H. R. 2577

[Report No. 114–129]

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2015

Mr. DIAZ-BALART, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
Departments of Transportation, and Housing and Urban
Development, and related agencies for the fiscal year end-
ing September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary,
$105,000,000, of which not to exceed $2,734,000 shall be
available for the immediate Office of the Secretary; not
to exceed $1,025,000 shall be available for the immediate
Office of the Deputy Secretary; not to exceed $20,066,000
shall be available for the Office of the General Counsel;
not to exceed $9,310,000 shall be available for the Office
of the Under Secretary of Transportation for Policy; not
to exceed $12,808,000 shall be available for the Office of
the Assistant Secretary for Budget and Programs; not to
exceed $2,500,000 shall be available for the Office of the
Assistant Secretary for Governmental Affairs; not to ex-
ceed $26,029,000 shall be available for the Office of the
Assistant Secretary for Administration; not to exceed
$2,029,000 shall be available for the Office of Public Affairs; not to exceed $1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed $10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $15,937,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.
For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $11,386,000, of which $8,218,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

(INCLUDING TRANSFER OF FUNDS)

For capital investments in surface transportation infrastructure, $100,000,000, to remain available through September 30, 2018: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible
for funding provided under this heading shall include, but
not be limited to, highway or bridge projects eligible under
title 23, United States Code; public transportation
projects eligible under chapter 53 of title 49, United
States Code; passenger and freight rail transportation
projects; and port infrastructure investments (including
inland port infrastructure and land ports of entry): Pro-
vided further, That the Secretary may use up to 20 per-
cent of the funds made available under this heading for
the purpose of paying the subsidy and administrative costs
of projects eligible for Federal credit assistance under
chapter 6 of title 23, United States Code, if the Secretary
finds that such use of the funds would advance the pur-
poses of this paragraph: Provided further, That in distrib-
uting funds provided under this heading, the Secretary
shall take such measures so as to ensure an equitable geo-
graphic distribution of funds, an appropriate balance in
addressing the needs of urban and rural areas, and the
investment in a variety of transportation modes: Provided
further, That a grant funded under this heading shall be
not less than $2,000,000 and not greater than
$15,000,000: Provided further, That not more than 20
percent of the funds made available under this heading
may be awarded to projects in a single State: Provided
further, That the Federal share of the costs for which an
expenditure is made under this heading shall be, at the option of the recipient, up to 50 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 10 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to $5,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.
FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $1,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $7,000,000 to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,600,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development ac-
tivities, and making grants, to remain available until ex-
pended, $5,976,000.

WORKING CAPITAL FUND

For necessary expenses for operating costs and cap-
itial outlays of the Working Capital Fund, not to exceed
$181,500,000 shall be paid from appropriations made
available to the Department of Transportation: Provided,
That such services shall be provided on a competitive basis
to entities within the Department of Transportation: Pro-
vided further, That the above limitation on operating ex-
penses shall not apply to non-DOT entities: Provided fur-
ther, That no funds appropriated in this Act to an agency
of the Department shall be transferred to the Working
Capital Fund without majority approval of the Working
Capital Fund Steering Committee and approval of the
Secretary: Provided further, That no assessments may be
levied against any program, budget activity, subactivity or
project funded by this Act unless notice of such assess-
ments and the basis therefor are presented to the House
and Senate Committees on Appropriations and are ap-
proved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $336,000, as au-
thorized by 49 U.S.C. 332: Provided, That such costs, in-
cluding the cost of modifying such loans, shall be as de-
fined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $597,000.

**SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH**

For necessary expenses for small and disadvantaged business utilization and outreach activities, $4,518,000, to remain available until September 30, 2017: *Provided,* That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

**PAYMENTS TO AIR CARRIERS**

 *(AIRPORT AND AIRWAY TRUST FUND)*

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $155,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided,* That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further,* That basic essential air service minimum requirements
shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.
Sec. 102. The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

Sec. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department’s Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: Provided, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

Sec. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

Sec. 105. In addition to authority provided by section 327 of title 49, United States Code, the Department’s Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies for transit benefit distribution services that are necessary to carry out
the Federal transit pass transportation fringe benefit pro-
gram under Executive Order 13150 and section 3049 of
Public Law 109–59: Provided, That the Department shall
maintain a reasonable operating reserve in the Working
Capital Fund, to be expended in advance to provide unin-
terrupted transit benefits to Government employees, pro-
vided that such reserve will not exceed one month of bene-
fits payable: Provided further, that such reserve may be
used only for the purpose of providing for the continuation
of transit benefits, provided that the Working Capital
Fund will be fully reimbursed by each customer agency
for the actual cost of the transit benefit.

Federal Aviation Administration

Operations

(Airport and Airway Trust Fund)

For necessary expenses of the Federal Aviation Ad-
ministration, not otherwise provided for, including oper-
ations and research activities related to commercial space
transportation, administrative expenses for research and
development, establishment of air navigation facilities, the
operation (including leasing) and maintenance of aircraft,
subsidizing the cost of aeronautical charts and maps sold
to the public, lease or purchase of passenger motor vehi-
cles for replacement only, in addition to amounts made
available by Public Law 112–95, $9,847,700,000 of which
$8,831,250,000 shall be derived from the Airport and Air-
way Trust Fund, of which not to exceed $7,505,293,000
shall be available for air traffic organization activities; not
to exceed $1,258,411,000 shall be available for aviation
safety activities; not to exceed $16,605,000 shall be avail-
able for commercial space transportation activities; not to
exceed $725,000,000 shall be available for finance and
management activities; not to exceed $60,089,000 shall be
available for NextGen and operations planning activities;
and not to exceed $282,302,000 shall be available for staff
offices: Provided, That not to exceed 2 percent of any
budget activity, except for aviation safety budget activity,
may be transferred to any budget activity under this head-
ing: Provided further, That no transfer may increase or
decrease any appropriation by more than 2 percent: Pro-
vided further, That any transfer in excess of 2 percent
shall be treated as a reprogramming of funds under sec-
tion 405 of this Act and shall not be available for obliga-
tion or expenditure except in compliance with the proce-
dures set forth in that section: Provided further, That not
later than March 31 of each fiscal year hereafter, the Ad-
ministrator of the Federal Aviation Administration shall
transmit to Congress an annual update to the report sub-
mitted to Congress in December 2004 pursuant to section
221 of Public Law 108–176: Provided further, That the
amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation as offsetting collections funds received from
States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $154,400,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acqui-
sition of necessary sites by lease or grant; construction
and furnishing of quarters and related accommodations
for officers and employees of the Federal Aviation Admin-
istration stationed at remote localities where such accom-
modations are not available; and the purchase, lease, or
transfer of aircraft from funds available under this head-
ing, including aircraft for aviation regulation and certifi-
cation; to be derived from the Airport and Airway Trust
Fund, $2,500,000,000, of which $460,000,000 shall re-
main available until September 30, 2016, and
$2,040,000,000 shall remain available until September 30,
2018: Provided, That there may be credited to this appro-
priation funds received from States, counties, municipali-
ties, other public authorities, and private sources, for ex-
penses incurred in the establishment, improvement, and
modernization of national airspace systems: Provided fur-
ther, That upon initial submission to the Congress of the
fiscal year 2017 President’s budget, the Secretary of
Transportation shall transmit to the Congress a com-
prehensive capital investment plan for the Federal Avia-
tion Administration which includes funding for each budg-
et line item for fiscal years 2017 through 2021, with total
funding for each year of the plan constrained to the fund-
ing targets for those years as estimated and approved by
the Office of Management and Budget: Provided further,
That the amount herein appropriated shall be reduced by $100,000 per day for each day after the initial submission of the fiscal year 2017 President’s budget that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $156,750,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under sub-
chapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Pro-
gram, and not less than $31,000,000 shall be available for Airport Technology Research.

