$29 million above the FY2016 enacted level and \$48.5 million less than the House bill.
 - \$247 million for Juvenile Justice, which is \$23.2 million less than the FY 2016 level and \$62.8 million above the House bill.
 - \$27 million to reimburse State and local law enforcement for costs associated with protection of the President-elect.

- \$5.68 billion for the National Oceanic and Atmospheric Administration (NOAA), which is \$90.2 million less than the FY 2016 enacted level and \$94.9 million more than the House bill.
 - \$517.4 million for National Ocean Service operating expenses, which is \$17.3 million more than the FY 2016 enacted level and \$42.3 million more than the House bill. Increases above both FY 2016 and the House bill are provided for Coastal Science and Assessment, and Sanctuaries and Marine Protected Areas.
 - \$477.7 million for Oceanic and Atmospheric Research, which is \$15.8 million more than the FY 2016 enacted level and \$40.1 million more than the House bill. In particular, climate research continues at its FY 16 level of \$158 million, \$30 million more than the House bill. Increases are provided for Weather and Air Chemistry Research and Ocean, Coastal, and Great Lakes Research.

- \$979.8 million for National Weather Service operating expenses, which is \$9.1 million less than the FY 2016 enacted level and \$9.1 million less than the House bill.
- \$1.47 billion for the Census Bureau, which is equal to the House bill and \$100 million more than the FY 2016 level, though \$163.6 million below the request, including funding to help ensure an efficient 2020 Census utilizing innovative and cost-effective enumeration practices.
- \$385 million for the Legal Services Corporation, which is the same as the FY 2016 level and \$35 million above the House bill.
- \$8.77 billion for Federal Bureau of Investigation (FBI) operations, which is \$277.4 million more than the FY 2016 level and approximately the same as the House bill.
- \$2.49 billion for the Drug Enforcement Administration (DEA), which is \$34 million more than the FY 2016 level and the same as the House bill.
- \$1.26 billion for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), which is \$18.6 million above the FY 2016 level and \$843,000 above the House bill.
- \$7 billion for Federal Prison System operations, which is \$60 million more than the FY 2016 level and \$8 million less than the House bill.
- \$7.47 billion for the National Science Foundation (NSF), which is \$8.7 million more than FY 2016 and \$66 million above the House bill.
- \$19.65 billion for the National Aeronautics and Space Administration (NASA), which is \$368.3 million more than the FY2016 enacted level and \$145.3 million more than the House bill.
- \$323 million for a new headquarters for the Federal Bureau of Investigation (FBI).

Outcome of Riders and Policy Provisions

The Omnibus **does not include**:

- House provision prohibiting funding to facilitate or promote exports to the Cuban military or intelligence service, its officers, or the immediate families of the officers.
- House provision prohibiting the Equal Employment Opportunity Commission from collecting pay data for the first time.

The Omnibus maintains current law related to firearms, and therefore **does not include**:

- House proposal to make permanent the one-year provision restricting the federal government from prohibiting imports of curios and relics.
- House proposal to make permanent the one-year provision restricting the federal government from requiring licenses for Canada gun exports less than \$500.
- House proposal to make permanent the one-year provision restricting the federal government from denying shotgun imports on the grounds they are not suitable for “sporting purposes,” if such imports have not previously been denied.

- House proposal to make permanent the one-year provision restricting the federal government from facilitating the transfer of a firearm to a known or suspected agent of a drug cartel (“Fast and Furious” provision).
- House provision preventing the Department of Justice from requiring Federal firearms licensees to report on the sale of multiple long guns to the same person.
- Democratic proposal to block firearms sales to individuals on terror watch lists.

Division C: Defense

2016 enacted level, base:	\$514.1 billion
2016 enacted level, OCO:	\$58.6 billion
2017 budget request, base:	\$517.7 billion
2017 budget request, OCO:	\$58.6 billion
2017 conference agreement, base:	\$516.1 billion
2017 conference agreement, OCO:	\$61.8 billion

Highlights and Key Points:

- \$132.1 billion for Military Personnel and operational support costs.
- For Operations & Maintenance, \$167.6 billion for base requirements, which is \$118.1 million above the FY2016 enacted level, and \$47.7 billion for OCO requirements.
- For Procurement, \$108.4 billion for base requirements, which is \$2.4 billion less than the FY2016 enacted level, and \$9.4 billion for OCO requirements.
- For Research and Development, \$72.3 billion for base requirements, which is \$2.5 billion more than the FY2016 enacted level, and \$406.7 billion for OCO requirements.
- The bill increases military pay by 2.1 percent, consistent with the FY2017 National Defense Authorization Act (NDAA).
- \$6.734 billion for cyberspace operations, which is \$992 million more than the FY2016 enacted level.
- \$1.014 billion for Congressional directed medical research programs.
- \$600.7 million for the Israeli Missile Defense Cooperative program, which is \$113 million more than the FY2016 enacted level. Additionally, \$42.5 million is provided for anti-tunneling technology, which is \$2.5 million more than the FY2016 enacted level.
- The bill fully funds the European Reassurance Initiative to assure NATO allies and other partners of our commitment to regional security and countering Russian aggression.
- \$250 million for the Rapid Innovation Fund to incorporate small business developments into DoD programs.
- \$296 million for sexual assault prevention and response, which is equal to the request for the Special Victims' Counsel programs within the military services.
- The bill prohibits funding to propose, plan for, or execute a new BRAC round.
- The bill prohibits funding to transfer or release Guantanamo Bay detainees to the U.S.; for construction, acquisition, or modifying facilities in the U.S. to house detainees; for transfer of detainees except in accordance with FY2016 National Defense Authorization Act; or to close or transfer Guantanamo Bay from DoD's jurisdiction.

