

115TH CONGRESS  
2D SESSION

# H. R. 5975

To support businesses in Puerto Rico, extend child tax credits for families in Puerto Rico, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2018

Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. BISHOP of Utah, Mr. MACARTHUR, Mr. DUFFY, Mr. CURBELO of Florida, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Small Business, Financial Services, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To support businesses in Puerto Rico, extend child tax credits for families in Puerto Rico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Puerto Rico Economic Empowerment Act of 2018”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TAX RELIEF

Sec. 101. Temporary employee payroll tax cut for residents of Puerto Rico.

Sec. 102. Equal treatment of Puerto Rican families with 1 or more children that is currently provided to families with 3 or more children.

TITLE II—FLEXIBILITY FOR PUERTO RICO IN SMALL BUSINESS ADMINISTRATION PROGRAMS

Sec. 201. Short title.

Sec. 202. Definitions.

Subtitle A—Lending

Sec. 211. Microloan program for Puerto Rico small business concerns.

Subtitle B—Procurement

Sec. 221. Priority for surplus property transfers.

Sec. 222. Subcontracting incentives for protege firms that are Puerto Rico businesses.

Sec. 223. Additional mentor-protege relationships for protege firms that are Puerto Rico businesses.

Subtitle C—Entrepreneurial Development

Sec. 231. FAST grant program for Puerto Rico.

Subtitle D—Small Business Administration Oversight

Sec. 241. Requirement for the District Director of Puerto Rico.

Subtitle E—Disaster Loan Program Expansion

Sec. 251. Amendment to definition of disaster for 7(b) loans.

Subtitle F—Amendment to the Investment Company Act of 1940

Sec. 261. Termination of exemption for companies in territories of the United States.

TITLE III—ECONOMIC STATISTICS

Sec. 301. Definition.

Sec. 302. Inclusion of Puerto Rico in Census surveys.

Sec. 303. Federal Statistical Research Data Center.

TITLE IV—OFFSETS

Sec. 401. Prevention and Public Health Fund.

**TITLE I—TAX RELIEF****SEC. 101. TEMPORARY EMPLOYEE PAYROLL TAX CUT FOR  
RESIDENTS OF PUERTO RICO.**

(a) IN GENERAL.—Notwithstanding any other provision of law, in the case of a qualified resident of Puerto Rico—

(1) there shall be allowed a credit against the tax imposed by section 1401(a) of the Internal Revenue Code of 1986 for any taxable year which begins in the payroll tax holiday period an amount equal to 3.1 percent of the lesser of—

(A) the self-employment income (as defined in section 1402(b) of such Code) derived from sources within Puerto Rico (as determined under section 937(b) of such Code) for the taxable year, or

(B) the net earnings from self-employment (as defined in section 1402(a) of such Code) for the taxable year, and

(2) with respect to remuneration received during the payroll tax holiday period for services performed as an employee within Puerto Rico (except amounts received for services performed as an employee of the United States or any agency thereof), the rate of tax under 3101(a) of such Code shall be

1 3.1 percent (including for purposes of determining  
2 the applicable percentage under sections 3201(a)  
3 and 3211(a)(1) of such Code).

4 (b) SPECIAL RULES.—

5 (1) APPLICATION OF RULE FOR SPECIAL RE-  
6 FUNDS.—In the case of a qualified resident of Puer-  
7 to Rico to whom subsection (a)(2) applies, the first  
8 sentence of section 6413(c)(1) of the Internal Rev-  
9 enue Code of 1986 shall be applied by substituting  
10 for “exceeds the tax with respect to the amount of  
11 such wages received in such year which is equal to  
12 such contribution and benefit base” the following:  
13 “exceeds the sum of—

14 “(1) 3.1 percent of the lesser of—

15 “(A) the wages received in such year to  
16 which section 2(a)(2) of the Puerto Rico Eco-  
17 nomic Empowerment Act of 2018 applies, or

18 “(B) the contribution and benefit base,  
19 plus

20 “(2) 6.2 percent of the lesser of—

21 “(A) the wages received in such year to  
22 which such section does not apply, or

23 “(B) the contribution and benefits base re-  
24 duced (but not below zero) by the amount of

1 wages taken into account under paragraph  
2 (1).”.