ADMINISTRATIVE PROVISIONS

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on below-market rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under
49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.
SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner’s or operator’s aircraft registration number from any display of the Federal Aviation Administration’s Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal
Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

Sec. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

Federal Highway Administration

Limitation on Administrative Expenses

(Highway Trust Fund)

(Including Transfer of Funds)

Contingent upon enactment of authorization legislation, not to exceed $426,100,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.
Contingent upon enactment of authorization legislation, funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of such authorization legislation shall not exceed total obligations of $40,256,000,000 for fiscal year 2016: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.
Contingent upon enactment of authorization legislation, for the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Sec. 120. Contingent upon enactment of authorization legislation:

(a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—
(A) made available from the Highway Trust Fund (other than the Mass Transit Ac-
count) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums au-
thorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the
amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under such authorization legislation and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under such authorization legislation or title 23, United States Code (other than the amounts apportioned for the National Highway Performance Pro-
gram in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, or such authorization legislation to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, or such authorization legislation to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);
(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but
only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to $639,000,000).

(c) Redistribution of Unused Obligation Authority.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of
Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) the transportation research programs sections of such authorization legislation.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute
to the States any funds (excluding funds authorized
for the program under section 202 of title 23,
United States Code) that—

(A) are authorized to be appropriated for
such fiscal year for Federal-aid highway pro-
grams; and

(B) the Secretary determines will not be
allocated to the States (or will not be apportioned to the States under section 204 of title
23, United States Code), and will not be avail-
able for obligation, for such fiscal year because
of the imposition of any obligation limitation for
such fiscal year.

(2) **RATIO.**—Funds shall be distributed under
paragraph (1) in the same proportion as the dis-
tribution of obligation authority under subsection
(a)(5).

(3) **AVAILABILITY.**—Funds distributed to each
State under paragraph (1) shall be available for any
purpose described in section 133(b) of title 23,
United States Code.

Sec. 121. Notwithstanding 31 U.S.C. 3302, funds re-
ceived by the Bureau of Transportation Statistics from the
sale of data products, for necessary expenses incurred pur-
suant to chapter 63 of title 49, United States Code, may
be credited to the Federal-aid highways account for the
purpose of reimbursing the Bureau for such expenses:
Provided, That such funds shall be subject to the obliga-
tion limitation for Federal-aid highway and highway safety
construction programs.

Sec. 122. Not less than 15 days prior to waiving,
under his or her statutory authority, any Buy America re-
quirement for Federal-aid highways projects, the Sec-
retary of Transportation shall make an informal public no-
tice and comment opportunity on the intent to issue such
waiver and the reasons therefor: Provided, That the Sec-
retary shall provide an annual report to the House and
Senate Committees on Appropriations on any waivers
granted under the Buy America requirements.

Sec. 123. None of the funds in this Act to the De-
partment of Transportation may be used to provide credit
assistance unless not less than 3 days before any applica-
tion approval to provide credit assistance under sections
603 and 604 of title 23, United States Code, the Secretary
of Transportation provides notification in writing to the
following committees: the House and Senate Committees
on Appropriations; the Committee on Environment and
Public Works and the Committee on Banking, Housing
and Urban Affairs of the Senate; and the Committee on
Transportation and Infrastructure of the House of Rep-
resentatives: Provided, That such notification shall in-
clude, but not be limited to, the name of the project spon-
sor; a description of the project; whether credit assistance
will be provided as a direct loan, loan guarantee, or line
of credit; and the amount of credit assistance.

SEC. 124. Section 127 of title 23, United States
Code, is amended by adding at the end the following:

“(m) LONGER COMBINATION VEHICLES IN IDAHO.—
No limit or other prohibition under this section, except
as provided in this subsection, applies to a longer combi-
ation vehicle operating on a segment of the Interstate Sys-
tem in the State of Idaho if such vehicle—

“(1) has a gross vehicle weight of 129,000
pounds or less;

“(2) complies with the single axle, tandem axle,
and bridge formula limits set forth in subsection (a);
and

“(3) is authorized to operate on such segment
under Idaho State Law.”.

SEC. 125. Section 31111(b)(1)(A) of title 49, United
States Code, is amended by striking “or of less than 28
feet on a semitrailer or trailer operating in a truck tractor-
semitrailer-trailer combination,” and inserting “or, not-
withstanding section 31112, of less than 33 feet on a
semitrailer or trailer operating in a truck tractor-
semitrailer-trailer combination,”.

SEC. 126. EXEMPTION.—

(a) IN GENERAL.—Section 31112(c)(5) of title 49,
United States Code, is amended—

(1) by striking “Nebraska may” and inserting
“Nebraska and Kansas may”; and

(2) by striking “the State of Nebraska” and in-
serting “the relevant state”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—

Section 31112(c) of such title is amended—

(1) by striking the subsection designation and
heading and inserting the following:

“(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA,
IOWA, NEBRASKA, AND KANSAS.—”;

(2) by striking “; and” at the end of paragraph
(3) and inserting a semicolon; and

(3) by striking the period at the end of para-
graph (4) and inserting “; and”.

SEC. 127. Section 130(e)(1) of title 23, United States
Code, is amended by striking “$220,000,000” and insert-
ing “$350,000,000”.
Contingent upon enactment of authorization legislation, for payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, and as extended by Public Law 113–159, $259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, and as extended by Public Law 113–159, shall not exceed total obligations of $259,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2016, of which $9,000,000, to
remain available for obligation until September 30, 2018,
is for the research and technology program, and of which
$34,545,000, to remain available for obligation until Sep-
tember 30, 2018, is for information management: Pro-
vided further, That $1,000,000 shall be made available for
commercial motor vehicle operator grants to carry out sec-
tion 4134 of Public Law 109–59, as amended by Public
Law 112–141, and as extended by Public Law 113–159.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legisla-
tion, for payment of obligations incurred in carrying out
sections 31102, 31104(a), 31106, 31107, 31109, 31309,
31313 of title 49, United States Code, and sections 4126
and 4128 of Public Law 109–59, as amended by Public
Law 112–141, as extended by Public Law 113–159,
$313,000,000, to be derived from the Highway Trust
Fund (other than the Mass Transit Account) and to re-
main available until expended: Provided, That funds avail-
able for the implementation or execution of motor carrier
safety programs shall not exceed total obligations of
$313,000,000 in fiscal year 2016 for “Motor Carrier Safe-
ty Grants”; of which $218,000,000 shall be available for
the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver’s license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: Provided further, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Sec. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

Sec. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

Sec. 132. None of the funds appropriated or otherwise made available by this Act or any other Act may be
used to implement, administer, or enforce sections 395.3(e) and 395.3(d) of title 49, Code of Federal Regulations, and such section shall have no force or effect on submission of the final report issued by the Secretary, as required by section 133 of Division K of Public Law 113–235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report—

(1) meets the statutory requirements set forth in such section; and

(2) establishes that commercial motor vehicle drivers who operated under the restart provisions in effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in effect on June 30, 2013.

