

Calendar No. 138

114TH CONGRESS
1ST SESSION

H. R. 2577

[Report No. 114-75]

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2015

Received; read twice and referred to the Committee on Appropriations

JUNE 25, 2015

Reported by Ms. COLLINS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

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.

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

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Departments of Transportation, and Housing and Urban
4 Development, and related agencies for the fiscal year end-
5 ing September 30, 2016, and for other purposes, namely:

6 **TITLE I**

7 **DEPARTMENT OF TRANSPORTATION**

8 **OFFICE OF THE SECRETARY**

9 **SALARIES AND EXPENSES**

10 For necessary expenses of the Office of the Secretary,
11 \$105,000,000 (reduced by \$3,000,000) (reduced by
12 \$500,000) (reduced by \$4,000,000) (reduced by
13 \$4,000,000), of which not to exceed \$2,734,000 shall be
14 available for the immediate Office of the Secretary; not
15 to exceed \$1,025,000 shall be available for the immediate
16 Office of the Deputy Secretary; not to exceed \$20,066,000
17 (reduced by \$2,000,000) shall be available for the Office
18 of the General Counsel; not to exceed \$9,310,000 (reduced
19 by \$1,000,000) (reduced by \$500,000) shall be available
20 for the Office of the Under Secretary of Transportation
21 for Policy; not to exceed \$12,808,000 (reduced by
22 \$4,000,000) (reduced by \$1,000,000) shall be available for
23 the Office of the Assistant Secretary for Budget and Pro-
24 grams; not to exceed \$2,500,000 (reduced by \$250,000)
25 shall be available for the Office of the Assistant Secretary

1 for Governmental Affairs; not to exceed \$26,029,000 (re-
2 duced by \$500,000) (reduced by \$2,000,000) shall be
3 available for the Office of the Assistant Secretary for Ad-
4 ministration; not to exceed \$2,029,000 shall be available
5 for the Office of Public Affairs; not to exceed \$1,769,000
6 (reduced by \$250,000) shall be available for the Office of
7 the Executive Secretariat; not to exceed \$10,793,000 shall
8 be available for the Office of Intelligence, Security, and
9 Emergency Response; and not to exceed \$15,937,000 shall
10 be available for the Office of the Chief Information Offi-
11 cer. *Provided*, That the Secretary of Transportation is au-
12 thorized to transfer funds appropriated for any office of
13 the Office of the Secretary to any other office of the Office
14 of the Secretary. *Provided further*, That no appropriation
15 for any office shall be increased or decreased by more than
16 5 percent by all such transfers. *Provided further*, That no-
17 tice of any change in funding greater than 5 percent shall
18 be submitted for approval to the House and Senate Com-
19 mittees on Appropriations. *Provided further*, That not to
20 exceed \$60,000 shall be for allocation within the Depart-
21 ment for official reception and representation expenses as
22 the Secretary may determine. *Provided further*, That not-
23 withstanding any other provision of law, excluding fees au-
24 thorized in Public Law 107-71, there may be credited to
25 this appropriation up to \$2,500,000 in funds received in

1 user fees: *Provided further*, That none of the funds pro-
2 vided in this Act shall be available for the position of As-
3 sistant Secretary for Public Affairs.

4 **RESEARCH AND TECHNOLOGY**

5 For necessary expenses related to the Office of the
6 Assistant Secretary for Research and Technology,
7 \$11,386,000, of which \$8,218,000 shall remain available
8 until September 30, 2018: *Provided*, That there may be
9 credited to this appropriation, to be available until ex-
10 pended, funds received from States, counties, municipali-
11 ties, other public authorities, and private sources for ex-
12 penses incurred for training: *Provided further*, That any
13 reference in law, regulation, judicial proceedings, or else-
14 where to the Research and Innovative Technology Admin-
15 istration shall continue to be deemed to be a reference to
16 the Office of the Assistant Secretary for Research and
17 Technology of the Department of Transportation.

18 **NATIONAL INFRASTRUCTURE INVESTMENTS**

19 **(INCLUDING TRANSFER OF FUNDS)**

20 For capital investments in surface transportation in-
21 frastructure, \$100,000,000, to remain available through
22 September 30, 2018: *Provided*, That the Secretary of
23 Transportation shall distribute funds provided under this
24 heading as discretionary grants to be awarded to a State,
25 local government, transit agency, or a collaboration among

1 such entities on a competitive basis for projects that will
2 have a significant impact on the Nation, a metropolitan
3 area, or a region: *Provided further*, That projects eligible
4 for funding provided under this heading shall include, but
5 not be limited to, highway or bridge projects eligible under
6 title 23, United States Code; public transportation
7 projects eligible under chapter 53 of title 49, United
8 States Code; passenger and freight rail transportation
9 projects; and port infrastructure investments (including
10 inland port infrastructure and land ports of entry): *Pro-*
11 *vided further*, That the Secretary may use up to 20 per-
12 cent of the funds made available under this heading for
13 the purpose of paying the subsidy and administrative costs
14 of projects eligible for Federal credit assistance under
15 chapter 6 of title 23, United States Code, if the Secretary
16 finds that such use of the funds would advance the pur-
17 poses of this paragraph: *Provided further*, That in distrib-
18 uting funds provided under this heading, the Secretary
19 shall take such measures so as to ensure an equitable geo-
20 graphic distribution of funds, an appropriate balance in
21 addressing the needs of urban and rural areas, and the
22 investment in a variety of transportation modes: *Provided*
23 *further*, That a grant funded under this heading shall be
24 not less than \$2,000,000 and not greater than
25 \$15,000,000: *Provided further*, That not more than 20

1 percent of the funds made available under this heading
2 may be awarded to projects in a single State: *Provided*
3 *further*, That the Federal share of the costs for which an
4 expenditure is made under this heading shall be, at the
5 option of the recipient, up to 50 percent: *Provided further*,
6 That the Secretary shall give priority to projects that re-
7 quire a contribution of Federal funds in order to complete
8 an overall financing package: *Provided further*, That not
9 less than 10 percent of the funds provided under this
10 heading shall be for projects located in rural areas: *Pro-*
11 *vided further*, That for projects located in rural areas, the
12 minimum grant size shall be \$1,000,000 and the Secretary
13 may increase the Federal share of costs above 80 percent:
14 *Provided further*, That projects conducted using funds pro-
15 vided under this heading must comply with the require-
16 ments of subchapter IV of chapter 31 of title 40, United
17 States Code: *Provided further*, That the Secretary shall
18 conduct a new competition to select the grants and credit
19 assistance awarded under this heading: *Provided further*,
20 That the Secretary may retain up to \$5,000,000 of the
21 funds provided under this heading, and may transfer por-
22 tions of those funds to the Administrators of the Federal
23 Highway Administration, the Federal Transit Administra-
24 tion, the Federal Railroad Administration and the Mari-
25 time Administration, to fund the award and oversight of

1 grants and credit assistance made under the National In-
2 frastructure Investments program.

3 **FINANCIAL MANAGEMENT CAPITAL**

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

8 **CYBER SECURITY INITIATIVES**

9 For necessary expenses for cyber security initiatives,
10 including necessary upgrades to wide area network and
11 information technology infrastructure, improvement of
12 network perimeter controls and identity management,
13 testing and assessment of information technology against
14 business, security, and other requirements, implementa-
15 tion of Federal cyber security initiatives and information
16 infrastructure enhancements, implementation of enhanced
17 security controls on network devices, and enhancement of
18 cyber security workforce training tools, \$7,000,000 to re-
19 main available through September 30, 2017.

20 **OFFICE OF CIVIL RIGHTS**

21 For necessary expenses of the Office of Civil Rights,
22 \$9,600,000.

1 TRANSPORTATION PLANNING, RESEARCH, AND
2 DEVELOPMENT

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

7 WORKING CAPITAL FUND

8 For necessary expenses for operating costs and cap-
9 ital outlays of the Working Capital Fund, not to exceed
10 \$181,500,000 shall be paid from appropriations made
11 available to the Department of Transportation: *Provided*,
12 That such services shall be provided on a competitive basis
13 to entities within the Department of Transportation: *Pro-*
14 *vided further*, That the above limitation on operating ex-
15 penses shall not apply to non-DOT entities: *Provided fur-*
16 *ther*, That no funds appropriated in this Act to an agency
17 of the Department shall be transferred to the Working
18 Capital Fund without majority approval of the Working
19 Capital Fund Steering Committee and approval of the
20 Secretary: *Provided further*, That no assessments may be
21 levied against any program, budget activity, subactivity or
22 project funded by this Act unless notice of such assess-
23 ments and the basis therefor are presented to the House
24 and Senate Committees on Appropriations and are ap-
25 proved by such Committees.

1 MINORITY BUSINESS RESOURCE CENTER PROGRAM

2 For the cost of guaranteed loans, \$336,000, as au-
3 thorized by 49 U.S.C. 332. *Provided*, That such costs, in-
4 cluding the cost of modifying such loans, shall be as de-
5 fined in section 502 of the Congressional Budget Act of
6 1974. *Provided further*, That these funds are available to
7 subsidize total loan principal, any part of which is to be
8 guaranteed, not to exceed \$18,367,000.

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

11 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
12 OUTREACH

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

19 PAYMENTS TO AIR CARRIERS

20 (AIRPORT AND AIRWAY TRUST FUND)

21 In addition to funds made available from any other
22 source to carry out the essential air service program under
23 49 U.S.C. 41731 through 41742, \$155,000,000, to be de-
24 rived from the Airport and Airway Trust Fund, to remain
25 available until expended. *Provided*, That in determining

1 between or among carriers competing to provide service
2 to a community, the Secretary may consider the relative
3 subsidy requirements of the carriers: *Provided further,*
4 That basic essential air service minimum requirements
5 shall not include the 15-passenger capacity requirement
6 under subsection 41732(b)(3) of title 49, United States
7 Code: *Provided further,* That none of the funds in this Act
8 or any other Act shall be used to enter into a new contract
9 with a community located less than 40 miles from the
10 nearest small hub airport before the Secretary has nego-
11 tiated with the community over a local cost share: *Pro-*
12 *vided further,* That amounts authorized to be distributed
13 for the essential air service program under subsection
14 41742(b) of title 49, United States Code, shall be made
15 available immediately from amounts otherwise provided to
16 the Administrator of the Federal Aviation Administration:
17 *Provided further,* That the Administrator may reimburse
18 such amounts from fees credited to the account estab-
19 lished under section 45303 of title 49, United States Code.