3 (2) EMPLOYER LIABILITY.—An employer who  
4 receives an attestation from an employee, in such  
5 form and manner as directed by the Secretary of the  
6 Treasury (or the Secretary’s delegate), that such  
7 employee is a qualified resident of Puerto Rico shall  
8 not be liable under section 3102 or 3202 of the In-  
9 ternal Revenue Code of 1986 for any failure to col-  
10 lect taxes in excess of the rate which applies under  
11 this section unless a reasonable person would deter-  
12 mine that such attestation is not true and correct.

13 (3) DE MINIMIS SERVICES.—For purposes of  
14 subsection (a)(2), services performed as an employee  
15 outside of Puerto Rico shall not be taken into ac-  
16 count if such services are de minimis.

17 (c) DEFINITIONS.—

18 (1) QUALIFIED RESIDENT.—The term “quali-  
19 fied resident” means, with respect to any calendar  
20 year, any individual—

21 (A) who was present in Puerto Rico for at  
22 least 183 days during the preceding calendar  
23 year, and

24 (B) who, as of the first day of the calendar  
25 year, does not have a tax home (determined

1           under the principles of section 911(d)(3) of the  
2           Internal Revenue Code of 1986 without regard  
3           to the second sentence thereof) outside of Puer-  
4           to Rico and does not have a closer connection  
5           (determined under the principles of section  
6           7701(b)(3)(B)(ii) of such Code) to the United  
7           States or a foreign country than to Puerto  
8           Rico.

9           For purposes of subparagraph (A), the determina-  
10          tion of whether a person is present for any day shall  
11          be made under the principles of section 7701(b) of  
12          such Code.

13                 (2) PAYROLL TAX HOLIDAY PERIOD.—The term  
14          “payroll tax holiday period” means the period begin-  
15          ning after June 30, 2018, and ending before July 1,  
16          2020.

17                 (d) EMPLOYER NOTIFICATION.—The Secretary of  
18          the Treasury shall notify employers of the payroll tax holi-  
19          day period in any manner the Secretary deems appro-  
20          priate.

21                 (e) TRANSFERS OF FUNDS.—

22                         (1) TRANSFERS TO FEDERAL OLD-AGE AND  
23          SURVIVORS INSURANCE TRUST FUND.—There are  
24          hereby appropriated to the Federal Old-Age and  
25          Survivors Trust Fund and the Federal Disability In-

1       surance Trust Fund established under section 201  
2       of the Social Security Act (42 U.S.C. 401) amounts  
3       equal to the reduction in revenues to the Treasury  
4       by reason of the application of subsection (a).  
5       Amounts appropriated by the preceding sentence  
6       shall be transferred from the general fund at such  
7       times and in such manner as to replicate to the ex-  
8       tent possible the transfers which would have oc-  
9       curred to such Trust Fund had such amendments  
10      not been enacted.

11           (2) TRANSFERS TO SOCIAL SECURITY EQUIVA-  
12      LENT BENEFIT ACCOUNT.—There are hereby appro-  
13      priated to the Social Security Equivalent Benefit Ac-  
14      count established under section 15A(a) of the Rail-  
15      road Retirement Act of 1974 (45 U.S.C. 231n–1(a))  
16      amounts equal to the reduction in revenues to the  
17      Treasury by reason of the application of subsection  
18      (a)(2). Amounts appropriated by the preceding sen-  
19      tence shall be transferred from the general fund at  
20      such times and in such manner as to replicate to the  
21      extent possible the transfers which would have oc-  
22      curred to such Account had such amendments not  
23      been enacted.

24           (3) COORDINATION WITH OTHER LAWS.—For  
25      purposes of applying any provision of law other than

1 the provisions of the Internal Revenue Code of 1986,  
2 the rate of tax in effect under section 3101(a) of  
3 such Code shall be determined without regard to the  
4 reduction in such rate under this section.