Sec. 133. None of the funds limited or otherwise made available under the heading “Motor Carrier Safety Operations and Programs” may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier’s Haz-
ardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. None of the funds made available by this Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code.

SEC. 135. None of the funds made available by this Act or previous appropriations Acts under the heading “Motor Carrier Safety Operations and Programs” shall be used to pay for costs associated with design, development, testing, or implementation of a wireless roadside inspection program until 180 days after the Secretary of Transportation certifies to the House and Senate Committees on Appropriations that such program does not conflict with existing non-Federal electronic screening systems, create capabilities already available, or require additional
statutory authority to incorporate generated inspection data into safety determinations or databases, and has restrictions to specifically address privacy concerns of affected motor carriers and operators: Provided, That nothing in this section shall be construed as affecting the Department’s ongoing research efforts in this area.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $150,000,000, of which $20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $125,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available
for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $125,000,000, of which $120,000,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the $120,000,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years: Provided further, That $6,500,000 of the total obligation limitation for operations and research in fiscal year 2016 shall be applied toward unobligated balances of contract authority provided in prior Acts for carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent on the enactment of authorization legislation, for payment of obligations incurred in carrying out provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law 112–141, to remain
available until expended, $561,500,000, to be derived from
the Highway Trust Fund (other than the Mass Transit
Account): Provided, That none of the funds in this Act
shall be available for the planning or execution of pro-
grams the total obligations for which, in fiscal year 2016,
are in excess of $561,500,000 for programs authorized
under 23 U.S.C. 402 and 405, section 2009 of Public Law
109–59, as amended by Public Law 112–141, and section
31101(a)(6) of Public Law 112–141, of which
$235,000,000 shall be for “Highway Safety Programs”
under 23 U.S.C. 402; $272,000,000 shall be for “National
Priority Safety Programs” under 23 U.S.C. 405;
$29,000,000 shall be for the “High Visibility Enforcement
Program” under section 2009 of Public Law 109–59, as
amended by Public Law 112–141; $25,500,000 shall be
for “Administrative Expenses” under section 31101(a)(6)
of Public Law 112–141: Provided further, That none of
these funds shall be used for construction, rehabilitation,
or remodeling costs, or for office furnishings and fixtures
for State, local or private buildings or structures: Provided
further, That not to exceed $500,000 of the funds made
available for “National Priority Safety Programs” under
23 U.S.C. 405 for “Impaired Driving Countermeasures”
(as described in subsection (d) of that section) shall be
available for technical assistance to the States: Provided
further, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: 

Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 60 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Sec. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

Sec. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

Sec. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.
SEC. 143. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration’s National Roadside Survey.

SEC. 144. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $186,870,000, of which $15,400,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT

FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such di-
rect loan or loan guarantee is outstanding. Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary’s assessment of the Corporation’s seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $288,500,000, to remain available until expended: Provided, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary’s satisfaction: Provided further, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in
electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: Provided further, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: Provided further, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: Provided further, That the Corporation’s budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: Provided further, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: Provided further, That the preceding proviso does not apply to routes where
the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $850,000,000, to remain available until expended, of which not to exceed $160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: Provided, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: Provided further, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: Provided further, That of the amounts made available under this heading, up to $20,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading “Oper-
ating Grants to the National Railroad Passenger Corpora-
tion” be insufficient to meet operational costs for fiscal
year 2016: Provided further, That the Secretary may re-
tain up to one-half of 1 percent of the funds provided
under this heading to fund the costs of project manage-
ment and oversight of activities authorized by subsections
101(a) and 101(e) of division B of Public Law 110–432:
Provided further, That the Secretary shall approve funding
for capital expenditures, including advance purchase or-
ders of materials, for the Corporation only after receiving
and reviewing a grant request for each specific capital
project justifying the Federal support to the Secretary’s
satisfaction: Provided further, That except as otherwise
provided herein, none of the funds under this heading may
be used to subsidize operating losses of the Corporation:
Provided further, That none of the funds under this head-
ing may be used for capital projects not approved by the
Secretary of Transportation or on the Corporation’s fiscal
year 2016 business plan: Provided further, That in addi-
tion to the project management oversight funds authorized
under section 101(d) of division B of Public Law 110–
432, the Secretary may retain up to an additional
$3,000,000 of the funds provided under this heading to
fund expenses associated with implementing section 212
of division B of Public Law 110–432, including the
amendments made by section 212 to section 24905 of title 49, United States Code: *Provided further*, That Amtrak shall conduct a business case analysis on capital investments that exceed $10,000,000 in life-cycle costs: *Provided further*, That each contract for a capital acquisition that exceeds $10,000,000 in life cycle costs shall state that funding is subject to the availability of appropriated funds provided by an appropriations Act.

**ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION**

**Sec. 150.** The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

**Sec. 151.** None of the funds provided to the National Railroad Passenger Corporation may be used to fund any
overtime costs in excess of $35,000 for any individual em-
ployee: Provided, That the President of Amtrak may waive
the cap set in the previous proviso for specific employees
when the President of Amtrak determines such a cap
poses a risk to the safety and operational efficiency of the
system: Provided further, That Amtrak shall report to the
House and Senate Committees on Appropriations each
quarter of the calendar year on waivers granted to employ-
ees and amounts paid above the cap for each month within
such quarter and delineate the reasons each waiver was
granted: Provided further, That the President of Amtrak
shall report to the House and Senate Committees on Ap-
propriations by March 1, 2016, a summary of all overtime
payments incurred by the Corporation for 2015 and the
three prior calendar years: Provided further, That such
summary shall include the total number of employees that
received waivers and the total overtime payments the Cor-
poration paid to those employees receiving waivers for
each month for 2015 and for the three prior calendar
years.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal
Transit Administration’s programs authorized by chapter
53 of title 49, United States Code, $102,933,000, of which
not more than $4,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $750,000 shall be available to carry out the provisions of 49 U.S.C. 5326: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2017 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of authorization legislation, for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Pro-
vided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH
For necessary expenses to carry out 49 U.S.C. 5312, $26,000,000.

TECHNICAL ASSISTANCE AND TRAINING
For necessary expenses to carry out 49 U.S.C. 5314, $3,000,000.

CAPITAL INVESTMENT GRANTS
For necessary expenses to carry out 49 U.S.C. 5309, $1,921,395,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $100,000,000, to remain available until expended: Provided, That the Secretary shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a re-
quest for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making significant progress in eliminating the material weaknesses, significant deficiencies, and minor control deficiencies identified in the most recent Financial Management Oversight Review: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Sec. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

Sec. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading Fixed Guideway Capital Investment of the Fed-
eral Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

Sec. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

Sec. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 50 percent.