20 **ADMINISTRATIVE PROVISIONS**

21 SEC. 101. None of the funds made available in this
22 Act to the Department of Transportation may be obligated
23 for the Office of the Secretary of Transportation to ap-
24 prove assessments or reimbursable agreements pertaining
25 to funds appropriated to the modal administrations in this

1 Act, except for activities underway on the date of enact-
2 ment of this Act, unless such assessments or agreements
3 have completed the normal reprogramming process for
4 Congressional notification.

5 SEC. 102. Notwithstanding section 3324 of title 31,
6 United States Code, in addition to authority provided by
7 section 327 of title 49, United States Code, the Depart-
8 ment's Working Capital Fund is hereby authorized to pro-
9 vide payments in advance to vendors that are necessary
10 to carry out the Federal transit pass transportation fringe
11 benefit program under Executive Order No. 13150 and
12 section 3049 of Public Law 109-59: *Provided*, That the
13 Department shall include adequate safeguards in the con-
14 tract with the vendors to ensure timely and high-quality
15 performance under the contract.

16 SEC. 103. The Secretary shall post on the Web site
17 of the Department of Transportation a schedule of all
18 meetings of the Credit Council, including the agenda for
19 each meeting; and require the Credit Council to record the
20 decisions and actions of each meeting.

21 SEC. 104. In addition to authority provided by section
22 327 of title 49, United States Code, the Department's
23 Working Capital Fund is hereby authorized to provide
24 partial or full payments in advance and accept subsequent
25 reimbursements from all Federal agencies for transit ben-

1 efit distribution services that are necessary to carry out
2 the Federal transit pass transportation fringe benefit pro-
3 gram under Executive Order No. 13150 and section 3049
4 of Public Law 109-59. *Provided*, That the Department
5 shall maintain a reasonable operating reserve in the Work-
6 ing Capital Fund, to be expended in advance to provide
7 uninterrupted transit benefits to Government employees,
8 provided that such reserve will not exceed one month of
9 benefits payable. *Provided further*, that such reserve may
10 be used only for the purpose of providing for the continu-
11 ation of transit benefits, provided that the Working Cap-
12 ital Fund will be fully reimbursed by each customer agen-
13 cy for the actual cost of the transit benefit.

14 FEDERAL AVIATION ADMINISTRATION

15 OPERATIONS

16 (AIRPORT AND AIRWAY TRUST FUND)

17 For necessary expenses of the Federal Aviation Ad-
18 ministration, not otherwise provided for, including oper-
19 ations and research activities related to commercial space
20 transportation, administrative expenses for research and
21 development, establishment of air navigation facilities, the
22 operation (including leasing) and maintenance of aircraft,
23 subsidizing the cost of aeronautical charts and maps sold
24 to the public, lease or purchase of passenger motor vehi-
25 cles for replacement only, in addition to amounts made

1 available by Public Law 112-95, \$9,847,700,000 (reduced
2 by \$3,000,000) of which \$8,831,250,000 shall be derived
3 from the Airport and Airway Trust Fund, of which not
4 to exceed \$7,505,293,000 shall be available for air traffic
5 organization activities; not to exceed \$1,258,411,000 shall
6 be available for aviation safety activities; not to exceed
7 \$16,605,000 (increased by \$250,000) shall be available for
8 commercial space transportation activities; not to exceed
9 \$725,000,000 (reduced by \$3,000,000) (reduced by
10 \$250,000) shall be available for finance and management
11 activities; not to exceed \$60,089,000 shall be available for
12 NextGen and operations planning activities; and not to ex-
13 ceed \$282,302,000 shall be available for staff offices: *Pro-*
14 *vided*, That not to exceed 2 percent of any budget activity,
15 except for aviation safety budget activity, may be trans-
16 ferred to any budget activity under this heading: *Provided*
17 *further*, That no transfer may increase or decrease any ap-
18 propriation by more than 2 percent: *Provided further*,
19 That any transfer in excess of 2 percent shall be treated
20 as a reprogramming of funds under section 405 of this
21 Act and shall not be available for obligation or expenditure
22 except in compliance with the procedures set forth in that
23 section: *Provided further*, That not later than March 31
24 of each fiscal year hereafter, the Administrator of the Fed-
25 eral Aviation Administration shall transmit to Congress

1 an annual update to the report submitted to Congress in
2 December 2004 pursuant to section 221 of Public Law
3 ~~108-176~~: *Provided further*, That the amount herein appro-
4 priated shall be reduced by \$100,000 for each day after
5 March 31 that such report has not been submitted to the
6 Congress: *Provided further*, That not later than March 31
7 of each fiscal year hereafter, the Administrator shall
8 transmit to Congress a companion report that describes
9 a comprehensive strategy for staffing, hiring, and training
10 flight standards and aircraft certification staff in a format
11 similar to the one utilized for the controller staffing plan,
12 including stated attrition estimates and numerical hiring
13 goals by fiscal year: *Provided further*, That the amount
14 herein appropriated shall be reduced by \$100,000 per day
15 for each day after March 31 that such report has not been
16 submitted to Congress: *Provided further*, That funds may
17 be used to enter into a grant agreement with a nonprofit
18 standard-setting organization to assist in the development
19 of aviation safety standards: *Provided further*, That none
20 of the funds in this Act shall be available for new appli-
21 eants for the second career training program: *Provided*
22 *further*, That none of the funds in this Act shall be avail-
23 able for the Federal Aviation Administration to finalize
24 or implement any regulation that would promulgate new
25 aviation user fees not specifically authorized by law after

1 the date of the enactment of this Act: *Provided further,*
2 That there may be credited to this appropriation as offset-
3 ting collections funds received from States, counties, mu-
4 nicipalities, foreign authorities, other public authorities,
5 and private sources for expenses incurred in the provision
6 of agency services, including receipts for the maintenance
7 and operation of air navigation facilities, and for issuance,
8 renewal or modification of certificates, including airmen,
9 aircraft, and repair station certificates, or for tests related
10 thereto, or for processing major repair or alteration forms:
11 *Provided further,* That of the funds appropriated under
12 this heading, not less than \$154,400,000 shall be for the
13 contract tower program, including the contract tower cost
14 share program: *Provided further,* That none of the funds
15 in this Act for aeronautical charting and cartography are
16 available for activities conducted by, or coordinated
17 through, the Working Capital Fund.

18 **FACILITIES AND EQUIPMENT**

19 **(AIRPORT AND AIRWAY TRUST FUND)**

20 For necessary expenses, not otherwise provided for,
21 for acquisition, establishment, technical support services,
22 improvement by contract or purchase, and hire of national
23 airspace systems and experimental facilities and equip-
24 ment, as authorized under part A of subtitle VII of title
25 49, United States Code, including initial acquisition of

1 necessary sites by lease or grant; engineering and service
2 testing, including construction of test facilities and acqui-
3 sition of necessary sites by lease or grant; construction
4 and furnishing of quarters and related accommodations
5 for officers and employees of the Federal Aviation Admin-
6 istration stationed at remote localities where such accom-
7 modations are not available; and the purchase, lease, or
8 transfer of aircraft from funds available under this head-
9 ing, including aircraft for aviation regulation and certifi-
10 cation; to be derived from the Airport and Airway Trust
11 Fund, \$2,500,000,000 (increased by \$3,000,000), of
12 which \$460,000,000 shall remain available until Sep-
13 tember 30, 2016, and \$2,040,000,000 (increased by
14 \$3,000,000) shall remain available until September 30,
15 2018: *Provided*, That there may be credited to this appro-
16 priation funds received from States, counties, municipali-
17 ties, other public authorities, and private sources, for ex-
18 penses incurred in the establishment, improvement, and
19 modernization of national airspace systems: *Provided fur-*
20 *ther*, That upon initial submission to the Congress of the
21 fiscal year 2017 President's budget, the Secretary of
22 Transportation shall transmit to the Congress a com-
23 prehensive capital investment plan for the Federal Avia-
24 tion Administration which includes funding for each budge-
25 et line item for fiscal years 2017 through 2021, with total

1 funding for each year of the plan constrained to the fund-
2 ing targets for those years as estimated and approved by
3 the Office of Management and Budget. *Provided further,*
4 That the amount herein appropriated shall be reduced by
5 \$100,000 per day for each day after the initial submission
6 of the fiscal year 2017 President's budget that such report
7 has not been submitted to Congress.

8 RESEARCH, ENGINEERING, AND DEVELOPMENT

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses, not otherwise provided for,
11 for research, engineering, and development, as authorized
12 under part A of subtitle VII of title 49, United States
13 Code, including construction of experimental facilities and
14 acquisition of necessary sites by lease or grant,
15 \$156,750,000, to be derived from the Airport and Airway
16 Trust Fund and to remain available until September 30,
17 2018. *Provided,* That there may be credited to this appro-
18 priation as offsetting collections, funds received from
19 States, counties, municipalities, other public authorities,
20 and private sources, which shall be available for expenses
21 incurred for research, engineering, and development.