5 **SEC. 102. EQUAL TREATMENT OF PUERTO RICAN FAMILIES**  
6 **WITH 1 OR MORE CHILDREN THAT IS CUR-**  
7 **RENTLY PROVIDED TO FAMILIES WITH 3 OR**  
8 **MORE CHILDREN.**

9 (a) IN GENERAL.—Section 24 of the Internal Rev-  
10 enue Code of 1986, as amended by section 11022 of Public  
11 Law 115–97, is amended by adding at the end the fol-  
12 lowing new subsection:

13 “(i) RESIDENTS OF PUERTO RICO.—In the case of  
14 an individual who is a bona fide resident of Puerto Rico  
15 during the entire taxable year—

16 “(1) subsection (d)(1)(B)(ii) shall be applied  
17 (after application of subsection (h)), by substituting  
18 ‘1 or more qualifying children’ for ‘3 or more quali-  
19 fying children’, and

20 “(2) for purposes of subclause (I) of such sub-  
21 section, such individual’s social security taxes for  
22 such taxable year shall be determined as if section  
23 101 of the Puerto Rico Economic Empowerment Act  
24 of 2018 did not apply.”.



1 (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall apply to taxable years beginning after  
3 December 31, 2017.

4 **TITLE II—FLEXIBILITY FOR**  
5 **PUERTO RICO IN SMALL BUSI-**  
6 **NESS ADMINISTRATION PRO-**  
7 **GRAMS**

8 **SEC. 201. SHORT TITLE.**

9 This title may be cited as the “Puerto Rico Oppor-  
10 tunity, Small Business Prosperity, and Economic Revital-  
11 ization Act of 2018”.

12 **SEC. 202. DEFINITIONS.**

13 (a) IN GENERAL.—In this title:

14 (1) ADMINISTRATION; ADMINISTRATOR.—The  
15 terms “Administration” and “Administrator” mean  
16 the Small Business Administration and the Adminis-  
17 trator thereof.

18 (2) MICROLOAN PROGRAM.—The term  
19 “microloan program” means the program estab-  
20 lished under section 7(m) of the Small Business Act  
21 (15 U.S.C. 636(m)).

22 (3) OVERSIGHT BOARD TERMINATION DATE.—  
23 The term “Oversight Board termination date”  
24 means the date on which the Oversight Board estab-  
25 lished under section 101 of the Puerto Rico Over-

1 sight, Management, and Economic Stability Act (48  
2 U.S.C. 2121) terminates.

3 (4) PUERTO RICO.—The term “Puerto Rico”  
4 means the Commonwealth of Puerto Rico.

5 (5) PUERTO RICO BUSINESS.—The term “Puer-  
6 to Rico business” means a small business concern  
7 that has its principal office located in the Common-  
8 wealth of Puerto Rico.

9 (6) SMALL BUSINESS CONCERN.—The term  
10 “small business concern” has the meaning given the  
11 term in section 3 of the Small Business Act (15  
12 U.S.C. 632).

13 (b) SMALL BUSINESS ACT.—Section 3 of the Small  
14 Business Act (15 U.S.C. 632) is amended by adding at  
15 the end the following:

16 “(ee) PUERTO RICO BUSINESS.—In this Act, the  
17 term ‘Puerto Rico business’ means a small business con-  
18 cern that has its principal office located in the Common-  
19 wealth of Puerto Rico.”.

## 20 **Subtitle A—Lending**

### 21 **SEC. 211. MICROLOAN PROGRAM FOR PUERTO RICO SMALL** 22 **BUSINESS CONCERNS.**

23 (a) INCREASE IN ACCESS TO CAPITAL FOR CERTAIN  
24 INTERMEDIARIES.—Section 7(m)(3)(C) of the Small Busi-  
25 ness Act (15 U.S.C. 636(m)(3)(C)) is amended—

1           (1) by inserting “and except as provided in  
2           clause (ii)” after “subsection (a)(3)”;

3           (2) by striking “Notwithstanding” and insert-  
4           ing the following:

5                           “(i) IN GENERAL.—Notwithstanding”;

6                           and

7           (3) by adding at the end the following:

8                           “(ii) EXCEPTION FOR CERTAIN PUER-  
9                           TO RICO BUSINESSES.—

10                           “(I) IN GENERAL.—No loan shall  
11                           be made under this subsection if the  
12                           total amount outstanding and com-  
13                           mitted to 1 covered intermediary (ex-  
14                           cluding outstanding grants) from the  
15                           business loan and investment fund es-  
16                           tablished by this Act would, as a re-  
17                           sult of such loan, exceed \$6,000,000  
18                           in the remaining years of the covered  
19                           intermediary’s participation in the  
20                           program.