FY2017 Request for Additional Appropriations

FY2017 Request, Base + OCO	\$30 billion
FY2017 Budget Amendment Agreement, OCO	\$15 billion

- \$2.475 billion provided upon receipt of United States strategy for the defeat of the Islamic State of Iraq and al Sham as well as a strategy for Syria.
- \$131 million for Air Force Reserve deployment missions in Afghanistan
- \$255 million for combat losses for aircraft to include a V-22 Osprey, UH-60 Blackhawk, two AH-64 Apaches and eight MQ-1 UAVs
- \$969 million for Facilities sustainment, restoration, and modernization for all military services
- \$942 million for depot maintenance across the military services
- \$702 million for modification for various equipment such as aircraft, missiles and combat vehicles
- \$151 million for Terminal High Altitude Area Defense (THAAD)
- \$85 million for Tomahawk missiles
- \$621 million for ammunition procurement for all services
- \$198 million to address storm damage at military facilities in Georgia, North Carolina, South Carolina and Virginia
- \$57 million for water quality testing on military bases

Division D: Energy & Water

2016 enacted:	\$37.185 billion
2017 House bill:	\$37.444 billion
2017 Omnibus:	\$37.771 billion

The Omnibus provides:

- \$2.1 billion for Energy Efficiency and Renewable Energy, which is \$265 million more than the House bill and \$17 million more than the FY2016 enacted level.
- \$5.39 billion for the Department of Energy Office of Science, which is \$8 million less than the House bill and \$41.8 million more than the FY2016 enacted level.
- \$306 million for the Advanced Research Projects Agency – Energy (ARPA-E), which is the same as the House bill and \$15 million more than the FY2016 enacted level.
- \$230 million for activities to modernize the electricity grid, which is \$5 million more than the House bill and \$24 million more than the FY2016 enacted level.
- \$6.4 billion for environmental cleanup activities, which is \$268 million more than the House bill and \$202 million more than the FY2016 enacted level.
- \$9.3 billion for Weapons Activities, which is \$33 million more than the House bill and \$471 million more than the FY2016 enacted level.
- \$1.9 billion for Nuclear Nonproliferation, which is \$80 million more than the House bill and \$38 million less than the FY2016 enacted level.
- \$1.4 billion for Naval Reactors, which is the same as the House bill and \$44 million more than the FY2016 enacted level.
- \$6.0 billion for the Army Corps of Engineers, which is \$52 million less than the House bill and \$49 million more than the FY2016 enacted level.
 - Of those funds, \$1.3 billion is for Harbor Maintenance Trust Fund projects, which is the same as the House bill and the target established by the Water Resources Reform and Development Act (WRRDA), and \$350 million more than the President’s request.
- \$1.3 billion for water resources projects within the Department of Interior, which is \$172 million more than the House bill and \$42 million more than the FY2016 enacted level.
- \$152 million for the Appalachian Regional Commission, which is \$6 million more than the House bill and \$6 million more than the FY2016 enacted level.

Outcome of Riders and Policy Provisions

- The Omnibus maintains language identical to FY2016 Appropriations law, prohibiting the Corps of Engineers from changing the definition of “fill material” for the duration of the fiscal year.
- The Omnibus **does not include** language from the House bill allowing firearms to be carried on all Corps of Engineers land.

- The Omnibus **does not include** a House provision prohibiting the Corps of Engineers from clarifying the definition of navigable waters as directed by the Supreme Court of the United States.
- The Omnibus **does not include** House provisions regarding California's drought, these provisions were addressed in the WIIN Act.
- The Omnibus **does not include** a House provision prohibiting the removal of any federally owned or operated dam.
- The Omnibus maintains current law prohibiting the Corps of Engineers from requiring permits for certain agricultural practices.

Division E: Financial Services and General Government

2016 Total enacted level:	\$23.485 billion
2017 House Bill:	\$21.735 billion
2017 Omnibus:	\$21.515 billion

The Omnibus provides:

- \$11.593 billion for the Department of the Treasury, which is \$346 million less than the 2016 enacted level and \$104 million less than the House bill, due to adjustments to the Treasury Forfeiture Fund.
- \$11.235 billion for the Internal Revenue Service (IRS), which is the same as the 2016 enacted level and \$236 million higher than the House bill.
- \$6.926 billion for the Judiciary, which is \$148 million more than the 2016 enacted level and \$28 million less than the House bill, due to re-estimates by the Judiciary.
- \$756.3 million for the District of Columbia, which is \$26.5 million more than the 2016 enacted level and \$31.1 million more than the House bill.
- \$1.605 billion for the Securities and Exchange Commission (SEC), which is the same as the 2016 enacted level and \$50 million more than the House bill.
- \$886.8 million for the Small Business Administration (SBA), which is \$15.8 million more than the 2016 enacted level and \$3.4 million higher than the House bill.
- \$709 million for the Executive Office of the President, which is \$17 million more than the 2016 enacted level and \$8 million more than the House bill. This total includes resources to cover 2016 presidential transition costs, as well as a \$9 million increase for ONDCP grant programs.
- \$8.845 billion for the General Services Administration (GSA) Federal Buildings Fund (FBF), which is \$1.35 billion less than the 2016 enacted level and \$380 million less than the House bill.
- \$9.6 million for the Election Assistance Commission (EAC), which is the same as the 2016 enacted level and \$4.7 million higher than the House bill.
- \$250 million for the Commodity Futures Trading Commission (CFTC), which is equal to the FY2016 enacted level and the House bill.