Sec. 164. (a) Loss of Eligibility.—Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.
(b) EXCEPTION FOR A NEW ELECTION.—The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

(1) voters in the jurisdiction that includes such locations approve a ballot proposition that specifies routes on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas; and

(2) the proposed construction of such routes is part of a comprehensive, multi-modal, service-area wide transportation plan that includes multiple additional segments of fixed guideway capital projects, including light rail for the jurisdiction set forth in the ballot proposition. The ballot language shall include reasonable cost estimates, sources of revenue to be used and the total amount of bonded indebtedness to be incurred as well as a description of each route and the beginning and end point of each proposed transit project.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, with-
in the limits of funds and borrowing authority available
to the Corporation, and in accord with law, and to make
such contracts and commitments without regard to fiscal
year limitations as provided by section 104 of the Govern-
ment Corporation Control Act, as amended, as may be
necessary in carrying out the programs set forth in the
Corporation’s budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations,
maintenance, and capital asset renewal activities of those
portions of the Saint Lawrence Seaway owned, operated,
and maintained by the Saint Lawrence Seaway Develop-
ment Corporation, $32,042,000, to be derived from the
Harbor Maintenance Trust Fund, pursuant to Public Law
99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a
U.S.-flag merchant fleet to serve the national security
needs of the United States, $186,000,000, to remain avail-
able until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training ac-
tivities authorized by law, $164,158,000, of which
$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which $1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which $19,700,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $3,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreement: Provided, That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: Provided further, That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United States Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Ad
ministrator of the Maritime Administration shall hold all
allotments made by the Secretary of Transportation or the
Assistant Secretary for Budget and Programs under the
previous proviso: Provided further, That 50 percent of the
funding made available for the United States Merchant
Marine Academy under this heading shall be available only
after the Secretary, in consultation with the Super-
intendent and the Maritime Administrator, completes a
plan detailing by program or activity how such funding
will be expended at the Academy, and this plan is sub-
mitted to the House and Senate Committees on Appro-
piations.

SHIP DISPOSAL

For necessary expenses related to the disposal of ob-
solete vessels in the National Defense Reserve Fleet of the
Maritime Administration, $4,000,000, to remain available
until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the mari-
time guaranteed loan program, $3,135,000 shall be paid
to the appropriations for “Maritime Administration—Op-
erations and Training”.

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ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: Pro-

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vided, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: Provided further, That nothing contained herein shall affect the Maritime Administration’s authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or otherwise authorized under the Federal Acquisition Regulation.

**Pipeline and Hazardous Materials Safety Administration**

**Operational Expenses**

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $20,725,000.

**Hazardous Materials Safety**

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $60,500,000, of which $7,570,000 shall remain available until September 30, 2018: Provided, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to
be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(Pipeline Safety Fund)

(Oil Spill Liability Trust Fund)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $145,870,000, of which $19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which $124,500,000 shall be derived from the Pipeline Safety Fund, of which $66,309,000 shall remain available until September 30, 2018: Provided, That not less than $1,000,000 of the funds provided under this heading shall be for the One-Call state grant program.
EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: Provided, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): Provided further, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $86,223,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to inves-
tigate allegations of fraud, including false statements to
the government (18 U.S.C. 1001), by any person or entity
that is subject to regulation by the Department: Provided
further, That the funds made available under this heading
may be used to investigate, pursuant to section 41712 of
title 49, United States Code: (1) unfair or deceptive prac-
tices and unfair methods of competition by domestic and
foreign air carriers and ticket agents; and (2) the compli-
ance of domestic and foreign air carriers with respect to
item (1) of this proviso: Provided further, That hereafter
funds transferred to the Office of the Inspector General
through forfeiture proceedings or from the Department of
Justice Assets Forfeiture Fund or the Department of the
Treasury Forfeiture Fund, as a participating agency, as
an equitable share from the forfeiture of property in inves-
tigations in which the Office of Inspector General partici-
pates, or through the granting of a Petition for Remission
or Mitigation, shall be deposited to the credit of this ac-
count for law enforcement activities authorized under the
Inspector General Act of 1978, as amended, to remain
available until expended.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transpor-
tation Board, including services authorized by 5 U.S.C.
3109, $31,375,000: Provided, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than $30,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Sec. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

Sec. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for
individuals not to exceed the per diem rate equivalent to
the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for
salaries and expenses of more than 110 political
and Presidential appointees in the Department of Trans-
portation: Provided, That none of the personnel covered
by this provision may be assigned on temporary detail out-
side the Department of Transportation.

SEC. 183. (a) No recipient of funds made available
in this Act shall disseminate personal information (as de-
 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
ment of motor vehicles in connection with a motor vehicle
record as defined in 18 U.S.C. 2725(1), except as provided
2721.

(b) Notwithstanding subsection (a), the Secretary
shall not withhold funds provided in this Act for any
grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway
Administration, Federal Transit Administration, and Fed-
eral Railroad Administration from States, counties, mun-
icipalities, other public authorities, and private sources
for expenses incurred for training may be credited respec-
tively to the Federal Highway Administration’s “Federal-
Aid Highways” account, the Federal Transit Administra-

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tion’s “Technical Assistance and Training” account, and

to the Federal Railroad Administration’s “Safety and Op-
erations” account, except for State rail safety inspectors
participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the De-
partment of Transportation may be used to make a loan,
loan guarantee, line of credit, or grant unless the Sec-
retary of Transportation notifies the House and Senate
Committees on Appropriations not less than 3 full busi-
ness days before any project competitively selected to re-
ceive a discretionary grant award, any discretionary grant
award, letter of intent, loan commitment, loan guarantee
commitment, line of credit commitment, or full funding
grant agreement totaling $750,000 or more is announced
by the department or its modal administrations from:

(1) any discretionary grant or federal credit
program of the Federal Highway Administration in-
cluding the emergency relief program;

(2) the airport improvement program of the
Federal Aviation Administration;

(3) any program of the Federal Railroad Ad-
ministration;

(4) any program of the Federal Transit Admin-
istration other than the formula grants and fixed
guideway modernization programs;
(5) any program of the Maritime Administration; or

(6) any funding provided under the headings “National Infrastructure Investments” in this Act:

Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any “quick release” of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—
(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appro-
priations of the amount and reasons for such transfer. \textit{Provided further}, That for purposes of this section, the term “improper payments” has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

\textbf{SEC. 188.} Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the Committees on Appropriations: \textit{Provided}, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

\textbf{SEC. 189.} None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil
suit filing fees under section 1914 of title 28, United States Code.

Sec. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

Sec. 191. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

Sec. 192. None of the funds made available by this Act shall be used by the Surface Transportation Board to take any actions with respect to the construction of a high speed rail project in California unless the permit is issued by the Board with respect to the project in its entirety.

Sec. 193. None of the funds made available in this Act may be used to facilitate new scheduled air transportation originating from the United States if such flights would land on, or pass through, property confiscated by
the Cuban Government, including property in which a minority interest was confiscated, as the terms confiscated, Cuban Government, and property are defined in paragraphs (4), (5), and (12)(A), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023 (4), (5), and (12)(A)): Provided, That for this section, new scheduled air transportation shall include any flights not already regularly scheduled prior to March 31, 2015.