21                           “(II) DEFINITION.—In this  
22                           clause, the term ‘covered inter-  
23                           mediary’ means an intermediary  
24                           that—

1                   “(aa) is participating in the  
2                   program; and

3                   “(bb) submits to the Admin-  
4                   istrator a certification that not  
5                   less than 20 percent of the  
6                   microloans made by the inter-  
7                   mediary under this subsection,  
8                   during such period as the Admin-  
9                   istrator may specify, will be made  
10                  to Puerto Rico businesses.”.

11               (b) WAIVER OF 25/75 RULE FOR MICROLOANS TO  
12               PUERTO RICO SMALL BUSINESS CONCERNS.—Section  
13               7(m)(4)(E) of the Small Business Act (15 U.S.C.  
14               636(m)(4)(E)) is amended—

15               (1) in clause (i), by striking “Each” and insert-  
16               ing “Except as provided in clause (iii), each”; and  
17               (2) by adding at the end the following:

18                       “(iii) EXCEPTION FOR CERTAIN  
19                       INTERMEDIARIES.—The Administrator  
20                       shall waive the requirements of clause (i)  
21                       for an intermediary for which not less than  
22                       25 percent of the loans made by the inter-  
23                       mediary are made to Puerto Rico busi-  
24                       nesses.”.

1 (c) SBA STUDY.—Not later than 1 year after the  
2 date of enactment of this Act, the Administrator shall con-  
3 duct a study and submit to the Committee on Small Busi-  
4 ness and Entrepreneurship of the Senate and the Com-  
5 mittee on Small Business of the House of Representatives  
6 a report on the following:

7 (1) The operations (including services provided,  
8 structure, size, and area of operation) of a rep-  
9 resentative sample of—

10 (A) intermediaries that are eligible for par-  
11 ticipation in the microloan program and that  
12 participate in the microloan program; and

13 (B) intermediaries (including those oper-  
14 ated for profit, operated as nonprofit organiza-  
15 tions, and affiliated with a United States insti-  
16 tution of higher learning (as defined in section  
17 3452 of title 38, United States Code)) that are  
18 so eligible and that do not participate in the  
19 microloan program.

20 (2) The reasons why intermediaries described in  
21 paragraph (1)(B) choose not to participate in the  
22 microloan program.

23 (3) Recommendations on how to encourage in-  
24 creased participation in the microloan program by  
25 intermediaries described in paragraph (1)(B).

1           (4) Recommendations for increasing the num-  
2           ber of intermediaries located in the territories of the  
3           United States or in economically distressed areas (as  
4           defined in section 7(m)(11)(D) of the Small Busi-  
5           ness Act (15 U.S.C. 636(m)(11)(D))) that are eligi-  
6           ble for participation in the microloan program.

7           (5) Recommendations on how to decrease the  
8           costs associated with participation in the microloan  
9           program for eligible intermediaries.

10          (d) GAO STUDY ON MICROLOAN INTERMEDIARY  
11 PRACTICES.—Not later than 1 year after the date of en-  
12 actment of this Act, the Comptroller General of the United  
13 States shall submit to the Committee on Small Business  
14 and Entrepreneurship of the Senate and the Committee  
15 on Small Business of the House of Representatives a re-  
16 port evaluating—

17           (1) oversight of the microloan program by the  
18           Administration, including oversight of intermediaries  
19           participating in the microloan program; and

20           (2) the specific processes used by the Adminis-  
21           tration to ensure—

22                   (A) compliance by intermediaries partici-  
23                   pating in the microloan program; and

24                   (B) the overall performance of the  
25                   microloan program.