Outcome of Riders and Policy Provisions

The Omnibus **does not include:**

- Prohibiting funds to subsidize abortion services in connection with a multi-state plan offered under the Affordable Care Act exchanges negotiated by OPM.
- Prohibiting funds to implement the Affordable Care Act (ACA) individual mandate and prohibiting HHS transfers to IRS for ACA implementation.

- Prohibiting funds for the implementation or enforcement of the District of Columbia's Reproductive Health Non-Discrimination Amendment Act.
- Prohibiting the implementation of the net neutrality order until the current court cases are resolved.
- Prohibiting the Federal Communications Commission (FCC) from regulating rates of either the broadband or wireless internet providers.
- Changing the process by which FCC passes regulations.
- Requiring a study and public comment before FCC rules on set-top boxes can go into effect.
- Prohibiting funds to prevent a financial institution from engaging in commercial activities with entities producing or selling marijuana in states where it is legal.
- Prohibiting funds for the President to sign signing statements, executive orders, or Presidential Memoranda that abrogate legislation passed by the Congress.
- Prohibiting funds for the Consumer Product Safety Commission to implement, finalize, or enforce the proposed rules on voluntary recalls and 6(b) public disclosures of information.
- Providing funding for a commission to study the 9th Circuit Court of Appeals.
- Changing long-standing law to require that Church tax inquiries be decided by the IRS Commissioner.
- Prohibiting funds that would allow any financial transactions with an entity owned or controlled by the Cuban military and intelligence agencies, any employee thereof, or any immediate family member of such employee to occur.
- Prohibiting travel to Cuba for educational exchanges not involving academic study pursuant to a degree program.
- Prohibiting the importation of property confiscated by the Cuban government.
- Prohibiting funds to approve or otherwise allow the licensing of a mark, trade name, or commercial name that is substantially similar to one used in connection with a business or assets that were seized (Cuba).
- Provisions related to agricultural commodities sales and travel with Cuba, airline transit stops to and from Cuba, and the exportation of consumer electronics to Cuba.
- Requiring certain regulatory agencies to report on burdensome regulations.
- Requiring Treasury's Office of Financial Research (OFR) to give a 90 day notice before issuing a proposed rule.
- A provision prohibiting the Financial Stability Oversight Council from designating nonbanks as systemically important financial institutions.
- Making the budgets of the Consumer Financial Protection Bureau (CFPB) and OFR subject to the appropriations process starting in FY 2017.
- A provision making it more difficult for the Financial Stability Oversight Council to designate nonbanks as systemically important financial institutions.
- Changing the management structure of the CFPB, forcing it to revisit its rules on arbitration, preventing it from contracting for consumer awareness, limiting the statute of limitations of actions it can pursue to 3 years, and preventing it from enforcing

proposed rule to restrict payday and vehicle title lenders from attempting to collect payment from consumers' bank accounts in ways that accrue excessive fees.

- Removing Dodd-Frank consumer protections for those purchasing manufactured housing.
- Preventing enforcement of executive order requiring prospective federal contractors to disclose labor law violations.
- The Financial Institutions Bankruptcy Act of 2016 (HR 2947) which amends federal bankruptcy law with respect to a "covered financial corporation" that has total consolidated assets of \$50 billion or greater, and whose annual gross revenues or consolidated assets meet specified tests, and requires the Chief Justice of the United States to designate at least 10 bankruptcy judges to be available to hear these cases.
- Prohibits the Federal Election Commission (FEC) from enforcing the prior approval requirement for trade association PACs.
- Prohibiting the Department from enforcing guidance for US positions on multilateral development banks engaging with developing countries on coal-fired power generation.
- Prohibiting Treasury from issuing a license to process transfer of funds to or from Iran.
- Prohibiting funds for Treasury to sell a commercial aircraft (or spare parts or associated services) or to authorize financing by a U.S. financial institution in connection with the sale or lease of aircraft by Iran.
- Prohibiting funds for Treasury to pay claims to Iran from the Treasury Judgement Fund or modify regulations with regard to correspondent bank accounts.
- Prohibiting funds for the SEC to implement a climate change rule.
- Prohibiting funds for the SEC to implement a pay ratio rule or to propose a proxy ballot rule.
- Prohibiting funds to change veterans hiring preferences or to prevent the Selective Service System to include women in the draft.
- Prohibiting funds to carry out Operation Choke Point.
- Prohibiting funds to carry out sanctuary city policies.
- Prohibiting funds to pay bonuses to Senior Executive Service employees.
- Prohibiting enforcement of new regulations with an estimated unfunded mandate of \$100 million or more.
- Permanently barring the Commodity Futures Trading Commission from lowering the swap dealer *de minimis* threshold below \$8 billion.

The Omnibus **includes**:

- The reauthorization (through FY 2019) of the Scholarships for Opportunity and Results Act.
- Prohibiting funds from being used for abortions under the Federal Employees Health Benefits program, the same as current law.
- Prohibiting federal or local District of Columbia funds from being used for abortion services except in the case of rape or incest or if the life of the mother is in danger, the same as current law.