This title may be cited as the “Department of Transportation Appropriations Act, 2016”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: Provided, That not to exceed $25,000 of the amount made available under this heading shall be avail-
able to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

(INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses for Administrative Support Offices, $547,000,000, of which $45,600,000, to remain available until expended, in addition to amounts made available under this heading for the Office of the Chief Financial Officer and the Office of the Chief Human Capital Officer, shall be for funding shared service agreements between the Department of Housing and Urban Development and the Department of the Treasury; $39,000,000 shall be available for the Office of the Chief Financial Officer; $93,000,000 shall be available for the Office of the General Counsel; $199,000,000 shall be available for the Office of Administration; $40,000,000 shall be available for the Office of the Chief Human Capital Officer; $49,000,000 shall be available for the Office of Field Policy and Management; $16,000,000 shall be available for the Office of the Chief Procurement Officer; $3,000,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,000,000 shall be available for the Office of Strategic Planning and Management; $44,000,000 shall be available for the Office of the Chief Information Officer; and of which the remaining
amount shall be available through September 30, 2017,
for transfer to the appropriations for offices specified
under this heading or the heading “Program Office Salaries and Expenses” in this title. Provided, That funds pro-
vided under this heading may be used for necessary ad-
ministrative and non-administrative expenses of the De-
partment of Housing and Urban Development, not other-
wise provided for, including purchase of uniforms, or al-
lowances therefor, as authorized by 5 U.S.C. 5901–5902;
hire of passenger motor vehicles; and services as author-
ized by 5 U.S.C. 3109: Provided further, That notwith-
standing any other provision of law, funds appropriated
under this heading may be used for advertising and pro-
motional activities that directly support program activities
funded in this title: Provided further, That the Secretary
shall provide the Committees on Appropriations quarterly
written notification regarding the status of pending con-
gressional reports: Provided further, That the Secretary
shall provide in electronic form all signed reports required
by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES
PUBLIC AND INDIAN HOUSING
For necessary salaries and expenses of the Office of
Public and Indian Housing, $203,000,000.
COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $102,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $372,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $22,700,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $73,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $6,700,000.

PUBLIC AND INDIAN HOUSING PROGRAMS

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, $15,918,643,000 to remain available until September 30, 2018, shall be available on October 1, 2015 (in addition to the $4,000,000,000 previously appropriated under this
heading that became available on October 1, 2015), and $4,000,000,000, to remain available until September 30, 2019, shall be available on October 1, 2016: Provided,
That the amounts made available under this heading are provided as follows:

(1) $18,151,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose or incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies partici-
pating in the Moving To Work (MTW) demonstration, the
Secretary may take into account the anticipated impact
of changes in targeting and utility allowances, on public
housing agencies’ contract renewal needs: Provided fur-
ther, That none of the funds provided under this para-
graph may be used to fund a total number of unit months
under lease which exceeds a public housing agency’s au-
thorized level of units under contract, except for public
housing agencies participating in the MTW demonstra-
tion, which are instead governed by the terms and condi-
tions of their MTW agreements: Provided further, That
the Secretary shall, to the extent necessary to stay within
the amount specified under this paragraph (except as oth-
erwise modified under this paragraph), prorate each public
housing agency’s allocation otherwise established pursuant
to this paragraph: Provided further, That except as pro-
vided in the following provisos, the entire amount specified
under this paragraph (except as otherwise modified under
this paragraph) shall be obligated to the public housing
agencies based on the allocation and pro rata method de-
scribed above, and the Secretary shall notify public hous-
ing agencies of their annual budget by the latter of 60
days after enactment of this Act or March 1, 2016: Pro-
vided further, That the Secretary may extend the notifica-
tion period with the prior written approval of the House
and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies’ calendar year 2016 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2016 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after appli-
cation for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; (4) for adjustments for public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation, and for additional leasing of vouchers that were issued but not leased prior to the end of such calendar year; (5) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding; and (6) for adjustments in the allocations for public housing agencies that experienced a significant increase, as determined by the Secretary, in renewal costs as a result of participation in the Small Area Fair Market Rent demonstration: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;
(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be
available as assisted housing, subject only to the availability of funds: Provided further, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of (1) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (2) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (3) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: Provided further, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): Provided further, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 120 days of the enactment of this Act: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be re-
issued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary, for the purpose under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,530,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided,

That no less than $1,520,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based
on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;
(4) $107,643,210 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses. Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND
(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated. Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that
have been terminated shall be rescinded: Provided further,
That amounts heretofore recaptured, or recaptured during
the current fiscal year, from section 8 project-based con-
tracts from source years fiscal year 1975 through fiscal
year 1987 are hereby rescinded, and an amount of addi-
tional new budget authority, equivalent to the amount re-
scinded is hereby appropriated, to remain available until
expended, for the purposes set forth under this heading,
in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to
carry out capital and management activities for public
housing agencies, as authorized under section 9 of the
United States Housing Act of 1937 (42 U.S.C. 1437g)
(“the Act”), $1,681,000,000, to remain available until
September 30, 2019: Provided, That notwithstanding any
other provision of law or regulation, during fiscal year
2016 the Secretary of Housing and Urban Development
may not delegate to any Department official other than
the Deputy Secretary and the Assistant Secretary for
Public and Indian Housing any authority under paragraph
(2) of section 9(j) regarding the extension of the time peri-
ods under such section: Provided further, That for pur-
poses of such section 9(j), the term “obligate” means, with
respect to amounts, that the amounts are subject to a
binding agreement that will result in outlays, immediately or in the future: Provided further, That up to $3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: Provided further, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Provided further, That of the total amount provided under this heading $30,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, up to $15,000,000 may be used for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That the funding provided under the previous proviso
shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may set aside a portion of the funds provided for the Resident Opportunity and Self-Sufficiency program to support the services element of the Jobs-Plus Pilot initiative: Provided further, That the Secretary may allow PHAs to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice:
Provided further, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,440,000,000.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neigh-
borhoods with appropriate services, schools, public assets,
transportation and access to jobs, $20,000,000, to remain
available until September 30, 2018: Provided, That grant
funds may be used for resident and community services,
community development, and affordable housing needs in
the community, and for conversion of vacant or foreclosed
properties to affordable housing: Provided further, That
the use of funds made available under this heading shall
not be deemed to be public housing notwithstanding sec-
tion 3(b)(1) of such Act: Provided further, That grantees
shall commit to an additional period of affordability deter-
mined by the Secretary of not fewer than 20 years: Pro-
vided further, That grantees shall undertake comprehen-
sive local planning with input from residents and the com-
munity, and that grantees shall provide a match in State,
local, other Federal or private funds: Provided further,
That grantees may include local governments, tribal enti-
ties, public housing authorities, and nonprofits: Provided
further, That for-profit developers may apply jointly with
a public entity: Provided further, That for purposes of en-
vironmental review, a grantee shall be treated as a public
housing agency under section 26 of the United States
Housing Act of 1937 (42 U.S.C. 1437x), and grants under
this heading shall be subject to the regulations issued by
the Secretary to implement such section: Provided further,
That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2017: Provided, That the Secretary may, by Federal Register notice, waive
or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of multifamily properties with project-based subsidy contracts under section 8 may compete for funding under this heading and/or voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2020: Provided, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine
the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: Provided further, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That of the amounts made available under this heading, $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: Provided further, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaran-
ted notes and other obligations, as authorized by title VI
of NAHASDA: Provided further, That such costs, includ-
ing the costs of modifying such notes and other obliga-
tions, shall be as defined in section 502 of the Congres-
sional Budget Act of 1974, as amended: Provided further,
That these funds are available to subsidize the total prin-
cipal amount of any notes and other obligations, any part
of which is to be guaranteed, not to exceed $17,452,007:
Provided further, That the Department will notify grantees
of their formula allocation within 60 days of the date of
enactment of this Act: Provided further, notwithstanding
section 302(d) of NAHASDA, if on January 1, 2016, a
recipient’s total amount of undisbursed block grants in the
Department’s line of credit control system is greater than
three times the formula allocation it would otherwise re-
ceive under this heading, the Secretary shall adjust that
recipient’s formula allocation down by the difference be-
tween its total amount of undisbursed block grants in the
Department’s line of credit control system on January 1,
2016, and three times the formula allocation it would oth-
erwise receive: Provided further, That grant amounts not
allocated to a recipient pursuant to the previous proviso
shall be allocated under the need component of the for-
mula proportionately among all other Indian tribes not
subject to an adjustment: Provided further, That the two
previous provisos shall not apply to any Indian tribe that
would otherwise receive a formula allocation of less than
$5,000,000: Provided further, That to take effect, the
three previous provisos do not require the issuance of any
regulation.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
ACCOUNT