## 1                   **Subtitle B—Procurement**

### 2   **SEC. 221. PRIORITY FOR SURPLUS PROPERTY TRANSFERS.**

3           Section 7(j)(13)(F) of the Small Business Act (15  
4 U.S.C. 636(j)(13)(F)) is amended by adding at the end  
5 the following:

6                   “(iii)(I) In this clause, the term ‘covered period’  
7 means the period beginning on the date of enact-  
8 ment of this clause and ending on the date on which  
9 the Oversight Board established under section 101  
10 of the Puerto Rico Oversight, Management, and  
11 Economic Stability Act (48 U.S.C. 2121) termi-  
12 nates.

13                   “(II) The Administrator may transfer tech-  
14 nology or surplus property under clause (i) on a pri-  
15 ority basis to a Puerto Rico business if the Puerto  
16 Rico business meets the requirements for such a  
17 transfer, without regard to whether the Puerto Rico  
18 business is a Program Participant.”.

### 19   **SEC. 222. SUBCONTRACTING INCENTIVES FOR PROTEGE** 20                   **FIRMS THAT ARE PUERTO RICO BUSINESSES.**

21           Section 45(a) of the Small Business Act (15 U.S.C.  
22 657r(a)) is amended by adding at the end the following:

23                   “(3) PUERTO RICO SMALL BUSINESS CON-  
24           CERNS.—

1           “(A) IN GENERAL.—During the period be-  
2           ginning on the date of enactment of this para-  
3           graph and ending on the date on which the  
4           Oversight Board established under section 101  
5           of the Puerto Rico Oversight, Management, and  
6           Economic Stability Act (48 U.S.C. 2121) termi-  
7           nates, the Administrator shall provide addi-  
8           tional incentives to covered mentors, including  
9           providing additional credit for subcontracts  
10          awarded to covered proteges and costs incurred  
11          for providing training to covered proteges.

12          “(B) DEFINITIONS.—In this paragraph—

13                 “(i) the term ‘covered mentor’ means  
14                 a mentor that enters into an agreement  
15                 under this Act, or under any mentor-pro-  
16                 tege program approved under subsection  
17                 (b)(1), with a covered protege; and

18                 “(ii) the term ‘covered protege’ means  
19                 a protege—

20                         “(I) of a covered mentor; and

21                         “(II) that has its principal office  
22                         located in the Commonwealth of Puer-  
23                         to Rico.”.



1 **SEC. 223. ADDITIONAL MENTOR-PROTEGE RELATIONSHIPS**  
 2 **FOR PROTEGE FIRMS THAT ARE PUERTO**  
 3 **RICO BUSINESSES.**

4 Section 45(b)(3)(A) of the Small Business Act (15  
 5 U.S.C. 657r(b)(3)(A)) is amended by inserting “, except  
 6 that such restrictions shall not apply to a relationship that  
 7 was entered into before the date on which the Oversight  
 8 Board established under section 101 of the Puerto Rico  
 9 Oversight, Management, and Economic Stability Act (48  
 10 U.S.C. 2121) terminates and in which the principal office  
 11 of the protege is located in the Commonwealth of Puerto  
 12 Rico” after “each participant”.

13 **Subtitle C—Entrepreneurial**  
 14 **Development**

15 **SEC. 231. FAST GRANT PROGRAM FOR PUERTO RICO.**

16 (a) **IN GENERAL.**—Section 34 of the Small Business  
 17 Act (15 U.S.C. 657d) is amended by adding at the end  
 18 the following:

19 “(j) **FAST GRANT PROGRAM FOR PUERTO RICO.**—

20 “(1) **ESTABLISHMENT.**—The Administrator  
 21 shall establish a program that shall be part of the  
 22 FAST program to make awards to, or enter into co-  
 23 operative agreements with, a Puerto Rico business.

24 “(2) **TECHNICAL ASSISTANCE.**—If no applicant  
 25 is selected to receive assistance under this sub-  
 26 section, the Administrator shall use amounts appro-

1        priated to carry out this subsection to provide busi-  
 2        ness advice and counseling to a Puerto Rico busi-  
 3        ness.