- Prohibiting federal funds for needle exchange programs under certain conditions, the same as current law.
- Prohibiting federal funds to carry out District of Columbia laws to reduce penalties associated with schedule I substances; and prohibits both Federal and local District of Columbia funds to enact a law to legalize or reduce penalties associated with schedule I substances, the same as current law.
- Prohibiting funds for the IRS to finalize any regulation or other guidance to clarify the 501(c)(4) determination process during Fiscal Year 2017, consistent with current law.
- Clarifying the provision included in the Fiscal Year 2016 Omnibus prohibiting the FCC from implementing its rule on joint sales agreements (JSAs) for 10 years by allowing certain JSAs to be grandfathered that would otherwise be dissolved.
- Prohibiting funds for healthcare, climate change, auto, and urban affairs 'czars,' consistent with current law.
- Requiring cost estimates of Executive Orders and Presidential Memoranda estimated to have a regulatory cost in excess of \$100 million.
- Prohibiting funds to require entities submitting an offer for a Federal contract to disclose campaign contributions, consistent with current law.
- Rescinding \$25 million from the mandatory SEC reserve fund, consistent with current law.
- Prohibiting funds to require entities participating in the Federal acquisition program to disclose campaign contributions and prohibits funds for the SEC to require disclosure of political contributions, contributions to tax-exempt organizations, or dues paid to trade associations, consistent with current law.
- Prohibiting funds in Fiscal Year 2017 from being used to finalize or implement the proposed rule on recreational off-highway vehicles until a study is completed by the National Academy of Sciences, consistent with current law.
- Clarifying the manner in which E.O. 13690, regarding flood risk management, will be implemented, the same as current law.
- Allowing the Treasury Department to provide financial planning and other technical assistance to the Puerto Rican government.

Division F: Homeland Security

FY 2017 Omnibus:	\$49.3 billion
FY 2017 Revised Budget Request:	\$50.3 billion
FY 2017 Budget Amendment:	\$3.0 billion
FY 2017 House Level	\$47.8 billion
FY 2016 Enacted Level	\$47.8 billion

The Omnibus provides:

- \$14.3 billion for U.S. Customs and Border Protection, which is \$1 billion more than the FY2016 enacted level, \$743.2 million more than the House level.
- \$6.8 billion for U.S. Immigration and Customs Enforcement, which is \$629.2 million more than the FY2016 enacted level, \$556.9 million more than the House level.
- \$7.78 billion for the Transportation Security Administration, which is \$336.2 million more than the FY2016 enacted level and \$173.3 million more than the House level.
- \$10.45 billion for the U.S. Coast Guard, which is \$467.3 million below the FY2016 enacted level, \$344 million higher than the request, and \$232.7 million more than the House level.
- \$2 billion for the U.S. Secret Service, which is \$112 million more than the FY2016 enacted level and \$113.3 million more than the House level.
- \$3.27 billion for the National Protection and Programs Directorate, which is \$190.8 million more than the FY2016 enacted level and \$62.7 million more than the House level.
- \$11.6 billion for the Federal Emergency Management Agency, including \$6.7 billion for major disasters under the BCA cap adjustment. This is \$132 million more than the FY2016 enacted level and \$46.2 million more than the House level.
- \$2.98 billion for FEMA Federal Assistance, which is \$14 million below the FY2016 enacted level and \$5.1 million above the House bill.
- Makes available up to \$10 million for Immigrant Citizenship and Integration grants through U.S. Citizenship and Immigration Services (USCIS), and authorizes USCIS to accept donations to supplement this funding.

Outcome of Riders and Policy Provisions

- The Omnibus **does not include** a statutory requirement from prior years to maintain a minimum number of detention beds.
- The Omnibus **does not include** a House provision related to the expanded Deferred Action for Childhood Arrivals program and the Deferred Action for Parents of Americans program.
- The Omnibus **does not include** a House provision to eliminate ICE's discretion to release certain categories of detainees from custody, except for removal.
- The Omnibus **does not include** a House provision intended to prohibit Americans from bringing back merchandise from Cuba.

- The Omnibus **does not include** three House provisions related to ICE detainee access to abortion services.
- The Omnibus **includes** a modified House provision allowing the Administration to increase the H-2B visa cap in fiscal year 2017.

FY2017 Budget Amendment

The Omnibus **does not include**:

- Funding requested by President Trump to build a border wall or fencing on areas of the U.S.-Mexico border where no fencing currently exists.
- Funding to hire Immigration and Customs Enforcement (ICE) agents
- Funding requested by President Trump to bolster capacity to hire and train additional ICE agents.
- The longstanding statutory requirement to maintain a minimum number of detention beds.

The Omnibus **includes**:

- Reporting requirement intended to maintain the integrity of CBP's current rigorous polygraph test for aspiring CBP agents.
- Reporting requirement pushing ICE to ensure detention facilities meet the newest and most stringent standards to protect detainees.
- **Customs and Border Protection (\$772 million)**
 - \$341 million for **replacement** fencing and levee gates.
 - \$170 million for communications and surveillance technology.
 - \$100 million for construction and maintenance of border access roads.
 - \$48 million to improve/maintain existing facilities (BP stations, ports of entry).
 - \$65 million to improve Border Patrol agent and Customs officer hiring processes.
 - \$48 million to respond to 2016 migrant surge.
- **Immigration and Customs Enforcement (\$480 million)**
 - \$148 million for family and individual beds.
 - \$57 million for alternatives to detention.
 - \$32 million for transportation and removal costs.
- **United States Secret Service (\$131 million)**
 - \$57 million for unforeseen Presidential protection demands.
 - \$24 million to cover a recently settled 1979 discrimination suit.
 - \$50 million to upgrade fencing around the White House complex.