For the cost of guaranteed loans, as authorized by
section 184 of the Housing and Community Development
Act of 1992 (12 U.S.C. 1715z-13a), $8,000,000, to re-
main available until expended: Provided, That such costs,
including the costs of modifying such loans, shall be as
defined in section 502 of the Congressional Budget Act
of 1974: Provided further, That these funds are available
to subsidize total loan principal, any part of which is to
be guaranteed, up to $1,269,841,270, to remain available
until expended: Provided further, That up to $750,000 of
this amount may be for administrative contract expenses
including management processes and systems to carry out
the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Per-
sons with AIDS program, as authorized by the AIDS
Housing Opportunity Act (42 U.S.C. 12901 et seq.),
$332,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,060,000,000, to remain available until September 30, 2018, unless otherwise specified: Provided, That of the total amount provided, $3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (“the Act” herein) (42 U.S.C. 5301 et seq.): Provided further, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading
shall be expended for planning and management development and administration: *Provided further,* That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further,* That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further,* That none of the funds made available under this heading may be used for grants for the Economic Development Initiative ("EDI") or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further,* That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further,* That of the total amount provided under this heading $60,000,000 shall be for grants to Indian tribes
notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT (INCLUDING RESCISSION)

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided further, That all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Devel-
opment under this heading are hereby permanently re-

HOME INVESTMENT PARTNERSHIPS PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as
authorized under title II of the Cranston-Gonzalez Na-
tional Affordable Housing Act, as amended,
$767,000,000, to remain available until September 30,
2019: Provided, That notwithstanding the amount made
available under this heading, the threshold reduction re-
quirements in sections 216(10) and 217(b)(4) of such Act
shall not apply to allocations of such amount: Provided
further, That the requirements under provisos 2 through
6 under this heading for fiscal year 2012 and such re-
quirements applicable pursuant to the “Full-Year Con-
tinuing Appropriations Act, 2013”, shall not apply to any
project to which funds were committed on or after August
23, 2013, but such projects shall instead be governed by
the Final Rule titled “Home Investment Partnerships
Program; Improving Performance and Accountability; Up-
dating Property Standards” which became effective on
such date: Provided further, That notwithstanding para-
graphs (1)(B)(i) or (2)(B)(i) of section 1337(a) of the
Housing and Community Development Act of 1992 (12
U.S.C. 4567(a)), amounts allocated under such para-
graphs shall be credited to, made available, and merged
with this account: Provided further, That no amounts
made available by any provision of law may be transferred,
reprogrammed, or credited to the Housing Trust Fund.

SELF-HELP AND ASSISTED HOMEOWNERSHIP
OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Op-
portunity Program, as authorized under section 11 of the
Housing Opportunity Program Extension Act of 1996, as
amended, $50,000,000, to remain available until Sep-
tember 30, 2018: Provided, That of the total amount pro-
vided under this heading, $10,000,000 shall be made
available to the Self-Help and Assisted Homeownership
Opportunity Program as authorized under section 11 of
the Housing Opportunity Program Extension Act of 1996,
as amended: Provided further, That of the total amount
provided under this heading, $35,000,000 shall be made
available for the second, third, and fourth capacity build-
ing activities authorized under section 4(a) of the HUD
Demonstration Act of 1993 (42 U.S.C. 9816 note), of
which not less than $5,000,000 shall be made available
for rural capacity building activities: Provided further,
That of the total amount provided under this heading,
$5,000,000 shall be made available for capacity building
by national rural housing organizations with experience
assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, $2,185,000,000, to remain available until September 30, 2018: Provided, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: Provided further, That not less than $250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: Provided further, That not less than $1,905,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: Provided further, That up to $5,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided
further, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: Provided further, That the Secretary shall establish minimum project performance thresholds for each grantee under the continuum of care program based on program performance data: Provided further, That none of the funds provided under this heading shall be available to renew any expiring contract or amendment to a contract funded under the continuum of care program unless the Secretary determines that the expiring contract or amendment to a contract is needed under the applicable continuum of care and meets appropriate program requirements, financial standards, and performance measures, including the minimum performance thresholds established in the previous proviso: Provided further, That the Secretary shall prioritize funding under the continuum of care program to grant applica-
tions that demonstrate a capacity to reallocate funding
from lower performing projects to higher performing
projects: Provided further, That all awards of assistance
under this heading shall be required to coordinate and in-
tegrate homeless programs with other mainstream health,
social services, and employment programs for which home-
less populations may be eligible: Provided further, That
with respect to funds provided under this heading for the
continuum of care program for fiscal years 2013, 2014,
2015, and 2016 provision of permanent housing rental as-
sistance may be administered by private nonprofit organi-
zations: Provided further, That any unobligated amounts
remaining from funds appropriated under this heading in
fiscal year 2012 and prior years for project-based rental
assistance for rehabilitation projects with 10-year grant
terms may be used for purposes under this heading, not-
withstanding the purposes for which such funds were ap-
propriated: Provided further, That all balances for Shelter
Plus Care renewals previously funded from the Shelter
Plus Care Renewal account and transferred to this ac-
count shall be available, if recaptured, for continuum of
care renewals in fiscal year 2016: Provided further, That
the Department shall notify grantees of their formula allo-
cation from amounts allocated (which may represent ini-
tial or final amounts allocated) for the emergency solu-
HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, $10,254,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2015), and $400,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership
Act of 1990, and for administrative and other expenses
associated with project-based activities and assistance
funded under this paragraph: Provided further, That of
the total amounts provided under this heading, not to ex-
ceed $150,000,000 shall be available for performance-
based contract administrators for section 8 project-based
assistance, for carrying out 42 U.S.C. 1437(f): Provided
further, That the Secretary of Housing and Urban Devel-
opment may also use such amounts in the previous proviso
for performance-based contract administrators for the ad-
ministration of: interest reduction payments pursuant to
section 236(a) of the National Housing Act (12 U.S.C.
1715z-1(a)); rent supplement payments pursuant to sec-
tion 101 of the Housing and Urban Development Act of
1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
assistance contracts for the elderly under section
202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
project rental assistance contracts for supportive housing
for persons with disabilities under section 811(d)(2) of the
Cranston-Gonzalez National Affordable Housing Act (42
U.S.C. 8013(d)(2)); project assistance contracts pursuant
to section 202(h) of the Housing Act of 1959 (Public Law
86–372; 73 Stat. 667); and loans under section 202 of
the Housing Act of 1959 (Public Law 86–372; 73 Stat.
Provided further, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project
rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $414,000,000 to remain available until September 30, 2019: Provided, That of the amount provided under this heading, up to $77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are
in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019, for purposes under this heading, and shall be in addition to the amounts otherwise provided under this heading for such purposes: Provided further, That in addition, of the prior year unobligated balances of funds, including recaptures and carryover, made available under this heading, $47,000,000 shall be used for an additional amount for the purposes provided under this heading, notwithstanding any purpose for which originally appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gon-
alez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $152,000,000, to remain available until September 30, 2019: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding
the purposes for which such funds originally were appropriated.