1 GRANTS-IN-AID FOR AIRPORTS

2 (LIQUIDATION OF CONTRACT AUTHORIZATION)

3 (LIMITATION ON OBLIGATIONS)

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For liquidation of obligations incurred for grants-in-
6 aid for airport planning and development, and noise com-
7 patibility planning and programs as authorized under sub-
8 chapter I of chapter 471 and subchapter I of chapter 475
9 of title 49, United States Code, and under other law au-
10 thorizing such obligations; for procurement, installation,
11 and commissioning of runway incursion prevention devices
12 and systems at airports of such title; for grants authorized
13 under section 41743 of title 49, United States Code; and
14 for inspection activities and administration of airport safe-
15 ty programs, including those related to airport operating
16 certificates under section 44706 of title 49, United States
17 Code, \$3,600,000,000, to be derived from the Airport and
18 Airway Trust Fund and to remain available until ex-
19 pended: *Provided*, That none of the funds under this head-
20 ing shall be available for the planning or execution of pro-
21 grams the obligations for which are in excess of
22 \$3,350,000,000 in fiscal year 2016, notwithstanding sec-
23 tion 47117(g) of title 49, United States Code: *Provided*
24 *further*, That none of the funds under this heading shall
25 be available for the replacement of baggage conveyor sys-

1 items, reconfiguration of terminal baggage areas, or other
2 airport improvements that are necessary to install bulk ex-
3 plosive detection systems: *Provided further*, That notwith-
4 standing any other provision of law, of funds limited under
5 this heading, not more than \$107,100,000 shall be obli-
6 gated for administration, not less than \$15,000,000 shall
7 be available for the Airport Cooperative Research Pro-
8 gram, and not less than \$31,000,000 shall be available
9 for Airport Technology Research.

10 ADMINISTRATIVE PROVISIONS

11 SEC. 110. None of the funds in this Act may be used
12 to compensate in excess of 600 technical staff years under
13 the federally funded research and development center con-
14 tract between the Federal Aviation Administration and the
15 Center for Advanced Aviation Systems Development dur-
16 ing fiscal year 2016.

17 SEC. 111. None of the funds in this Act shall be used
18 to pursue or adopt guidelines or regulations requiring air-
19 port sponsors to provide to the Federal Aviation Adminis-
20 tration without cost building construction, maintenance,
21 utilities and expenses, or space in airport sponsor-owned
22 buildings for services relating to air traffic control, air
23 navigation, or weather reporting: *Provided*, That the pro-
24 hibition of funds in this section does not apply to negotia-
25 tions between the agency and airport sponsors to achieve

1 agreement on below-market rates for these items or to
2 grant assurances that require airport sponsors to provide
3 land without cost to the FAA for air traffic control facili-
4 ties.

5 SEC. 112. The Administrator of the Federal Aviation
6 Administration may reimburse amounts made available to
7 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
8 49 U.S.C. 45303 and any amount remaining in such ac-
9 count at the close of that fiscal year may be made available
10 to satisfy section 41742(a)(1) for the subsequent fiscal
11 year.

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

17 SEC. 114. None of the funds in this Act shall be avail-
18 able for paying premium pay under subsection 5546(a) of
19 title 5, United States Code, to any Federal Aviation Ad-
20 ministration employee unless such employee actually per-
21 formed work during the time corresponding to such pre-
22 mium pay.

23 SEC. 115. None of the funds in this Act may be obli-
24 gated or expended for an employee of the Federal Aviation

1 Administration to purchase a store gift card or gift certifi-
2 cate through use of a Government-issued credit card.

3 SEC. 116. None of the funds in this Act may be obli-
4 gated or expended for retention bonuses for an employee
5 of the Federal Aviation Administration without the prior
6 written approval of the Assistant Secretary for Adminis-
7 tration of the Department of Transportation.

8 SEC. 117. Notwithstanding any other provision of
9 law, none of the funds made available under this Act or
10 any prior Act may be used to implement or to continue
11 to implement any limitation on the ability of any owner
12 or operator of a private aircraft to obtain, upon a request
13 to the Administrator of the Federal Aviation Administra-
14 tion, a blocking of that owner's or operator's aircraft reg-
15 istration number from any display of the Federal Aviation
16 Administration's Aircraft Situational Display to Industry
17 data that is made available to the public, except data made
18 available to a Government agency, for the noncommercial
19 flights of that owner or operator.

20 SEC. 118. None of the funds in this Act shall be avail-
21 able for salaries and expenses of more than nine political
22 and Presidential appointees in the Federal Aviation Ad-
23 ministration.

24 SEC. 119. None of the funds made available under
25 this Act may be used to increase fees pursuant to section

1 44721 of title 49, United States Code, until the FAA pro-
2 vides to the House and Senate Committees on Appropria-
3 tions a report that justifies all fees related to aeronautical
4 navigation products and explains how such fees are con-
5 sistent with Executive Order No. 13642.

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

12 SEC. 119B. None of the funds appropriated or lim-
13 ited by this Act may be used to change weight restrictions
14 or prior permission rules at Teterboro airport in
15 Teterboro, New Jersey.

16 FEDERAL HIGHWAY ADMINISTRATION
17 LIMITATION ON ADMINISTRATIVE EXPENSES
18 (HIGHWAY TRUST FUND)
19 (INCLUDING TRANSFER OF FUNDS)

20 Contingent upon enactment of authorization legisla-
21 tion, not to exceed \$426,100,000, together with advances
22 and reimbursements received by the Federal Highway Ad-
23 ministration, shall be obligated for necessary expenses for
24 administration and operation of the Federal Highway Ad-
25 ministration. In addition, not to exceed \$3,248,000 shall

1 be transferred to the Appalachian Regional Commission
2 in accordance with section 104 of title 23, United States
3 Code.

4 **FEDERAL-AID HIGHWAYS**

5 **(LIMITATION ON OBLIGATIONS)**

6 **(HIGHWAY TRUST FUND)**

7 Contingent upon enactment of authorization legisla-
8 tion, funds available for the implementation or execution
9 of Federal-aid highway and highway safety construction
10 programs authorized under titles 23 and 49, United States
11 Code, and the provisions of such authorization legislation
12 shall not exceed total obligations of \$40,256,000,000 for
13 fiscal year 2016: *Provided*, That the Secretary may collect
14 and spend fees, as authorized by title 23, United States
15 Code, to cover the costs of services of expert firms, includ-
16 ing counsel, in the field of municipal and project finance
17 to assist in the underwriting and servicing of Federal cred-
18 it instruments and all or a portion of the costs to the Fed-
19 eral Government of servicing such credit instruments: *Pro-*
20 *vided further*, That such fees are available until expended
21 to pay for such costs: *Provided further*, That such amounts
22 are in addition to administrative expenses that are also
23 available for such purpose, and are not subject to any obli-
24 gation limitation or the limitation on administrative ex-
25 penses under section 608 of title 23, United States Code.

1 (HIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

3 Contingent upon enactment of authorization legisla-
4 tion, for the payment of obligations incurred in carrying
5 out Federal-aid highway and highway safety construction
6 programs authorized under title 23, United States Code,
7 \$40,995,000,000 derived from the Highway Trust Fund
8 (other than the Mass Transit Account), to remain avail-
9 able until expended.

10 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

11 ADMINISTRATION

12 SEC. 120. Contingent upon enactment of authoriza-
13 tion legislation:

14 (a) For fiscal year 2016, the Secretary of Transpor-
15 tation shall—

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

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

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

23 (2) not distribute an amount from the obliga-
24 tion limitation for Federal-aid highways that is equal
25 to the unobligated balance of amounts—

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

11 (3) determine the proportion that—

(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 authorized 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

1 amounts not distributed under paragraphs (1)
2 and (2) of this subsection;

3 (4) distribute the obligation limitation for Fed-
4 eral-aid highways, less the aggregate amounts not
5 distributed under paragraphs (1) and (2), for each
6 of the programs (other than programs to which
7 paragraph (1) applies) that are allocated by the Sec-
8 retary under such authorization legislation and title
9 23, United States Code, or apportioned by the Sec-
10 retary under sections 202 or 204 of that title, by
11 multiplying—

12 (A) the proportion determined under para-
13 graph (3); by

14 (B) the amounts authorized to be appro-
15 priated for each such program for such fiscal
16 year; and

17 (5) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2) and the
20 amounts distributed under paragraph (4), for Fed-
21 eral-aid highway and highway safety construction
22 programs that are apportioned by the Secretary
23 under such authorization legislation or title 23,
24 United States Code (other than the amounts appor-
25 tioned for the National Highway Performance Pro-

1 gram in section 119 of title 23, United States Code,
2 that are exempt from the limitation under subsection
3 (b)(12) and the amounts apportioned under sections
4 202 and 204 of that title) in the proportion that—

5 (A) amounts authorized to be appropriated
6 for the programs that are apportioned under
7 title 23, United States Code, or such authoriza-
8 tion legislation to each State for such fiscal
9 year; bears to

10 (B) the total of the amounts authorized to
11 be appropriated for the programs that are ap-
12 portioned under title 23, United States Code, or
13 such authorization legislation to all States for
14 such fiscal year.

15 **(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—**

16 The obligation limitation for Federal-aid highways shall
17 not apply to obligations under or for—

18 (1) section 125 of title 23, United States Code;
19 (2) section 147 of the Surface Transportation
20 Assistance Act of 1978 (23 U.S.C. 144 note; 92
21 Stat. 2714);

22 (3) section 9 of the Federal-Aid Highway Act
23 of 1981 (95 Stat. 1701);

- 1 (4) subsections (b) and (j) of section 131 of the
2 Surface Transportation Assistance Act of 1982 (96
3 Stat. 2119);
- 4 (5) subsections (b) and (e) of section 149 of the
5 Surface Transportation and Uniform Relocation As-
6 sistance Act of 1987 (101 Stat. 198);
- 7 (6) sections 1103 through 1108 of the Inter-
8 modal Surface Transportation Efficiency Act of
9 1991 (105 Stat. 2027);
- 10 (7) section 157 of title 23, United States Code
11 (as in effect on June 8, 1998);
- 12 (8) section 105 of title 23, United States Code
13 (as in effect for fiscal years 1998 through 2004, but
14 only in an amount equal to \$639,000,000 for each
15 of those fiscal years);
- 16 (9) Federal-aid highway programs for which ob-
17 ligation authority was made available under the
18 Transportation Equity Act for the 21st Century
19 (112 Stat. 107) or subsequent Acts for multiple
20 years or to remain available until expended, but only
21 to the extent that the obligation authority has not
22 lapsed or been used;
- 23 (10) section 105 of title 23, United States Code
24 (as in effect for fiscal years 2005 through 2012, but

1 only in an amount equal to \$639,000,000 for each
2 of those fiscal years);

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

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

12 (e) REDISTRIBUTION OF UNUSED OBLIGATION AU-
13 THORITY.—Notwithstanding subsection (a), the Secretary
14 shall, after August 1 of such fiscal year—

15 (1) revise a distribution of the obligation limita-
16 tion made available under subsection (a) if an
17 amount distributed cannot be obligated during that
18 fiscal year; and

19 (2) redistribute sufficient amounts to those
20 States able to obligate amounts in addition to those
21 previously distributed during that fiscal year, giving
22 priority to those States having large unobligated bal-
23 ances of funds apportioned under sections 144 (as in
24 effect on the day before the date of enactment of

1 Public Law 112-141) and 104 of title 23, United
2 States Code.

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

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the obligation limitation for Federal-aid
7 highways shall apply to contract authority for trans-
8 portation research programs carried out under—

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

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

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

15 (A) remain available for a period of 4 fis-
16 cal years; and

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

21 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
22 FUNDS.—

23 (1) IN GENERAL.—Not later than 30 days after
24 the date of distribution of obligation limitation
25 under subsection (a), the Secretary shall distribute

1 to the States any funds (excluding funds authorized
2 for the program under section 202 of title 23,
3 United States Code) that—

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

7 (B) the Secretary determines will not be
8 allocated to the States (or will not be appor-
9 tioned to the States under section 204 of title
10 23, United States Code), and will not be avail-
11 able for obligation, for such fiscal year because
12 of the imposition of any obligation limitation for
13 such fiscal year.