4            “(3) WAIVER OF MATCHING REQUIREMENTS.—  
 5        The Administrator may, upon application, waive the  
 6        matching requirements under subsection (e)(2) for  
 7        an applicant that receives an award or has in effect  
 8        a cooperative agreement under this subsection.

9            “(4) FUNDING.—There is authorized to be ap-  
 10       appropriated \$100,000 for fiscal year 2019, and each  
 11       fiscal year thereafter, to carry out this subsection.”.

12        (b) PROSPECTIVE REPEAL.—Effective on the Over-  
 13       sight Board termination date, section 34 of the Small  
 14       Business Act (15 U.S.C. 657d), as amended by subsection  
 15       (a), is amended by striking subsection (j).

16            **Subtitle D—Small Business**  
 17            **Administration Oversight**

18        **SEC. 241. REQUIREMENT FOR THE DISTRICT DIRECTOR OF**  
 19            **PUERTO RICO.**

20        (a) IN GENERAL.—During the period beginning on  
 21       the date of enactment of this Act and ending on the Over-  
 22       sight Board termination date, the director of the district  
 23       office of the Administration located in Puerto Rico shall  
 24       submit directly to Congress and the Administrator an an-

1 nual report on the activities of the Administration in Puer-  
2 to Rico.

3 (b) COORDINATION.—In preparing each report de-  
4 scribed in subsection (a), the director described in such  
5 subsection shall consult with other Federal agencies to col-  
6 lect data on grants, programs, and outreach activities car-  
7 ried out by such agencies that affect any Puerto Rico busi-  
8 ness.

## 9 **Subtitle E—Disaster Loan Program** 10 **Expansion**

### 11 **SEC. 251. AMENDMENT TO DEFINITION OF DISASTER FOR** 12 **7(b) LOANS.**

13 (a) IN GENERAL.—Section 3(k)(2) of the Small Busi-  
14 ness Act (15 U.S.C. 632(k)(2)) is amended—

15 (1) in subparagraph (B), by striking “and” at  
16 the end;

17 (2) in subparagraph (C), striking the period  
18 and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(D) communicable diseases for which the Fed-  
21 eral Government issues a travel alert or travel warn-  
22 ing.”.

23 (b) APPLICABILITY.—The amendment made by sub-  
24 section (a) shall apply to a communicable disease—

1 (1) for which the Federal Government issues a  
2 travel alert or travel warning before, on, or after the  
3 date of enactment of this Act; and

4 (2) the effects of which are experienced on or  
5 after the date of enactment of this Act.

6 **Subtitle F—Amendment to the**  
7 **Investment Company Act of 1940**

8 **SEC. 261. TERMINATION OF EXEMPTION FOR COMPANIES**  
9 **IN TERRITORIES OF THE UNITED STATES.**

10 (a) IN GENERAL.—Section 6(a) of the Investment  
11 Company Act of 1940 (15 U.S.C. 80a–6(a)) is amended—

12 (1) by striking paragraph (1); and

13 (2) by redesignating paragraphs (2) through  
14 (5) as paragraphs (1) through (4), respectively.

15 (b) EFFECTIVE DATE AND SAFE HARBOR.—

16 (1) EFFECTIVE DATE.—Except as provided in  
17 paragraph (2), the amendment made by subsection  
18 (a) shall take effect on the date of enactment of this  
19 Act.

20 (2) SAFE HARBOR.—With respect to a company  
21 that is exempt under section 6(a)(1) of the Invest-  
22 ment Company Act of 1940 (15 U.S.C. 80a–  
23 6(a)(1)), as in effect on the day before the date of  
24 enactment of this Act, the amendment made by sub-

1 section (a) shall take effect on the date that is 3  
2 years after the date of enactment of this Act.