**HOUSING COUNSELING ASSISTANCE**

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $47,000,000, to remain available until September 30, 2017, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as is appropriate, subject to the availability of annual appropriations.
RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, $30,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $11,000,000, to remain available until expended, of which $11,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the ex-
tent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.
Federal Housing Administration

Mutual Mortgage Insurance Program Account

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2017: Provided, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided Further, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2017.

General and Special Risk Program Account

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: Provided, That during fiscal year 2016, gross
obligations for the principal amount of direct loans, as au-

thorized by sections 204(g), 207(l), 238, and 519(a) of

the National Housing Act, shall not exceed $5,000,000,

which shall be for loans to nonprofit and governmental en-
tities in connection with the sale of single family real prop-
erties owned by the Secretary and formerly insured under
such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out
the purposes of section 306 of the National Housing Act,
as amended (12 U.S.C. 1721(g)), shall not exceed
$500,000,000,000, to remain available until September
30, 2017: Provided, That $23,000,000 shall be available
for necessary salaries and expenses of the Office of Gov-
ernment National Mortgage Association: Provided further,
That receipts from Commitment and Multiclass fees col-
lected pursuant to title III of the National Housing Act,
as amended, shall be credited as offsetting collections to
this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of pro-
grams of research and studies relating to housing and
urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $52,500,000, to remain available until September 30, 2017: Provided, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided further, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: Provided further, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: Provided further, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees
on Appropriations on how it will allocate funding for this
activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not other-
wise provided for, as authorized by title VIII of the Civil
Rights Act of 1968, as amended by the Fair Housing
Amendments Act of 1988, and section 561 of the Housing
and Community Development Act of 1987, as amended,
$65,300,000, to remain available until September 30,
2017: Provided, That notwithstanding 31 U.S.C. 3302,
the Secretary may assess and collect fees to cover the costs
of the Fair Housing Training Academy, and may use such
funds to provide such training: Provided further, That no
funds made available under this heading shall be used to
lobby the executive or legislative branches of the Federal
Government in connection with a specific contract, grant,
or loan: Provided further, That of the funds made available
under this heading, $300,000 shall be available to the Sec-
retary of Housing and Urban Development for the cre-
ation and promotion of translated materials and other pro-
grams that support the assistance of persons with limited
English proficiency in utilizing the services provided by
the Department of Housing and Urban Development.
Office of Lead Hazard Control and Healthy Homes

Lead Hazard Reduction

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $75,000,000, to remain available until September 30, 2017: Provided, That up to $15,000,000 of that amount shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided further, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That amounts made available under this heading in this or prior appropriations Acts,
and that still remain available, may be used for any pur-
pose under this heading notwithstanding the purpose for
which such amounts were appropriated if a program com-
petition is undersubscribed and there are other program
competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infra-
structure for Department-wide and program-specific infor-
mation technology systems, for the continuing operation
and maintenance of both Department-wide and program-
specific information systems, and for program-related
maintenance activities, $100,000,000: Provided, That any
amounts transferred to this Fund under this Act shall re-
main available until expended: Provided further, That any
amounts transferred to this Fund from amounts appro-
priated by previously enacted appropriations Acts may be
used for the purposes specified under this Fund, in addi-
tion to any other information technology purposes for
which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of
Inspector General in carrying out the Inspector General
Act of 1978, as amended, $126,000,000: Provided, That
the Inspector General shall have independent authority
over all personnel issues within this office.
SEC. 201. Eighty five percent of the amounts of budget authority, or in lieu thereof 85 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate. Any amounts of budget authority or cash recaptured and not rescinded, returned to the Treasury, or otherwise awarded by September 30, 2016 shall be rescinded or in the case of cash, shall be remitted to the Treasury.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or
preventing action by a Government official or entity, or a court of competent jurisdiction.

Sec. 203. Sections 203 and 209 of division C of Public Law 112–55 (125 Stat. 693–694) shall apply during fiscal year 2016 as if such sections were included in this title, except that during such fiscal year such sections shall be applied by substituting “fiscal year 2016” for “fiscal year 2011” and for “fiscal year 2012” each place such terms appear, and shall be amended to reflect revised delineations of statistical areas established by the Office of Management and Budget pursuant to 44 U.S.C. 3504(c)(3), 31 U.S.C. 1104(d), and Executive Order No. 10253.

Sec. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

Sec. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for the

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2016 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for
new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President’s formal budget request for fiscal year 2017, as well as the Department of Housing and Urban Development’s congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, Cali-
fornia, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section,
for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(e) The transfer authorized in subsection (a) is subject to the following conditions:

(1) Number and bedroom size of units.—

(A) For occupied units in the transferring project: the number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.
(B) For unoccupied units in the transferring project: the Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.
(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations
are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt re-structuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;
(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term "project-based assistance" means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(e)(2) of the Housing Act of 1959; and
(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term “receiving project or projects” means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term “transferring project” means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational ef-
1. efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

2. SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

3. (1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

4. (2) is under 24 years of age;

5. (3) is not a veteran;

6. (4) is unmarried;

7. (5) does not have a dependent child;

8. (6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

9. (7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

10. (b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United
States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

Sec. 214. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

Sec. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

Sec. 216. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a
contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and
safety after written notice to and informed consent of the
affected tenants and use of other available remedies, such
as partial abatements or receivership. After disposition of
any multifamily property described under this section, the
contract and allowable rent levels on such properties shall
be subject to the requirements under section 524 of
MAHRAA.

SEC. 217. The commitment authority funded by fees
as provided under the heading “Community Development
Loan Guarantees Program Account” may be used to guar-
antee, or make commitments to guarantee, notes or other
obligations issued by any State on behalf of non-entitle-
ment communities in the State in accordance with the re-
quirements of section 108 of the Housing and Community
Development Act of 1974: Provided, That any State re-
ceiving such a guarantee or commitment shall distribute
all funds subject to such guarantee to the units of general
local government in non-entitlement areas that received
the commitment.

SEC. 218. Public housing agencies that own and oper-
ate 400 or fewer public housing units may elect to be ex-
empt from any asset management requirement imposed by
the Secretary of Housing and Urban Development in con-
nection with the operating fund rule: Provided, That an
agency seeking a discontinuance of a reduction of subsidy
under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-
office under the accounts “Executive Offices” and “Ad-
ministrative Support Offices”, as well as each account re-
ceiving appropriations for “Program Office Salaries and
Expenses”, “Government National Mortgage Associa-
tion—Guarantees of Mortgage-Backed Securities Loan
Guarantee Program Account”, and “Office of Inspector
General” within the Department of Housing and Urban
Development.