Division G: Interior and Environment

2016 enacted:	\$32.159 billion
2017 House bill:	\$32.085 billion
2017 Omnibus:	\$32.280 billion

The 2017 Interior Appropriations bill would provide:

- \$8.058 billion for the Environmental Protection Agency (EPA), which is \$81 million below the 2016 enacted level and \$190 million above the House bill.
 - \$1.394 billion for the Clean Water State Revolving Fund, which is equal to the 2016 enacted level and \$394 million more than the House bill.
 - \$863 million for the Drinking Water State Revolving Fund, which is the 2016 enacted level and \$207 million less than the House bill.
 - Flint, Michigan will receive \$100 million to upgrade drinking water infrastructure; and \$30 million is made available through the WIFIA program for low-interest loans.
- \$1.218 billion for the Bureau of Land Management, which is \$16 million more than the 2016 enacted level and \$25 million more than the House bill.
- \$1.520 billion for the Fish and Wildlife Service, which is \$11 million more than the 2016 enacted level and \$28 million more than the House bill.
- \$2.932 billion for the National Park Service, which is \$81 million more than the 2016 enacted level and \$2 million above the House bill.
- \$2.860 billion for the Bureau of Indian Affairs, which is \$64 million more than the 2016 enacted level and \$10 million less than the House bill.
- \$4.183 billion for Wildland Fire Management, which is \$20 million less than the 2016 enacted level and \$258 million more than the House bill. This includes an appropriation of \$3.776 billion and emergency appropriations of \$407 million. The bill fully funds wildland fire suppression at the 10-year average.
- \$2.427 billion for the U.S. Forest Service (non-fire), which is \$28 million less than the 2016 enacted level and \$30 million less than the House bill.
- \$5.040 billion for the Indian Health Service, which is \$232 million more than the 2016 enacted level and \$39 million less than the House bill.
- \$150 million each for the National Endowment for the Arts and the National Endowment for the Humanities, which is \$2 million more than the 2016 enacted level and equal to the House bill level.
- \$465 million in discretionary appropriations for Payment in Lieu of Taxes (PILT), the updated estimated need, which is \$13 million more than the FY 2016 enacted level.
- \$400 million is provided for the Land and Water Conservation Fund, a decrease of \$50 million from the 2016 enacted level.
- Provides \$47 million for the Dwight D. Eisenhower Memorial Commission.
- Authorizes the Women's Suffrage Centennial Commission and provides \$2 million for salaries and expenses.

- Authorizes the Alaska Mental Health Trust and Forest Service Land Exchange and the Gateway West Transmission Corridor.

Policy provisions

The Omnibus **does not include** the following policy riders:

- Prohibiting the implementation of a final rule for federally recognizing Indian tribes.
- Prohibiting funding to implement, administer, or enforce the final rule on Hydraulic Fracturing (Fracking) on Federal and Indian Lands.
- Prohibiting the use of funds to finalize the BLM’s Waste Prevention, Production Subject to Royalties, and Resource Conservation rule.
- Prohibiting the use of funds to modify existing royalty rates on coal and oil and gas leases.
- Establishing a deadline for the programmatic EIS review of the Federal coal program.
- Prohibiting EPA from implementing a final regulation clarifying the Federal jurisdiction of navigable waters under the Clean Water Act.
- Prohibiting EPA from enforcing emissions and fuel efficiency standards for trailers, glider kits and glider vehicles.
- Prohibiting EPA enforcement of oil spill prevention requirements with respect to farms.
- Prohibiting EPA from developing a rule regarding emissions from continuous furnaces.
- Prohibiting funding for a rule on uranium mining.
- Prohibiting funding to issue a regulation on waste disposal for animal feeding operations.
- Prohibiting funding for EPA to take any actions described as “backstop” to reduce Chesapeake Bay watershed pollution.
- Prohibiting EPA from using Section 115 of the Clean Air Act.
- Prohibiting funding EPA to finalize a rule on accidental release prevention.
- Prohibiting EPA from enforcing rule on safe removal and renovation of lead paint.
- Prohibiting funding to update and revise EPA’s Ozone Standard.
- Prohibiting the use of funds to incorporate the social cost of carbon into any rulemaking or guidance.
- Prohibiting funding for EPA to promulgate any rule or guidance that changes the status of any hydrofluorocarbon used as a refrigerant or in foam blowing agents, applications, or uses.
- Prohibiting the use of funds to implement or enforce provisions for designated representatives/farmworkers.
- Prohibiting funding for changing regulations pertaining to the definitions of the terms “fill material” or “discharge of fill material.”
- Prohibiting the Office of Surface Mining from developing or implementing the Stream Buffer Rule, which attempts to address the adverse impacts of mountaintop removal mining.
- Prohibiting the use of funds for the National Park Service policy to eliminate the sale of water in disposable, recyclable bottles in national parks.
- Prohibiting the use of funds to designated national monuments in certain counties.

- Prohibiting the use of funds to limit recreational shooting and hunting on Federal and public lands except for public safety.
- Modifying 50 CFR for echinoderms, squid, octopus, and cuttlefish products.
- Prohibiting implementation of the Alaska predator rule.
- Prohibiting funding to list any species that has not undergone a review required by the Endangered Species Act.
- Prohibiting funding to list the Preble's meadow jumping mouse and treat the New Mexico jumping mouse as an endangered species.
- Requiring the Secretary of the Interior to reissue final rules to delist wolves in Wyoming and the Great Lakes region that were overturned by a federal court and exempting those reissued rules from judicial review.
- Prohibiting the Secretary of the Department of the Interior from implementing or enforcing the threatened species listing for the lesser prairie chicken.
- Requiring the Secretary of the Department of the Interior carry out a land exchange for the construction of the King Cove Road within the designated wilderness of the Izembek National Wildlife Refuge.
- Prohibiting funding to enter into cooperative agreements for Colorado heritage areas.
- Prohibits funding to carry out any rule issued after the date of enactment that is considered a major rule.
- Prohibiting changing the regulations for drilling margins and downhole mud weight.
- Prohibiting the Bureau of Offshore Energy Management from issuing offshore air regulations.
- Prohibiting funding to finalize the rule on oil and gas and Sulphur operations on the Arctic Outer Continental Shelf.
- Prohibiting the use of funds to carry out the National Oceans Policy developed under Executive Order 13547.