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

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

22 SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
23 ceived by the Bureau of Transportation Statistics from the
24 sale of data products, for necessary expenses incurred pur-
25 suant to chapter 63 of title 49, United States Code, may

1 be credited to the Federal-aid highways account for the
2 purpose of reimbursing the Bureau for such expenses:
3 *Provided*, That such funds shall be subject to the obliga-
4 tion limitation for Federal-aid highway and highway safety
5 construction programs.

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

15 SEC. 123. None of the funds in this Act to the De-
16 partment of Transportation may be used to provide credit
17 assistance unless not less than 3 days before any applica-
18 tion approval to provide credit assistance under sections
19 603 and 604 of title 23, United States Code, the Secretary
20 of Transportation provides notification in writing to the
21 following committees: the House and Senate Committees
22 on Appropriations; the Committee on Environment and
23 Public Works and the Committee on Banking, Housing
24 and Urban Affairs of the Senate; and the Committee on
25 Transportation and Infrastructure of the House of Rep-

1 representatives: *Provided*, That such notification shall in-
2 elude, but not be limited to, the name of the project spon-
3 sor; a description of the project; whether credit assistance
4 will be provided as a direct loan, loan guarantee, or line
5 of credit; and the amount of credit assistance.

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

8 "(m) LONGER COMBINATION VEHICLES IN IDAHO.—
9 No limit or other prohibition under this section, except
10 as provided in this subsection, applies to a longer combina-
11 tion vehicle operating on a segment of the Interstate Sys-
12 tem in the State of Idaho if such vehicle—

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

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

18 "(3) is authorized to operate on such segment
19 under Idaho State Law."

20 SEC. 125. Section 31111(b)(1)(A) of title 49, United
21 States Code, is amended by striking "or of less than 28
22 feet on a semitrailer or trailer operating in a truck tractor-
23 semitrailer-trailer combination," and inserting "or, not-
24withstanding section 31112, of less than 33 feet on a

1 semitrailer or trailer operating in a truck tractor-
2 semitrailer-trailer combination.”.

3 SEC. 126. EXEMPTION.—

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

6 (1) by striking “Nebraska may” and inserting
7 “Nebraska and Kansas may”, and

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

10 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

11 Section 31112(e) of such title is amended—

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

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

16 (2) by striking “; and” at the end of paragraph

17 (3) and inserting a semicolon; and

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

20 SEC. 127. Section 130(e)(1) of title 23, United States
21 Code, is amended by striking “\$220,000,000” and insert-
22 ing “\$350,000,000”.

1 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

2 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

3 (~~LIQUIDATION OF CONTRACT AUTHORIZATION~~)

4 (~~LIMITATION ON OBLIGATIONS~~)

5 (~~HIGHWAY TRUST FUND~~)

6 Contingent upon enactment of authorization legisla-

7 tion, for payment of obligations incurred in the implemen-

8 tation, execution and administration of motor carrier safe-

9 ty operations and programs pursuant to section 31104(i)

10 of title 49, United States Code, and sections 4127 and

11 4134 of Public Law 109-59, as amended by Public Law

12 112-141, and as extended by Public Law 113-159,

13 \$259,000,000, to be derived from the Highway Trust

14 Fund (other than the Mass Transit Account), together

15 with advances and reimbursements received by the Fed-

16 eral Motor Carrier Safety Administration, the sum of

17 which shall remain available until expended: *Provided*,

18 That funds available for implementation, execution or ad-

19 ministration of motor carrier safety operations and pro-

20 grams authorized under title 49, United States Code, and

21 sections 4127 and 4134 of Public Law 109-59, as amend-

22 ed by Public Law 112-141, and as extended by Public

23 Law 113-159, shall not exceed total obligations of

24 \$259,000,000 for "Motor Carrier Safety Operations and

25 Programs" for fiscal year 2016, of which \$9,000,000, to

1 remain available for obligation until September 30, 2018,
2 is for the research and technology program, and of which
3 \$34,545,000, to remain available for obligation until Sep-
4 tember 30, 2018, is for information management: *Pro-*
5 *vided further*, That \$1,000,000 shall be made available for
6 commercial motor vehicle operator grants to carry out see-
7 tion 4134 of Public Law 109–59, as amended by Public
8 Law 112–141, and as extended by Public Law 113–159.

9 MOTOR CARRIER SAFETY GRANTS

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (LIMITATION ON OBLIGATIONS)

12 (HIGHWAY TRUST FUND)

13 Contingent upon enactment of authorization legisla-
14 tion, for payment of obligations incurred in carrying out
15 sections 31102, 31104(a), 31106, 31107, 31109, 31309,
16 31313 of title 49, United States Code, and sections 4126
17 and 4128 of Public Law 109–59, as amended by Public
18 Law 112–141, as extended by Public Law 113–159,
19 \$313,000,000, to be derived from the Highway Trust
20 Fund (other than the Mass Transit Account) and to re-
21 main available until expended: *Provided*, That funds avail-
22 able for the implementation or execution of motor carrier
23 safety programs shall not exceed total obligations of
24 \$313,000,000 in fiscal year 2016 for “Motor Carrier Safe-
25 ty Grants”, of which \$218,000,000 shall be available for

1 the motor carrier safety assistance program, \$30,000,000
2 shall be available for commercial driver's license program
3 improvement grants, \$32,000,000 shall be available for
4 border enforcement grants, \$5,000,000 shall be available
5 for performance and registration information system man-
6 agement grants, \$25,000,000 shall be available for the
7 commercial vehicle information systems and networks de-
8 ployment program, and \$3,000,000 shall be available for
9 safety data improvement grants: *Provided further*, That,
10 of the funds made available herein for the motor carrier
11 safety assistance program, \$32,000,000 shall be available
12 for audits of new entrant motor carriers.

13 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

14 CARRIER SAFETY ADMINISTRATION

15 SEC. 130. Funds appropriated or limited in this Act
16 shall be subject to the terms and conditions stipulated in
17 section 350 of Public Law 107-87 and section 6901 of
18 Public Law 110-28.

19 SEC. 131. The Federal Motor Carrier Safety Admin-
20 istration shall send notice of 49 CFR section 385.308 vio-
21 lations by certified mail, registered mail, or another man-
22 ner of delivery, which records the receipt of the notice by
23 the persons responsible for the violations.

24 SEC. 132. None of the funds appropriated or other-
25 wise made available by this Act or any other Act may be

1 used to implement, administer, or enforce sections
2 395.3(e) and 395.3(d) of title 49, Code of Federal Regula-
3 tions, and such section shall have no force or effect on
4 submission of the final report issued by the Secretary, as
5 required by section 133 of division K of Public Law 113-
6 235, unless the Secretary and the Inspector General of
7 the Department of Transportation each review and deter-
8 mine that the final report—

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

11 (2) establishes that commercial motor vehicle
12 drivers who operated under the restart provisions in
13 effect between July 1, 2013, and the day before the
14 date of enactment of such Public Law demonstrated
15 statistically significant improvement in all outcomes
16 related to safety, operator fatigue, driver health and
17 longevity, and work schedules, in comparison to
18 commercial motor vehicle drivers who operated
19 under the restart provisions in effect on June 30,
20 2013.

21 SEC. 133. None of the funds limited or otherwise
22 made available under the heading “Motor Carrier Safety
23 Operations and Programs” may be used to deny an appli-
24 cation to renew a Hazardous Materials Safety Program
25 permit for a motor carrier based on that carrier’s Haz-

1 ardous Materials Out-of-Service rate, unless the carrier
2 has the opportunity to submit a written description of cor-
3 rective actions taken, and other documentation the carrier
4 wishes the Secretary to consider, including submitting a
5 corrective action plan; and the Secretary determines the
6 actions or plan is insufficient to address the safety con-
7 cerns that resulted in that Hazardous Materials Out-of-
8 Service rate.

9 SEC. 134. None of the funds made available by this
10 Act may be used to develop, issue, or implement any regu-
11 lation that increases levels of minimum financial responsi-
12 bility for transporting passengers or property as in effect
13 on January 1, 2014, under regulations issued pursuant
14 to sections 31138 and 31139 of title 49, United States
15 Code.

16 SEC. 135. None of the funds made available by this
17 Act or previous appropriations Acts under the heading
18 “Motor Carrier Safety Operations and Programs” shall be
19 used to pay for costs associated with design, development,
20 testing, or implementation of a wireless roadside inspec-
21 tion program until 180 days after the Secretary of Trans-
22 portation certifies to the House and Senate Committees
23 on Appropriations that such program does not conflict
24 with existing non-Federal electronic screening systems,
25 create capabilities already available, or require additional

1 statutory authority to incorporate generated inspection
2 data into safety determinations or databases, and has re-
3 strictions to specifically address privacy concerns of af-
4 feited motor carriers and operators: *Provided*, That noth-
5 ing in this section shall be construed as affecting the De-
6 partment's ongoing research efforts in this area.

