

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide the Department of State, the United States Agency for International Development, and the Department of Health and Human Services with the authority to transfer and reprogram certain funds to address the Zika virus.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

H. R. 2577

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LANKFORD to the amendment (No. _____) proposed by Ms. COLLINS

Viz:

- 1 At the appropriate place, insert the following:
- 2 REPROGRAMMING OF FUNDS
- 3 SEC. _____. (a) IN GENERAL.—Notwithstanding
- 4 any other provision of law, not to exceed \$1,100,000,000
- 5 of the unobligated balances of amounts made available to
- 6 the Department of State, the United States Agency for
- 7 International Development, and the Department of Health
- 8 and Human Services for fiscal year 2015, or any fiscal

1 year before fiscal year 2015, that remain available for obli-
2 gation may be transferred or reprogrammed by the head
3 of the applicable agency for use to prevent, prepare for,
4 or respond to the Zika virus.

5 (b) NOTIFICATION AND CERTIFICATION REQUIRE-
6 MENTS.—

7 (1) IN GENERAL.—Not later than 15 days prior
8 to the transfer or reprogramming of funds made
9 available pursuant to subsection (a) or section
10 7058(e) of the Consolidated Appropriations Act,
11 2016 (Public Law 114-113)—

12 (A) the Director of the Office of Manage-
13 ment and Budget shall certify to the appro-
14 priate Congressional committees that the net ef-
15 fect of all transfers and reprogramming made
16 pursuant to subsection (a) shall not result in an
17 increase in outlays over the period of fiscal
18 years 2016 through 2021; and

19 (B) the Secretary of Health and Human
20 Services, in coordination with the Secretary of
21 State and the Administrator of the United
22 States Agency for International Development,
23 shall submit to the appropriate Congressional
24 committees a multi-year spending plan that
25 specifies the proposed uses of such funds.

1 (2) SPENDING PLAN.—The spending plan sub-
2 mitted under paragraph (1)(B) shall include—

3 (A) the objectives, indicators to measure
4 progress, and a timeline to implement a suc-
5 cessful strategy to respond to the Zika virus;

6 (B) the amounts intended to be transferred
7 or reprogrammed pursuant to this Act, that are
8 made available from prior Acts making appro-
9 priations for—

10 (i) the Department of State, foreign
11 operations, and related programs to sup-
12 port such strategy; and

13 (ii) the Department of Labor, Health
14 and Human Services, Education, and re-
15 lated agencies;

16 (C) a description of how any foreign assist-
17 ance planned to be transferred or repro-
18 grammed pursuant to subsection (a) will differ
19 from, complement, and leverage funds allocated
20 by—

21 (i) each government for countries in
22 which the United States will use funds au-
23 thorized by this Act; and

24 (ii) other governmental, nongovern-
25 mental, and intergovernmental donors; and

1 (D) a description of—

2 (i) the resources each government de-
3 scribed in subparagraph (C)(i) possess to
4 prevent, prepare for, and respond to the
5 Zika virus; and

6 (ii) the political will of each govern-
7 ment described in subparagraph (C)(i) to
8 use the resources described in clause (i).

9 (c) FOLLOW UP REPORT.—Not later than November
10 30, 2017, the Secretary of Health and Human Services,
11 in coordination with the Secretary of State and the Ad-
12 ministrator of the United States Agency for International
13 Development, shall submit to the appropriate Congres-
14 sional committees, a report that contains a full account-
15 ing, on a program level, of funds transferred or repro-
16 grammed pursuant to subsection (a). Such report shall,
17 to the greatest extent practicable, contain a comparison
18 of the full accounting contained in the report to the origi-
19 nal spending plan described in subsection (b)(2).

20 (d) LIMITATION ON AUTHORITY.—The authority pro-
21 vided in the section to reprogram and obligate funds shall
22 terminate on September 30, 2017.

23 (e) PROHIBITION.—No transfers or reprogramming
24 of funds under this section shall be made from the funds
25 designated by Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii).

4 (f) DEFINITION.—In this section, the term “appro-
5 priate Congressional committees” means the Committee
6 on Appropriations and the Committee on Homeland Secu-
7 rity and Governmental Affairs of the Senate and the Com-
8 mittee on Appropriations and the Committee on Oversight
9 and Government Reform of the House of Representatives.