The Omnibus **includes** the following policy riders:

- Requiring EPA to treat air emissions from forest biomass as carbon neutral.
- Prohibiting EPA from requiring Clean Water Act permits for certain agricultural practices.
- Prohibiting funding for the Fish and Wildlife Service to write or issue a proposed rule to list the greater sage-grouse under the Endangered Species Act, the same as last year.
- Prohibiting funding to regulate lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act or any other law, the same as last year.

Division H: Labor, Health and Human Services, Education

2016 enacted level*:	\$162.1 billion
2017 Committee mark:	\$161.6 billion
2017 Omnibus:	\$161.0 billion

*Not including emergency funding for Zika enacted in FY2016

Funding levels of other key programs:

- \$34.1 billion for the National Institutes of Health (NIH), which is \$2 billion more than the 2016 enacted level and \$750 million more than the House bill. This amount is \$3.2 billion more than the Trump Administration proposed for 2017 and \$7.8 billion more than it proposed for 2018.
- \$22.5 billion for Pell Grants, which is the same as the 2016 enacted level. When combined with mandatory funding, these discretionary funds enable the maximum grant to increase to \$5,920, an increase of \$105 in the 2017-2018 school year. The bill reinstates year-round or summer Pell grants, which is estimated to provide one million students an additional Pell grant of, on average, \$1,650. The bill also rescinds \$1.31 billion in surplus funding, the same amount as proposed by the House and allows a surplus of \$6.2 billion to carry over to FY2018.
- \$7.2 billion for the Centers for Disease Control and Prevention (CDC), which is \$13 million less than the 2016 enacted level and \$619 million less than the House bill.
- \$4.0 billion for Centers for Medicare and Medicaid Services (CMS) Program Management, which is the same as the 2016 enacted level and \$881 million more than the House bill.
- \$3.8 billion for the Substance Abuse and Mental Health Services Agency (SAMHSA), which is \$35 million more than the 2016 enacted level and \$446 million less than the House bill. SAMHSA also received \$500 million in 2017 through the 21st Century Cures Act to support grants to states to prevent and treat opioid misuse.
- \$2.3 billion for Ryan White HIV/AIDS Programs, which is \$4 million less than the 2016 enacted level and the House bill.
- \$2.9 billion for Child Care and Development Block Grants, which is \$95 million more than the 2016 enacted level and \$55 million more than the House bill.
- \$108 million for Teen Pregnancy Prevention, which is the same as the 2016 enacted level. The House bill eliminated this program.
- \$205 million for CDC Tobacco Prevention, which is \$5 million less than the 2016 enacted level. The House bill included only \$100 million for tobacco prevention.
- \$838 million for Seniors' Nutrition programs, which is \$3 million more than the 2016 enacted level and \$11 million less than the House bill.
- \$3.4 billion for the Low-Income Home Energy Assistance Program (LIHEAP), which is the same as the 2016 enacted level and \$100 million less than the House bill.
- \$9.3 billion for Head Start, which is \$85 million more than the 2016 enacted level and \$57 million less than the House bill.

- \$250 million for Preschool Development Grants, which is the same as the 2016 enacted level and the House bill.
- \$15.5 billion for Title I Grants to Local Educational Agencies, which is \$100 million more than the 2016 enacted level and the House bill. The amount for Title I includes \$450 million for school improvement grants, which is now consolidated within the Title I grants program.
- \$12 billion for Special Education state grants (IDEA), which is \$90 million more than the 2016 enacted level and \$410 million less than the House bill.
- \$950 million for TRIO, which is \$50 million more than the 2016 enacted level and \$10 million less than the House bill.
- \$340 million for GEAR UP, which is \$17 million more than the 2016 enacted level and \$5 million less than the House bill.
- \$577.5 million for Aid for Institutional Development programs. The increase of \$7.5 million over the 2016 enacted level is to support Masters Degree Programs at HBCUs, which has not received funding since 2014.
- \$1.3 billion for Impact Aid, which is \$23 million more than the 2016 enacted level and the same level as the House bill.
- \$108.5 million for the Office for Civil Rights, which is \$1.5 million more than the 2016 enacted level and \$8.5 million more than the House bill.
- \$1.19 billion for 21st Century Community Learning Centers, an increase of \$25 million over the 2016 enacted level and the House bill.
- \$400 million for the new Student Support Academic Enrichment Grants program authorized in the Every Student Succeeds Act of 2015, which is an increase of \$122 million over the total for the consolidated programs in 2016 and \$600 million less than the House bill.
- \$2.7 billion for WIOA Job Training State Grants, which is the same level as the 2016 enacted level and \$20 million less than the House bill.
- \$95 million for Apprenticeship Grants, which is \$5 million more than the 2016 enacted level. The House bill eliminated this program.
- \$1.6 billion for worker protection agencies at the Department of Labor, which is \$3 million less than the 2016 enacted level and \$60 million more than the House bill.
- \$445 million as an advance appropriation for the Corporation for Public Broadcasting (CPB), which is the same as the 2016 enacted level and the House bill. An increase of \$10 million is provided for Television Interconnection in 2017, which is \$40 million more than the House bill.
- \$948 million for Unaccompanied Minor Children, which is the same as the 2016 enacted level and the House bill.
- \$1 billion for the Corporation for National and Community Service (CNCS), which is \$65 million less than the 2016 enacted level and \$51 million less than the House bill.
- \$286 million for Title X Family Planning, which is the same as the 2016 enacted level. The House bill eliminated this program.
- \$324 million for the Agency for Healthcare Research and Quality (AHRQ), which is \$10 million less than the 2016 enacted level and \$44 million more than the House bill.