7 **NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

8 **OPERATIONS AND RESEARCH**

9 For expenses necessary to discharge the functions of
10 the Secretary, with respect to traffic and highway safety
11 authorized under chapter 301 and part C of subtitle VI
12 of title 49, United States Code, \$150,000,000 (increased
13 by \$4,000,000) (reduced by \$1,200,000), of which
14 \$20,000,000 shall remain available through September
15 30, 2017.

16 **OPERATIONS AND RESEARCH**

17 **(LIQUIDATION OF CONTRACT AUTHORIZATION)**

18 **(LIMITATION ON OBLIGATIONS)**

19 **(HIGHWAY TRUST FUND)**

20 Contingent upon enactment of authorization legisla-
21 tion, for payment of obligations incurred in carrying out
22 the provisions of 23 U.S.C. 403, and chapter 303 of title
23 49, United States Code, \$125,000,000, to be derived from
24 the Highway Trust Fund (other than the Mass Transit
25 Account) and to remain available until expended: *Pro-*

1 *vided*, That none of the funds in this Act shall be available
2 for the planning or execution of programs the total obligations
3 for which, in fiscal year 2016, are in excess of
4 \$125,000,000, of which \$120,000,000 shall be for pro-
5 grams authorized under 23 U.S.C. 403 and \$5,000,000
6 shall be for the National Driver Register authorized under
7 chapter 303 of title 49, United States Code. *Provided fur-*
8 *ther*, That within the \$120,000,000 obligation limitation
9 for operations and research, \$20,000,000 shall remain
10 available until September 30, 2017, and shall be in addi-
11 tion to the amount of any limitation imposed on obliga-
12 tions for future years. *Provided further*, That \$6,500,000
13 of the total obligation limitation for operations and re-
14 search in fiscal year 2016 shall be applied toward unmobi-
15 lized balances of contract authority provided in prior Acts
16 for carrying out the provisions of 23 U.S.C. 403, and
17 chapter 303 of title 49, United States Code.

18 **HIGHWAY TRAFFIC SAFETY GRANTS**

19 **(LIQUIDATION OF CONTRACT AUTHORIZATION)**

20 **(LIMITATION ON OBLIGATIONS)**

21 **(HIGHWAY TRUST FUND)**

22 Contingent on the enactment of authorization legisla-
23 tion, for payment of obligations incurred in carrying out
24 provisions of 23 U.S.C. 402 and 405, section 2009 of Pub-
25 lic Law 109-59, as amended by Public Law 112-141, and

1 section 31101(a)(6) of Public Law 112–141, to remain
2 available until expended, \$561,500,000, to be derived from
3 the Highway Trust Fund (other than the Mass Transit
4 Account). *Provided*, That none of the funds in this Act
5 shall be available for the planning or execution of pro-
6 grams the total obligations for which, in fiscal year 2016,
7 are in excess of \$561,500,000 for programs authorized
8 under 23 U.S.C. 402 and 405, section 2009 of Public Law
9 109–59, as amended by Public Law 112–141, and section
10 31101(a)(6) of Public Law 112–141, of which
11 \$235,000,000 shall be for “Highway Safety Programs”
12 under 23 U.S.C. 402; \$272,000,000 shall be for “National
13 Priority Safety Programs” under 23 U.S.C. 405;
14 \$29,000,000 shall be for the “High Visibility Enforcement
15 Program” under section 2009 of Public Law 109–59, as
16 amended by Public Law 112–141; \$25,500,000 shall be
17 for “Administrative Expenses” under section 31101(a)(6)
18 of Public Law 112–141. *Provided further*, That none of
19 these funds shall be used for construction, rehabilitation,
20 or remodeling costs, or for office furnishings and fixtures
21 for State, local or private buildings or structures. *Provided*
22 *further*, That not to exceed \$500,000 of the funds made
23 available for “National Priority Safety Programs” under
24 23 U.S.C. 405 for “Impaired Driving Countermeasures”
25 (as described in subsection (d) of that section) shall be

1 available for technical assistance to the States: *Provided*
2 *further*, That with respect to the "Transfers" provision
3 under 23 U.S.C. 405(a)(1)(G), any amounts transferred
4 to increase the amounts made available under section 402
5 shall include the obligation authority for such amounts:
6 *Provided further*, That the Administrator shall notify the
7 House and Senate Committees on Appropriations of any
8 exercise of the authority granted under the previous pro-
9 vise or under 23 U.S.C. 405(a)(1)(G) within 60 days.

10 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

11 TRAFFIC SAFETY ADMINISTRATION

12 SEC. 140. An additional \$130,000 shall be made
13 available to the National Highway Traffic Safety Adminis-
14 tration, out of the amount limited for section 402 of title
15 23, United States Code, to pay for travel and related ex-
16 penses for State management reviews and to pay for core
17 competency development training and related expenses for
18 highway safety staff.

19 SEC. 141. The limitations on obligations for the pro-
20 grams of the National Highway Traffic Safety Adminis-
21 tration set in this Act shall not apply to obligations for
22 which obligation authority was made available in previous
23 public laws but only to the extent that the obligation au-
24 thority has not lapsed or been used.

1 SEC. 142. None of the funds in this Act shall be used
2 to implement section 404 of title 23, United States Code.

3 SEC. 143. None of the funds made available by this
4 Act may be used to obligate or award funds for the Na-
5 tional Highway Traffic Safety Administration's National
6 Roadside Survey.

7 SEC. 144. None of the funds made available by this
8 Act may be used to mandate global positioning system
9 (GPS) tracking in private passenger motor vehicles with-
10 out providing full and appropriate consideration of privacy
11 concerns under 5 U.S.C. chapter 5, subchapter H.

12 FEDERAL RAILROAD ADMINISTRATION

13 SAFETY AND OPERATIONS

14 For necessary expenses of the Federal Railroad Ad-
15 ministration, not otherwise provided for, \$186,870,000
16 (increased by \$3,500,000), of which \$15,400,000 shall re-
17 main available until expended.

18 RAILROAD RESEARCH AND DEVELOPMENT

19 For necessary expenses for railroad research and de-
20 velopment, \$39,100,000, to remain available until ex-
21 pended.

22 RAILROAD REHABILITATION AND IMPROVEMENT

23 FINANCING PROGRAM

24 The Secretary of Transportation is authorized to
25 issue direct loans and loan guarantees pursuant to sec-

1 tions 501 through 504 of the Railroad Revitalization and
2 Regulatory Reform Act of 1976 (Public Law 94-210), as
3 amended, such authority to exist as long as any such di-
4 rect loan or loan guarantee is outstanding. *Provided*, That
5 pursuant to section 502 of such Act, as amended, no new
6 direct loans or loan guarantee commitments shall be made
7 using Federal funds for the credit risk premium during
8 fiscal year 2016.

9 OPERATING GRANTS TO THE NATIONAL RAILROAD
10 PASSENGER CORPORATION

11 To enable the Secretary of Transportation to make
12 quarterly grants to the National Railroad Passenger Cor-
13 poration, in amounts based on the Secretary's assessment
14 of the Corporation's seasonal cash flow requirements, for
15 the operation of intercity passenger rail, as authorized by
16 section 101 of the Passenger Rail Investment and Im-
17 provement Act of 2008 (division B of Public Law 110-
18 432), \$288,500,000 (reduced by \$1,000,000) (increased
19 by \$1,000,000), to remain available until expended. *Pro-*
20 *vided*, That the amounts available under this paragraph
21 shall be available for the Secretary to approve funding to
22 cover operating losses for the Corporation only after re-
23 ceiving and reviewing a grant request for each specific
24 train route. *Provided further*, That each such grant re-
25 quest shall be accompanied by a detailed financial anal-

ysis, 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

1 provided in this Act may be used to support any route
2 on which Amtrak offers a discounted fare of more than
3 50 percent off the normal peak fare. *Provided further,*
4 That the preceding proviso does not apply to routes where
5 the operating loss as a result of the discount is covered
6 by a State and the State participates in the setting of
7 fares.

8 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL
9 RAILROAD PASSENGER CORPORATION

10 To enable the Secretary of Transportation to make
11 grants to the National Railroad Passenger Corporation for
12 capital investments as authorized by sections 101(c), 102,
13 and 219(b) of the Passenger Rail Investment and Im-
14 provement Act of 2008 (division B of Public Law 110-
15 432), \$850,000,000 (increased by \$9,000,000), to remain
16 available until expended, of which not to exceed
17 \$160,200,000 shall be for debt service obligations as au-
18 thorized by section 102 of such Act. *Provided,* That of the
19 amounts made available under this heading, not less than
20 \$50,000,000 shall be made available to bring Amtrak-
21 served facilities and stations into compliance with the
22 Americans with Disabilities Act. *Provided further,* That
23 after an initial distribution of up to \$200,000,000, which
24 shall be used by the Corporation as a working capital ac-
25 count, all remaining funds shall be provided to the Cor-

1 poration only on a reimbursable basis: *Provided further,*
2 That of the amounts made available under this heading,
3 up to \$20,000,000 may be used by the Secretary to sub-
4 sidize operating losses of the Corporation should the funds
5 provided under the heading “Operating Grants to the Na-
6 tional Railroad Passenger Corporation” be insufficient to
7 meet operational costs for fiscal year 2016: *Provided fur-*
8 *ther,* That the Secretary may retain up to one-half of 1
9 percent of the funds provided under this heading to fund
10 the costs of project management and oversight of activities
11 authorized by subsections 101(a) and 101(e) of division
12 B of Public Law 110-432: *Provided further,* That the Sec-
13 retary shall approve funding for capital expenditures, in-
14 cluding advance purchase orders of materials, for the Cor-
15 poration only after receiving and reviewing a grant request
16 for each specific capital project justifying the Federal sup-
17 port to the Secretary’s satisfaction: *Provided further,* That
18 except as otherwise provided herein, none of the funds
19 under this heading may be used to subsidize operating
20 losses of the Corporation: *Provided further,* That none of
21 the funds under this heading may be used for capital
22 projects not approved by the Secretary of Transportation
23 or on the Corporation’s fiscal year 2016 business plan:
24 *Provided further,* That in addition to the project manage-
25 ment oversight funds authorized under section 101(d) of

1 division B of Public Law 110-432, the Secretary may re-
2 tain up to an additional \$3,000,000 of the funds provided
3 under this heading to fund expenses associated with imple-
4 menting section 212 of division B of Public Law 110-432,
5 including the amendments made by section 212 to section
6 24905 of title 49, United States Code: *Provided further,*
7 That Amtrak shall conduct a business case analysis on
8 capital investments that exceed \$10,000,000 in life-cycle
9 costs: *Provided further,* That each contract for a capital
10 acquisition that exceeds \$10,000,000 in life cycle costs
11 shall state that funding is subject to the availability of
12 appropriated funds provided by an appropriations Act.