SEC. 221. The Secretary of the Department of Hous-
ing and Urban Development shall, for fiscal year 2016,
notify the public through the Federal Register and other
means, as determined appropriate, of the issuance of a no-
tice of the availability of assistance or notice of funding
availability (NOFA) for any program or discretionary
fund administered by the Secretary that is to be competi-
tively awarded. Notwithstanding any other provision of
law, for fiscal year 2016, the Secretary may make the
NOFA available only on the Internet at the appropriate
Government web site or through other electronic media,
as determined by the Secretary.

SEC. 222. Payment of attorney fees in program-re-
lated litigation must be paid from the individual program
office and Office of General Counsel personnel funding.
The annual budget submissions for program offices and
Office of General Counsel personnel funding must include
program-related litigation costs for attorney fees as a separate line item request.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a “program of the Department of Housing and Urban Development” under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42
U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;
(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating
and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

Sec. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under sec-
tion 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

Sec. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

Sec. 227. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

Sec. 228. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

Sec. 229. None of the funds made available in this Act shall be used by the Federal Housing Administration,
the Government National Mortgage Administration, or the
Department of Housing and Urban Development to in-
sure, securitize, or establish a Federal guarantee of any
mortgage or mortgage backed security that refines or
otherwise replaces a mortgage that has been subject to
eminent domain condemnation or seizure, by a state, mu-
nicipality, or any other political subdivision of a state.

Sec. 230. None of the funds made available by this Act may be used to terminate the status of a unit of gen-
eral local government as a metropolitan city (as defined in section 102 of the Housing and Community Develop-
ment Act of 1974 (42 U.S.C. 5302)) with respect to
grants under section 106 of such Act (42 U.S.C. 5306).

Sec. 231. Amounts made available under this Act which are either appropriated, allocated, advanced on a
reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for re-
search, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant,
or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in
that fiscal year or the subsequent fiscal year for the re-
search, evaluation, or statistical purposes for which the
amounts are made available to that Office subject to re-
programming requirements in Section 405 of this Act.

Sec. 232. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development to require a recipient or sub-recipient of funding for the purpose of land acquisition, affordable housing construction, or affordable housing rehabilitation to meet Energy Star standards or any other energy efficiency standards that exceed the requirements of applicable State and local building codes.

Sec. 233. Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated in section 1497(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 42 U.S.C. 5301 note) and section 2301(a) of title III of division B of the Housing and Economic Recovery Act of 2008 (Public Law 110–289; 42 U.S.C. 5301 note), $7,000,000 is hereby rescinded.

Sec. 234. (a) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading “Rural Housing and Economic Development” are hereby rescinded.

(b) Effective October 1, 2015, all unobligated bal-
funds appropriated to the Department of Housing and Urban Development for accounts under the headings “Management and Administration” and “Program Office Salaries and Expenses” in division K of Public Law 113–235 are rescinded.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2016”.

TITLE III—RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,548,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $25,660,000: Provided, That
not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,999,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the appli-
cable laws and regulations that govern such selections, ap-
pointments, and employment within Amtrak: Provided fur-
ther, That concurrent with the President’s budget request
for fiscal year 2017, the Inspector General shall submit
to the House and Senate Committees on Appropriations
a budget request for fiscal year 2017 in similar format
and substance to those submitted by executive agencies
of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transpor-
tation Safety Board, including hire of passenger motor ve-
hicles and aircraft; services as authorized by 5 U.S.C.
3109, but at rates for individuals not to exceed the per
diem rate equivalent to the rate for a GS–15; uniforms,
or allowances therefor, as authorized by law (5 U.S.C.
5901–5902), $103,981,000, of which not to exceed $2,000
may be used for official reception and representation ex-
penses. The amounts made available to the National
Transportation Safety Board in this Act include amounts
necessary to make lease payments on an obligation in-
curred in fiscal year 2001 for a capital lease.
NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $135,000,000, of which $5,000,000 shall be for a multi-family rental housing program: Provided, That in addition, $42,000,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation (NRC) shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by NRC based on affordability and the economic conditions of an area; a match also may be waived by NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of de-
faults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by NRC which determines where there is a prevalence of mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by NRC, and shall be approved by HUD or NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided di-
directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of mortgage foreclosure mitigation assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower’s financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by NRC that the procedures for selection do not consist of any procedures or activities that could be construed as a conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds
under this paragraph shall have demonstrated expe-
rience in successfully working with financial institu-
tions as well as borrowers facing default, delin-
quency and foreclosure as well as documented coun-
seling capacity, outreach capacity, past successful
performance and positive outcomes with documented
counseling plans (including post mortgage fore-
closure mitigation counseling), loan workout agree-
ments and loan modification agreements. NRC may
use other criteria to demonstrate capacity in under-
served areas.

(6) Of the total amount made available under
this paragraph, up to $2,000,000 may be made
available to build the mortgage foreclosure and de-
fault mitigation counseling capacity of counseling
intermediaries through NRC training courses with
HUD-approved counseling intermediaries and their
partners, except that private financial institutions
that participate in NRC training shall pay market
rates for such training.

(7) Of the total amount made available under
this paragraph, up to 5 percent may be used for as-
associated administrative expenses for NRC to carry
out activities provided under this section.
(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by NRC.

(9) NRC shall continue to report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

Sec. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties
intervening in regulatory or adjudicatory proceedings funded in this Act.

Sec. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

Sec. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;
(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

Sec. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;
(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the
baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

Sec. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such
funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or in-
strumetnality of the United States Government, except
pursuant to a transfer made by, or transfer authority pro-
vided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in
this Act shall be available to pay the salary for any person
filling a position, other than a temporary position, for-
merly held by an employee who has left to enter the Armed
Forces of the United States and has satisfactorily com-
pleted his or her period of active military or naval service,
and has within 90 days after his or her release from such
service or from hospitalization continuing after discharge
for a period of not more than 1 year, made application
for restoration to his or her former position and has been
certified by the Office of Personnel Management as still
qualified to perform the duties of his or her former posi-
tion and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this
Act may be expended by an entity unless the entity agrees
that in expending the assistance the entity will comply
with sections 2 through 4 of the Act of March 3, 1933
(41 U.S.C. 10a –10c, popularly known as the “Buy Amer-
ican Act”).

SEC. 411. No funds appropriated or otherwise made
available under this Act shall be made available to any
person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Sec. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

Sec. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

Sec. 414. None of the funds made available by this Act may be used by the Federal Maritime Commission or the Administrator of the Maritime Administration to issue
a license or certificate for a commercial vessel that docked
or anchored within the previous 180 days within 7 miles
of a port on property that was confiscated, in whole or
in part, by the Cuban Government, as the terms con-
fiscated, Cuban Government, and property are defined in
paragraphs (4), (5), and (12)(A), respectively, of section
4 of the Cuban Liberty and Democratic Solidarity

SPENDING REDUCTION ACCOUNT

SEC. 415. The amount by which the applicable alloca-
tion of new budget authority made by the Committee on
Appropriations of the House of Representatives under
Section 302(b) of the Congressional Budget Act of 1974
exceeds the amount of proposed new budget authority is
$0.

This Act may be cited as the “Transportation, Hous-
ing and Urban Development, and Related Agencies Appro-
priations Act, 2016”.
A Bill

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.

MAY 27, 2015

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Report No. 114–129

Union Calendar No. 92