- Funding levels for education grant programs that were completely eliminated in the House bill:
 - \$27 million for Innovative Approaches to Literacy, which is the same as the 2016 enacted level.
 - \$98 million for Magnet Schools, which is \$1 million more than the 2016 enacted level.
 - \$27 million for Arts in Education, which is the same as the 2016 enacted level.
 - \$43 million for Teacher Quality Partnerships, which is the same as the 2016 enacted level.

The Omnibus does not include new policy provisions from the House bill, which would have:

- Blocked funding for Title X Family Planning programs.
- Blocked the Department of Education’s Gainful Employment, Credit Hour and State Authorization regulations. The Omnibus also does not include a provision blocking the Teacher preparation rule. That rule was repealed under the Congressional Review Act.
- Blocked the Department of Education from enforcing Title IX in federal education law with respect to school policy on transgender student access to bathrooms. The Trump Administration withdrew the Obama Administration’s guidance affirming that under Title IX, schools receiving federal funds cannot discriminate based on a student’s sex, including transgender status.
- Blocked funding for a “fiduciary responsibility” rule – a rule designed to ensure that financial advisers provide advice in the best interests of their clients, rather than advice that is lucrative for the adviser.
- Blocked funding to implement the new “overtime rule”, a rule designed to ensure that any worker earning less than \$47,500 per year is eligible for overtime pay.
- Blocked the NLRB’s Election rule, Joint Employer standard, and its ability to rule on the proper size of collective bargaining units.
- Added the text of H.R. 940, the Health Care Conscience Rights Act, which would have allowed an employer or health plan to refuse coverage of any service to which they have a religious or moral objection. It also would have permitted providers to refuse care and coverage of abortion – even in life-endangering situations.
- Blocked funding to support in-vitro fertilization services for wounded veterans unless certain conditions were met.
- In addition, the bill does not continue an H-2B provision included in the Senate bill that blocks the Department of Labor from conducting audits and requiring employers to engage in assisted recruitment of U.S. workers.
- The Omnibus continues a provision to prevent the CMS Program Management appropriation account from being used to support risk corridor payments.
- The Omnibus continues to rescind mandatory funding from the Independent Payment Advisory Board, which has never had any board members appointed to it.

The Omnibus includes policy provisions that will:

- Continue to block a change in reimbursement policy for breast cancer screening, mammography, and breast cancer prevention. The provision will ensure these procedures continue to be covered by insurers without a copay.
- Continue to allow State or local public health departments to use federal funds for support services related to syringe exchange programs, as long as the federal funds do not purchase the syringes.

Division I: Legislative Branch

2016 Enacted level:	\$4.363 billion
2017 House bill:	\$4.436 billion
2017 Omnibus:	\$4.44 billion

The Omnibus provides:

- \$1.19 billion for the U.S. House of Representatives, which is the same as the level provided in the House bill and \$8.3 million more than the FY2016 enacted level.
 - Within that total, Members' Representational Allowances receive an \$8.3 million (1.5%) increase over last year's level. Committee operations remain funded at FY2016 levels.
- \$393.3 million for the Capitol Police, which is \$2 million more than the House bill and \$18.3 million more than the FY2016 enacted level.
- \$46.5 million for the Congressional Budget Office, which is the same as the level provided in the House bill and the FY2016 enacted level.
- \$617.9 million for the Architect of the Capitol, which is \$22.3 million less than the House bill and \$798,000 more than the FY2016 enacted level.
- \$631.96 million for the Library of Congress, which is \$3 million more than the House bill and \$32 million more than the FY2016 enacted level.
 - Within that total, \$68.8 million is provided for the Copyright Office, which is the same level provided in the House bill and \$9.95 million more than the FY2016 enacted level.
- \$117 million for the Government Publishing Office, which is the same as the level provided in the House bill and the FY2016 enacted level.
- \$544.5 million for the Government Accountability Office, which is \$11.4 million more than the House bill and \$13.5 million more than the FY2016 enacted level.
- \$5.6 million for the Open World Leadership Center Trust Fund, which is \$4.6 million more than the House bill and the same as the FY2016 enacted level.

Division J: Military Construction and Veterans Affairs

The FY2017 Military Construction and Veterans Affairs Appropriations Act was enacted on September 30th, 2016. However, the FY2017 Omnibus Appropriations Act includes the following additional provisions:

- \$247.7 million in Overseas Contingency Operations (OCO) funding for planning and design and construction of military facilities; and
- \$50 million in base funding for Medical Services for the continued implementation of the Jason Simcakoski Memorial and Promise Act (Title IX of Public Law 114-198, the Comprehensive Addiction and Recovery Act (CARA) of 2016) and to bolster opioid and substance abuse prevention and treatment.