3 (3) **EXTENSION OF SAFE HARBOR.**—The Secu-  
4 rities and Exchange Commission, by rule and regula-  
5 tion upon its own motion, or by order upon applica-  
6 tion, may conditionally or unconditionally, under sec-  
7 tion 6(c) of the Investment Company Act of 1940  
8 (15 U.S.C. 80a–6(c)), further delay the effective  
9 date for a company described in paragraph (2) to be  
10 not later than the date that is 6 years after the date  
11 of enactment of this Act if, before the end of the ini-  
12 tial 3-year period, the Commission determines that  
13 such a rule, regulation, motion, or order is necessary  
14 or appropriate in the public interest and for the pro-  
15 tection of investors.

## 16 **TITLE III—ECONOMIC** 17 **STATISTICS**

### 18 **SEC. 301. DEFINITION.**

19 In this title, the term “Secretary” means the Sec-  
20 retary of Commerce, acting through the Director of the  
21 Bureau of the Census.

### 22 **SEC. 302. INCLUSION OF PUERTO RICO IN CENSUS SUR-** 23 **VEYS.**

24 (a) **STUDY ON INCLUSION IN CURRENT POPULATION**  
25 **SURVEY.**—The Secretary shall study the feasibility of in-

1 cluding Puerto Rico in the Current Population Survey  
2 conducted by the Secretary.

3 (b) INTERAGENCY WORKING GROUP ON IMPROVING  
4 DATA.—

5 (1) ESTABLISHMENT.—The Chief Statistician  
6 of the United States shall establish a technical inter-  
7 agency working group to study the most effective ap-  
8 proach to improving the quality and availability of  
9 data about or from Puerto Rico for the purpose of  
10 Federal statistical programs.

11 (2) REPORT.—Not later than October 31,  
12 2018, and on a quarterly basis thereafter, the tech-  
13 nical interagency working group established under  
14 paragraph (1) shall submit a report on the activities  
15 and findings of the working group to—

16 (A) the Committee on Finance of the Sen-  
17 ate; and

18 (B) the Committee on Ways and Means of  
19 the House of Representatives.

20 (c) INCLUSION IN OTHER SURVEYS AND PROGRAMS  
21 OF THE BUREAU OF THE CENSUS.—The Secretary shall  
22 conduct a proof of concept for including, or expanding the  
23 inclusion of, Puerto Rico in each of the following surveys  
24 and programs conducted by the Secretary:

1           (1) The Census of Governments and Related  
2           Annual Programs.

3           (2) The Survey of Business Owners.

4           (3) The Building Permits Survey.

5           (4) The Quarterly Workforce Indicators, de-  
6           rived from the Longitudinal Employer-Household  
7           Dynamics Program.

8           (5) The Statistics of U.S. Businesses.

9   **SEC. 303. FEDERAL STATISTICAL RESEARCH DATA CENTER.**

10          (a) IN GENERAL.—The Secretary shall establish a fa-  
11          cility, to be known as the “Federal Statistical Research  
12          Data Center”, in San Juan, Puerto Rico.

13          (b) DUAL CAPACITY.—The facility established under  
14          subsection (a) shall serve as both—

15                 (1) an office of the International Trade Man-  
16                 agement Division of the Bureau of the Census; and

17                 (2) a research data center of the Bureau of the  
18                 Census.

19                         **TITLE IV—OFFSETS**

20   **SEC. 401. PREVENTION AND PUBLIC HEALTH FUND.**

21          Section 4002(b) of the Patient Protection and Af-  
22          fordable Care Act (42 U.S.C. 300u–11(b)), as amended  
23          by section 53119 of Public Law 115–123, is amended—

24                 (1) in paragraph (3), by striking  
25                 “\$900,000,000” and inserting “\$841,000,000”;

1           (2) in paragraph (4), by striking  
2           “\$900,000,000” and inserting “\$848,000,000”;  
3           (3) by striking paragraphs (5) through (8);  
4           (4) by redesignating paragraph (9) as para-  
5           graph (7); and  
6           (5) by inserting after paragraph (4) the fol-  
7           lowing new paragraphs:  
8           “(5) for fiscal year 2020, \$900,000,000;  
9           “(6) for each fiscal year during the period of  
10          fiscal years 2021 through 2027, \$700,000,000;  
11          and;”.

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