13 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

14 ADMINISTRATION

15 SEC. 150. The Secretary of Transportation may re-
16 ceive and expend cash, or receive and utilize spare parts
17 and similar items, from non-United States Government
18 sources to repair damages to or replace United States
19 Government owned automated track inspection cars and
20 equipment as a result of third-party liability for such dam-
21 ages, and any amounts collected under this section shall
22 be credited directly to the Safety and Operations account
23 of the Federal Railroad Administration, and shall remain
24 available until expended for the repair, operation and
25 maintenance of automated track inspection cars and

1 equipment in connection with the automated track inspec-
2 tion program.

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

1 **FEDERAL TRANSIT ADMINISTRATION**2 **ADMINISTRATIVE EXPENSES**

3 For necessary administrative expenses of the Federal
4 Transit Administration's programs authorized by chapter
5 53 of title 49, United States Code, \$102,933,000 (reduced
6 by \$3,000,000) (reduced by \$2,000,000), of which not
7 more than \$4,000,000 shall be available to carry out the
8 provisions of 49 U.S.C. 5329 and not less than \$750,000
9 shall be available to carry out the provisions of 49 U.S.C.
10 5326: *Provided*, That none of the funds provided or lim-
11 ited in this Act may be used to create a permanent office
12 of transit security under this heading: *Provided further*,
13 That upon submission to the Congress of the fiscal year
14 2017 President's budget, the Secretary of Transportation
15 shall transmit to Congress the annual report on New
16 Starts, including proposed allocations for fiscal year 2017.

17 **TRANSIT FORMULA GRANTS**18 **(LIQUIDATION OF CONTRACT AUTHORIZATION)**19 **(LIMITATION ON OBLIGATIONS)**20 **(HIGHWAY TRUST FUND)**

21 Contingent upon enactment of authorization legisla-
22 tion, for payment of obligations incurred in the Federal
23 Public Transportation Assistance Program in this ac-
24 count, and for payment of obligations incurred in carrying
25 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,

1 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340,
2 as amended by Public Law 112-141, and section
3 20005(b) of Public Law 112-141, \$9,500,000,000, to be
4 derived from the Mass Transit Account of the Highway
5 Trust Fund and to remain available until expended: *Pro-*
6 *vided*, That funds available for the implementation or exe-
7 cution of programs authorized under 49 U.S.C. 5305,
8 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335,
9 5337, 5339, and 5340, as amended by Public Law 112-
10 141, and section 20005(b) of Public Law 112-141, shall
11 not exceed total obligations of \$8,595,000,000 in fiscal
12 year 2016.

TRANSIT RESEARCH

14 For necessary expenses to carry out 49 U.S.C. 5312,
15 \$26,000,000.

TECHNICAL ASSISTANCE AND TRAINING

17 For necessary expenses to carry out 49 U.S.C. 5314
18 \$3,000,000 (increased by \$2,000,000).

CAPITAL INVESTMENT GRANTS

20 For necessary expenses to carry out 49 U.S.C. 5309,
21 \$1,921,395,000, to remain available until expended.

~~GRANTS TO THE WASHINGTON METROPOLITAN AREA~~

~~TRANSIT AUTHORITY~~

24 For grants to the Washington Metropolitan Area
25 Transit Authority as authorized under section 601 of divi-

1 sion B of Public Law 110–432, \$100,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 shall approve grants for capital and preventive mainte-
4 nance expenditures for the Washington Metropolitan Area
5 Transit Authority only after receiving and reviewing a re-
6 quest for each specific project: *Provided further*, That
7 prior to approving such grants, the Secretary shall certify
8 that the Washington Metropolitan Area Transit Authority
9 is making significant progress in eliminating the material
10 weaknesses, significant deficiencies, and minor control de-
11 ficiencies identified in the most recent Financial Manage-
12 ment Oversight Review: *Provided further*, That the Sec-
13 retary shall determine that the Washington Metropolitan
14 Area Transit Authority has placed the highest priority on
15 those investments that will improve the safety of the sys-
16 tem before approving such grants: *Provided further*, That
17 the Secretary, in order to ensure safety throughout the
18 rail system, may waive the requirements of section
19 601(e)(1) of title VI of Public Law 110–432 (112 Stat.
20 4968).

21 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

22 ADMINISTRATION

23 SEC. 160. The limitations on obligations for the pro-
24 grams of the Federal Transit Administration shall not
25 apply to any authority under 49 U.S.C. 5338, previously

1 made available for obligation, or to any other authority
2 previously made available for obligation.

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

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

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

21 SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as pro-
22 vided in subsection (b), none of the funds in this or any
23 other Act may be available to advance in any way a new
24 light or heavy rail project towards a full funding grant
25 agreement as defined by 49 U.S.C. 5309 for the Metro-

1 politan Transit Authority of Harris County, Texas if the
2 proposed capital project is constructed on or planned to
3 be constructed on Richmond Avenue west of South Shep-
4 herd Drive or on Post Oak Boulevard north of Richmond
5 Avenue in Houston, Texas.

6 (b) EXCEPTION FOR A NEW ELECTION.—The Metro-
7 politan Transit Authority of Harris County, Texas, may
8 attempt to construct or construct a new fixed guideway
9 capital project, including light rail, in the locations re-
10 ferred to in subsection (a) if—

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

16 (2) the proposed construction of such routes is
17 part of a comprehensive, multi-modal, service-area
18 wide transportation plan that includes multiple addi-
19 tional segments of fixed guideway capital projects,
20 including light rail for the jurisdiction set forth in
21 the ballot proposition. The ballot language shall in-
22 clude reasonable cost estimates, sources of revenue
23 to be used and the total amount of bonded indebted-
24 ness to be incurred as well as a description of each

1 route and the beginning and end point of each pro-
2 posed transit project.

3 SAINT LAWRENCE SEAWAY DEVELOPMENT

4 CORPORATION

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

14 OPERATIONS AND MAINTENANCE

15 (HARBOR MAINTENANCE TRUST FUND)

16 For necessary expenses to conduct the operations,
17 maintenance, and capital asset renewal activities of those
18 portions of the Saint Lawrence Seaway owned, operated,
19 and maintained by the Saint Lawrence Seaway Develop-
20 ment Corporation, \$32,042,000 (reduced by \$3,000,000),
21 to be derived from the Harbor Maintenance Trust Fund,
22 pursuant to Public Law 99-662.

1 MARITIME ADMINISTRATION

2 MARITIME SECURITY PROGRAM

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

7 OPERATIONS AND TRAINING

8 For necessary expenses of operations and training ac-
9 tivities authorized by law, \$164,158,000, of which
10 \$22,000,000 shall remain available until expended for
11 maintenance and repair of training ships at State Mari-
12 time Academies, and of which \$5,000,000 shall remain
13 available until expended for National Security Multi-Mis-
14 sion Vessel design for State Maritime Academies and Na-
15 tional Security, and of which \$2,400,000 shall remain
16 available through September 30, 2017, for the Student In-
17 centive Program at State Maritime Academies, and of
18 which \$1,200,000 shall remain available until expended
19 for training ship fuel assistance payments; and of which
20 \$19,700,000 shall remain available until expended for fa-
21 cilities maintenance and repair, equipment, and capital
22 improvements at the United States Merchant Marine
23 Academy, and of which \$3,000,000 shall remain available
24 through September 30, 2017, for Maritime Environment
25 and Technology Assistance grants, contracts, and coopera-

1 tive agreement: *Provided*, That amounts apportioned for
2 the United States Merchant Marine Academy shall be
3 available only upon allotments made personally by the See-
4 retary of Transportation or the Assistant Secretary for
5 Budget and Programs: *Provided further*, That the Super-
6 intendent, Deputy Superintendent and the Director of the
7 Office of Resource Management of the United States Mer-
8 chant Marine Academy may not be allotment holders for
9 the United States Merchant Marine Academy, and the Ad-
10 ministrator of the Maritime Administration shall hold all
11 allotments made by the Secretary of Transportation or the
12 Assistant Seeretary for Budget and Programs under the
13 previous proviso: *Provided further*, That 50 percent of the
14 funding made available for the United States Merchant
15 Marine Academy under this heading shall be available only
16 after the Seeretary, in consultation with the Super-
17 intendent and the Maritime Administrator, completes a
18 plan detailing by program or activity how such funding
19 will be expended at the Academy, and this plan is sub-
20 mitted to the House and Senate Committees on Appro-
21 priations.

~~SHP DISPOSAL~~

23 For necessary expenses related to the disposal of ob-
24 solete vessels in the National Defense Reserve Fleet of the

1 Maritime Administration, \$4,000,000, to remain available
2 until expended.

3 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary administrative expenses of the mari-
7 time guaranteed loan program, \$3,135,000 shall be paid
8 to the appropriations for "Maritime Administration—Op-
9 erations and Training".

10 ADMINISTRATIVE PROVISIONS—MARITIME

11 ADMINISTRATION

12 SEC. 170. Notwithstanding any other provision of
13 this Act, in addition to any existing authority, the Mari-
14 time Administration is authorized to furnish utilities and
15 services and make necessary repairs in connection with
16 any lease, contract, or occupancy involving Government
17 property under control of the Maritime Administration:
18 *Provided*, That payments received therefor shall be cred-
19 ited to the appropriation charged with the cost thereof and
20 shall remain available until expended: *Provided further*,
21 That rental payments under any such lease, contract, or
22 occupancy for items other than such utilities, services, or
23 repairs shall be covered into the Treasury as miscellaneous
24 receipts.