Division K: State and Foreign Operations

2016 Total enacted level:	\$52.67 billion (not including \$58m in emergency Zika funding)
2017 Committee mark:	\$52.08 billion
2017 Omnibus:	\$53.07 billion (not including \$4.3b included in the Security Assistance Appropriations Act)

The Omnibus provides:

- \$16.485 billion for Overseas Contingency Operations (OCO), which is \$1.59 billion more than the FY2017 Committee mark and the FY2016 level.
- \$8.558 billion for Diplomatic and Consular Programs (D&CP) which is \$52.8 million more than the FY2017 Committee mark and \$372.9 million more than FY2016 enacted level.
- \$6.071 billion for the protection of diplomatic missions, embassies, and personnel, which is the same as the FY2017 Committee mark and \$454.5 million more than FY2016.
 - \$2.357 billion for Embassy Security, Construction and Maintenance (ESCM), which is the same as the FY2017 Committee mark and \$134.9 million more than the FY2016 level.
- \$8.7 billion for Global Health (GHP), which is \$222 million more than the FY2016 level.
- \$2.99 billion for Development Assistance (DA), which is \$214.5 million more than the FY2017 Committee mark and the FY2016 level.
- \$3.65 billion for Economic Support Fund (ESF), which is \$373 million less than the FY2017 Committee mark and \$668 million less than the FY2016 level.
- \$745 million for Europe, Eurasia, and Central Asia (AEECA), which includes programs that were requested under Economic Support Fund and contributes to the decrease in ESF.
- \$6.1 billion for Foreign Military Financing (FMF), which is \$28 million more than the FY2017 Committee mark, \$86 million more than the FY2016 level.
- \$1.36 billion for USAID Operating Expenses (OE), which is \$78 million more than the FY2017 Committee mark and the FY2016 level.
- \$905 million for the Millennium Challenge Corporation (MCC), which is \$4 million more than the FY2016 level and the FY2017 Committee mark.
- \$3.812 billion for International Disaster Assistance, which is \$1 billion more than the FY2016 level and the FY2016 Committee mark.
 - Includes \$990 million to respond to famine in Africa and the Middle East.
- \$3.1 billion for assistance for refugees, which is the same as the FY2017 Committee mark and the FY2016 level, and \$260 million more than requested.
- \$575 million for bilateral family planning, which is equal to the 2016 enacted level.
- \$410 million for Peace Corps, which is equal to the 2017 Committee mark, the FY2016 level and the Administration's request.

Outcome of Riders and Policy Provisions

- The Omnibus **does not include** a House policy rider codifying the “Global Gag Rule,” which prohibits non-governmental organizations (NGOs) receiving federal funds from providing women information about the full range of health services.
- The Omnibus **does not include** a House policy rider prohibiting a U.S. contribution to the UN Population Fund (UNFPA).
- The Omnibus **does not include** a House funding cap for the refugee admissions program.
- The Omnibus **does not include** funds for the Green Climate Fund, but also does not include the prohibition carried in the House bill.
- The Omnibus **does not** lift the cap on U.S. assessments for international peacekeeping missions leading to arrears.
- The Omnibus **does not include** the change in Export-Import Bank quorum requirements as included in both House and Senate bills.

Division L: Transportation and Housing and Urban Development

2017 mark: \$58.58 billion
2017 budget request: \$63.11 billion
2016 enacted level: \$57.60 billion

Transportation

- \$2.4 billion for Capital Investment Grants used to build or expand subway, light rail, and commuter rail transit systems, which is \$236 million more than the FY2016 enacted level.
- \$1.5 billion for Amtrak, which is \$105 million more than the FY2016 enacted level.
- \$500 million for the National Infrastructure Investments (TIGER) grants program, which is the same as the FY2016 enacted level.
- \$16.4 billion for the Federal Aviation Administration, which is \$127 million more than the FY2016 enacted level.
- \$150 million for Washington Metropolitan Area Transit Authority (WMATA), which is equal to the enacted level.
- \$911 million for the National Highway Traffic Safety Administration (NHTSA), which is \$42 million more than the FY2016 enacted level.
- \$218 million for Federal Railroad Administration Safety and Operations, which is \$19 million more than the FY2016 enacted level.
- \$199 million for positive train control on commuter railroads.

Housing and Urban Development

- \$1.94 billion for the Public Housing Capital Fund, which is \$42 million more than the FY2016 enacted level.
- \$137.5 million for Choice Neighborhoods, which is \$12.5 million more than the FY2016 enacted level.
- \$145 million for Lead Hazard Control and Healthy Homes, which is \$35 million more than the FY2016 enacted level.
- \$950 million for HOME Investment Partnerships, which is equal to the FY2016 enacted level.
- Section 8 Rental Assistance is funded adequately to renew existing vouchers and contracts.
- \$40 million for new HUD-VASH vouchers to assist homeless veterans.
- \$3 billion for Community Development Block Grants (CDBG), which is equal to the FY2016 enacted level.
- \$356 million for Housing Opportunities for People with AIDS (HOPWA), which is \$21 million more than the FY2016 enacted level.
- \$2.4 billion for Homeless Assistance Grants, which is \$133 million above the FY2016 enacted level.
- \$502 million for Housing for the Elderly, which is \$70 million above the FY2016 enacted level.

Disaster Recovery

- \$528 million for the Federal Highway Administration's Emergency Relief program to rebuild roads affected by natural disasters.
- \$400 million for Community Development Block Grants – Disaster Recovery to assist communities recovering from natural disasters occurring in 2015, 2016 and 2017.

Outcome on Policy Issues

The T-HUD bill **does not** include a rider that prevents the Federal Railroad Administration from administering a grant agreement for a high speed rail project in California.

The trucking industry sought provisions in T-HUD bill which would make our roads and interstate highways much less safe and reduce accountability for wrongdoing, including:

- The bill includes a provision suspending a key portion of a federal rule requiring a minimum period of overnight rest for truckers working long hours;
- The bill **does not** include a provision preempting state and local governments' right to set meal and rest break regulations;
- The bill **does not** include a provision preventing the Federal Motor Coach Safety Administration (FMCSA) from implementing a final rule regarding unsafe motor carriers.

The T-HUD bill **does not** include a rider that would limit the amount a mariner can recover from a ship owner that willfully or arbitrarily withholds wages.