1 SEC. 171. None of the funds available or appro-
2 priated in this Act shall be used by the United States De-
3 partment of Transportation or the United States Maritime
4 Administration to negotiate or otherwise execute, enter
5 into, facilitate or perform fee-for-service contracts for ves-
6 sel disposal, scrapping or recycling, unless there is no
7 qualified domestic ship recycler that will pay any sum of
8 money to purchase and scrap or recycle a vessel owned,
9 operated or managed by the Maritime Administration or
10 that is part of the National Defense Reserve Fleet: *Pro-*
11 *vided,* That such sales offers must be consistent with the
12 solicitation and provide that the work will be performed
13 in a timely manner at a facility qualified within the mean-
14 ing of section 3502 of Public Law 106-398: *Provided fur-*
15 *ther,* That nothing contained herein shall affect the Mari-
16 time Administration's authority to award contracts at
17 least cost to the Federal Government and consistent with
18 the requirements of 54 U.S.C. 308704, section 3502, or
19 otherwise authorized under the Federal Acquisition Regu-
20 lation.

1 PIPELINE AND HAZARDOUS MATERIALS SAFETY

2 ADMINISTRATION

3 OPERATIONAL EXPENSES

4 For necessary operational expenses of the Pipeline
5 and Hazardous Materials Safety Administration,
6 \$20,725,000 (increased by \$500,000).

7 HAZARDOUS MATERIALS SAFETY

8 For expenses necessary to discharge the hazardous
9 materials safety functions of the Pipeline and Hazardous
10 Materials Safety Administration, \$60,500,000, of which
11 \$7,570,000 shall remain available until September 30,
12 2018: *Provided*, That up to \$800,000 in fees collected
13 under 49 U.S.C. 5108(g) shall be deposited in the general
14 fund of the Treasury as offsetting receipts: *Provided fur-*
15 *ther*, That there may be credited to this appropriation, to
16 be available until expended, funds received from States,
17 counties, municipalities, other public authorities, and pri-
18 vate sources for expenses incurred for training, for reports
19 publication and dissemination, and for travel expenses in-
20 curred in performance of hazardous materials exemptions
21 and approvals functions.

1 **PIPELINE SAFETY**

2 **(PIPELINE SAFETY FUND)**

3 **(OIL SPILL LIABILITY TRUST FUND)**

4 For expenses necessary to conduct the functions of

5 the pipeline safety program, for grants-in-aid to carry out

6 a pipeline safety program, as authorized by 49 U.S.C.

7 60107, and to discharge the pipeline program responsibil-

8 ties of the Oil Pollution Act of 1990, \$145,870,000, of

9 which \$19,500,000 shall be derived from the Oil Spill Li-

10 ability Trust Fund and shall remain available until Sep-

11 tember 30, 2018; and of which \$124,500,000 shall be de-

12 rived from the Pipeline Safety Fund, of which

13 \$66,309,000 shall remain available until September 30,

14 2018: *Provided*, That not less than \$1,000,000 of the

15 funds provided under this heading shall be for the One-

16 Call state grant program: *Provided further*, That not less

17 than \$1,000,000 of the funds provided under this heading

18 shall be for the finalization and implementation of rules

19 required under section 60102(n) of title 49, United States

20 Code, and section 8(b)(3) of the Pipeline Safety, Regu-

21 latory Certainty, and Job Creation Act of 2011 (49 U.S.C.

22 60108 note; 125 Stat. 1911).

1 EMERGENCY PREPAREDNESS GRANTS

2 (EMERGENCY PREPAREDNESS FUND)

3 For necessary expenses to carry out 49 U.S.C.
4 5128(b), \$188,000, to be derived from the Emergency
5 Preparedness Fund, to remain available until September
6 30, 2017: *Provided*, That notwithstanding the fiscal year
7 limitation specified in 49 U.S.C. 5116, not more than
8 \$28,318,000 shall be made available for obligation in fis-
9 cal year 2016 from amounts made available by 49 U.S.C.
10 5116(i), and 5128 (b) and (e): *Provided further*, That not-
11 withstanding 49 U.S.C. 5116(i)(4), not more than 4 per-
12 cent of the amounts made available from this account shall
13 be available to pay administrative costs: *Provided further*,
14 That none of the funds made available by 49 U.S.C.
15 5116(i), 5128(b), or 5128(e) shall be made available for
16 obligation by individuals other than the Secretary of
17 Transportation, or his or her designee.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of the Inspector
21 General to carry out the provisions of the Inspector Gen-
22 eral Act of 1978, as amended, \$86,223,000: *Provided*,
23 That the Inspector General shall have all necessary au-
24 thority, in carrying out the duties specified in the Inspee-
25 tor General Act, as amended (5 U.S.C. App. 3), to inves-

1 mitigate allegations of fraud, including false statements to
2 the government (18 U.S.C. 1001), by any person or entity
3 that is subject to regulation by the Department. *Provided*
4 *further*, That the funds made available under this heading
5 may be used to investigate, pursuant to section 41712 of
6 title 49, United States Code: (1) unfair or deceptive pra-
7 tices and unfair methods of competition by domestic and
8 foreign air carriers and ticket agents; and (2) the compli-
9 ance of domestic and foreign air carriers with respect to
10 item (1) of this proviso. *Provided further*, That hereafter
11 funds transferred to the Office of the Inspector General
12 through forfeiture proceedings or from the Department of
13 Justice Assets Forfeiture Fund or the Department of the
14 Treasury Forfeiture Fund, as a participating agency, as
15 an equitable share from the forfeiture of property in inves-
16 tigations in which the Office of Inspector General partici-
17 pates, or through the granting of a Petition for Remission
18 or Mitigation, shall be deposited to the credit of this ac-
19 count for law enforcement activities authorized under the
20 Inspector General Act of 1978, as amended, to remain
21 available until expended.

22 SURFACE TRANSPORTATION BOARD

23 SALARIES AND EXPENSES

24 For necessary expenses of the Surface Transpor-
25 tation Board, including services authorized by 5 U.S.C.

1 3109, \$31,375,000: *Provided*, That notwithstanding any
2 other provision of law, not to exceed \$1,250,000 from fees
3 established by the Chairman of the Surface Transpor-
4 tation Board shall be credited to this appropriation as off-
5 setting collections and used for necessary and authorized
6 expenses under this heading: *Provided further*, That the
7 sum herein appropriated from the general fund shall be
8 reduced on a dollar-for-dollar basis as such offsetting col-
9 lections are received during fiscal year 2016, to result in
10 a final appropriation from the general fund estimated at
11 no more than \$30,125,000.

12 GENERAL PROVISIONS—DEPARTMENT OF
13 TRANSPORTATION

14 SEC. 180. During the current fiscal year, applicable
15 appropriations to the Department of Transportation shall
16 be available for maintenance and operation of aircraft;
17 hire of passenger motor vehicles and aircraft; purchase of
18 liability insurance for motor vehicles operating in foreign
19 countries on official department business; and uniforms or
20 allowances therefor, as authorized by law (§ U.S.C. 5901–
21 5902).

22 SEC. 181. Appropriations contained in this Act for
23 the Department of Transportation shall be available for
24 services as authorized by ~~5~~ U.S.C. 3109, but at rates for

1 individuals not to exceed the per diem rate equivalent to
2 the rate for an Executive Level IV.

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

9 SEC. 183. (a) No recipient of funds made available
10 in this Act shall disseminate personal information (as de-
11 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
12 ment of motor vehicles in connection with a motor vehicle
13 record as defined in 18 U.S.C. 2725(1), except as provided
14 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
15 2721.

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

19 SEC. 184. Funds received by the Federal Highway
20 Administration, Federal Transit Administration, and Fed-
21 eral Railroad Administration from States, counties, mu-
22 nicipalities, other public authorities, and private sources
23 for expenses incurred for training may be credited respec-
24 tively to the Federal Highway Administration's "Federal-
25 Aid Highways" account, the Federal Transit Administra-

1 tion's "Technical Assistance and Training" account, and
2 to the Federal Railroad Administration's "Safety and Op-
3 erations" account, except for State rail safety inspectors
4 participating in training pursuant to 49 U.S.C. 20105.

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

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

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

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

23 (4) any program of the Federal Transit Admin-
24 istration other than the formula grants and fixed
25 guideway modernization programs;

1 (5) any program of the Maritime Administra-
2 tion; or

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

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

10 SEC. 186. Rebates, refunds, incentive payments,
11 minor fees and other funds received by the Department
12 of Transportation from travel management centers,
13 charge card programs, the subleasing of building space,
14 and miscellaneous sources are to be credited to appropria-
15 tions of the Department of Transportation and allocated
16 to elements of the Department of Transportation using
17 fair and equitable criteria and such funds shall be avail-
18 able until expended.

19 SEC. 187. Amounts made available in this or any
20 other Act that the Secretary determines represent im-
21 proper payments by the Department of Transportation to
22 a third-party contractor under a financial assistance
23 award, which are recovered pursuant to law, shall be avail-
24 able—

1 (1) to reimburse the actual expenses incurred
2 by the Department of Transportation in recovering
3 improper payments; and

4 (2) to pay contractors for services provided in
5 recovering improper payments or contractor support
6 in the implementation of the Improper Payments In-
7 formation Act of 2002. *Provided*, That amounts in
8 excess of that required for paragraphs (1) and (2)—

9 (A) shall be credited to and merged with
10 the appropriation from which the improper pay-
11 ments were made, and shall be available for the
12 purposes and period for which such appropria-
13 tions are available. *Provided further*, That
14 where specific project or accounting information
15 associated with the improper payment or pay-
16 ments is not readily available, the Secretary
17 may credit an appropriate account, which shall
18 be available for the purposes and period assoei-
19 ated with the account so credited; or

20 (B) if no such appropriation remains avail-
21 able, shall be deposited in the Treasury as mis-
22 cellaneous receipts. *Provided further*, That prior
23 to the transfer of any such recovery to an ap-
24 propriations account, the Secretary shall notify
25 the House and Senate Committees on Appro-

1 propriations of the amount and reasons for such
2 transfer: *Provided further*, That for purposes of
3 this section, the term “improper payments” has
4 the same meaning as that provided in section
5 2(d)(2) of Public Law 107-300.

6 SEC. 188. Notwithstanding any other provision of
7 law, if any funds provided in or limited by this Act are
8 subject to a reprogramming action that requires notice to
9 be provided to the House and Senate Committees on Ap-
10 propriations, transmission of said reprogramming notice
11 shall be provided solely to the Committees on Appropriations;
12 and said reprogramming action shall be approved
13 or denied solely by the Committees on Appropriations:
14 *Provided*, That the Secretary may provide notice to other
15 congressional committees of the action of the Committees
16 on Appropriations on such reprogramming but not sooner
17 than 30 days following the date on which the reprogram-
18 ming action has been approved or denied by the House
19 and Senate Committees on Appropriations.

20 SEC. 189. None of the funds appropriated or other-
21 wise made available under this Act may be used by the
22 Surface Transportation Board of the Department of
23 Transportation to charge or collect any filing fee for rate
24 or practice complaints filed with the Board in an amount
25 in excess of the amount authorized for district court civil

1 suit filing fees under section 1914 of title 28, United
2 States Code.

3 SEC. 190. Funds appropriated in this Act to the
4 modal administrations may be obligated for the Office of
5 the Secretary for the costs related to assessments or reim-
6 bursable agreements only when such amounts are for the
7 costs of goods and services that are purchased to provide
8 a direct benefit to the applicable modal administration or
9 administrations.

10 SEC. 191. The Secretary of Transportation is author-
11 ized to carry out a program that establishes uniform
12 standards for developing and supporting agency transit
13 pass and transit benefits authorized under section 7905
14 of title 5, United States Code, including distribution of
15 transit benefits by various paper and electronic media.

16 SEC. 192. None of the funds made available by this
17 Act shall be used by the Surface Transportation Board
18 to take any actions with respect to the construction of a
19 high speed rail project in California unless the permit is
20 issued by the Board with respect to the project in its en-
21 tirety.

22 SEC. 193. None of the funds made available in this
23 Act may be used to facilitate new scheduled air transpor-
24 tation originating from the United States if such flights
25 would land on, or pass through, property confiscated by

1 the Cuban Government, including property in which a mi-
2 nority interest was confiscated, as the terms confiscated,
3 Cuban Government, and property are defined in para-
4 graphs (4), (5), and (12)(A), respectively, of section 4 of
5 the Cuban Liberty and Democracy Solidarity
6 (LIBERTAD) Act of 1996 (22 U.S.C. 6023 (4), (5), and
7 (12)(A)): *Provided*, That for this section, new scheduled
8 air transportation shall include any flights not already reg-
9ularly scheduled prior to March 31, 2015.

10 This title may be cited as the “Department of Trans-
11 portation Appropriations Act, 2016”.

12 **TITLE II**

13 **DEPARTMENT OF HOUSING AND URBAN**
14 **DEVELOPMENT**

15 **MANAGEMENT AND ADMINISTRATION**

16 **EXECUTIVE OFFICES**

17 For necessary salaries and expenses for Executive Of-
18 fices, which shall be comprised of the offices of the Sec-
19 retary, Deputy Secretary, Adjudicatory Services, Congres-
20 sional and Intergovernmental Relations, Public Affairs,
21 Small and Disadvantaged Business Utilization, and the
22 Center for Faith-Based and Neighborhood Partnerships,
23 \$14,500,000: *Provided*, That not to exceed \$25,000 of the
24 amount made available under this heading shall be avail-

1 able to the Secretary for official reception and representa-
2 tion expenses as the Secretary may determine.

3 **ADMINISTRATIVE SUPPORT OFFICES**

4 **(INCLUDING TRANSFER OF FUNDS)**

5 For necessary salaries and expenses for Administra-
6 tive Support Offices, \$547,000,000, of which
7 \$45,600,000, to remain available until expended, in addi-
8 tion to amounts made available under this heading for the
9 Office of the Chief Financial Officer and the Office of the
10 Chief Human Capital Officer, shall be for funding shared
11 service agreements between the Department of Housing
12 and Urban Development and the Department of the
13 Treasury; \$39,000,000 shall be available for the Office of
14 the Chief Financial Officer; \$93,000,000 shall be available
15 for the Office of the General Counsel; \$199,000,000 shall
16 be available for the Office of Administration; \$40,000,000
17 shall be available for the Office of the Chief Human Cap-
18 ital Officer; \$49,000,000 shall be available for the Office
19 of Field Policy and Management; \$16,000,000 shall be
20 available for the Office of the Chief Procurement Officer;
21 \$3,000,000 shall be available for the Office of Depart-
22 mental Equal Employment Opportunity; \$4,000,000 shall
23 be available for the Office of Strategic Planning and Man-
24 agement; \$44,000,000 shall be available for the Office of
25 the Chief Information Officer; and of which the remaining

1 amount shall be available through September 30, 2017,
2 for transfer to the appropriations for offices specified
3 under this heading or the heading "Program Office Salaries
4 and Expenses" in this title: *Provided*, That funds pro-
5 vided under this heading may be used for necessary ad-
6 ministrative and non-administrative expenses of the De-
7 partment of Housing and Urban Development, not other-
8 wise provided for, including purchase of uniforms, or al-
9 lowances therefor, as authorized by 5 U.S.C. 5901-5902;
10 hire of passenger motor vehicles; and services as author-
11 ized by 5 U.S.C. 3109: *Provided further*, That notwithstanding
12 any other provision of law, funds appropriated
13 under this heading may be used for advertising and pro-
14 motional activities that directly support program activities
15 funded in this title: *Provided further*, That the Secretary
16 shall provide the Committees on Appropriations quarterly
17 written notification regarding the status of pending con-
18 gressional reports: *Provided further*, That the Secretary
19 shall provide in electronic form all signed reports required
20 by Congress.

21 PROGRAM OFFICE SALARIES AND EXPENSES

22 PUBLIC AND INDIAN HOUSING

23 For necessary salaries and expenses of the Office of
24 Public and Indian Housing, \$203,000,000.

~~COMMUNITY PLANNING AND DEVELOPMENT~~

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

4 ~~HOUSING~~

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

POLICY DEVELOPMENT AND RESEARCH

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

10 FAIR HOUSING AND EQUAL OPPORTUNITY

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

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

17 PUBLIC AND INDIAN HOUSING PROGRAMS

~~TENANT-BASED RENTAL ASSISTANCE~~

19 For activities and assistance for the provision of ten-
20 ant-based rental assistance authorized under the United
21 States Housing Act of 1937, as amended (42 U.S.C. 1437
22 et seq.) (“the Act” herein), not otherwise provided for,
23 \$15,918,643,000 to remain available until September 30,
24 2018, shall be available on October 1, 2015 (in addition
25 to the \$4,000,000,000 previously appropriated under this

1 heading that became available on October 1, 2015), and
2 \$4,000,000,000, to remain available until September 30,
3 2019, shall be available on October 1, 2016. *Provided*,
4 That the amounts made available under this heading are
5 provided as follows:

6 (1) \$18,151,000,000 shall be available for re-
7 newals of expiring section 8 tenant-based annual
8 contributions contracts (including renewals of en-
9 hanced vouchers under any provision of law author-
10 izing such assistance under section 8(t) of the Act)
11 and including renewal of other special purpose or in-
12 cremental vouchers. *Provided*, That notwithstanding
13 any other provision of law, from amounts provided
14 under this paragraph and any carryover, the Sec-
15 retary for the calendar year 2016 funding cycle shall
16 provide renewal funding for each public housing
17 agency based on validated voucher management sys-
18 tem (VMS) leasing and cost data for the prior cal-
19 endar year and by applying an inflation factor as es-
20 tablished by the Secretary, by notice published in
21 the Federal Register, and by making any necessary
22 adjustments for the costs associated with the first-
23 time renewal of vouchers under this paragraph in-
24 cluding tenant protection, HOPE VI, and Choice
25 Neighborhoods vouchers. *Provided further*, That in

1 determining calendar year 2016 funding allocations
2 under this heading for public housing agencies, in-
3 cluding agencies participating in the Moving To
4 Work (MTW) demonstration, the Secretary may
5 take into account the anticipated impact of changes
6 in targeting and utility allowances, on public housing
7 agencies' contract renewal needs. *Provided further,*
8 That none of the funds provided under this para-
9 graph may be used to fund a total number of unit
10 months under lease which exceeds a public housing
11 agency's authorized level of units under contract, ex-
12 cept for public housing agencies participating in the
13 MTW demonstration, which are instead governed by
14 the terms and conditions of their MTW agreements.
15 *Provided further,* That the Secretary shall, to the ex-
16 tent necessary to stay within the amount specified
17 under this paragraph (except as otherwise modified
18 under this paragraph), prorate each public housing
19 agency's allocation otherwise established pursuant to
20 this paragraph. *Provided further,* That except as
21 provided in the following provisos, the entire amount
22 specified under this paragraph (except as otherwise
23 modified under this paragraph) shall be obligated to
24 the public housing agencies based on the allocation
25 and pro rata method described above, and the Sec-

1 retary shall notify public housing agencies of their
2 annual budget by the latter of 60 days after enact-
3 ment of this Act or March 1, 2016. *Provided further,*
4 That the Secretary may extend the notification pe-
5 riod with the prior written approval of the House
6 and Senate Committees on Appropriations: *Provided*
7 *further,* That public housing agencies participating
8 in the MTW demonstration shall be funded pursuant
9 to their MTW agreements and shall be subject to
10 the same pro rata adjustments under the previous
11 provisos: *Provided further,* That the Secretary may
12 offset public housing agencies' calendar year 2016
13 allocations based on the excess amounts of public
14 housing agencies' net restricted assets accounts, in-
15 cluding HUD held programmatic reserves (in ac-
16 cordance with VMS data in calendar year 2015 that
17 is verifiable and complete), as determined by the
18 Secretary: *Provided further,* That public housing
19 agencies participating in the MTW demonstration
20 shall also be subject to the offset, as determined by
21 the Secretary, excluding amounts subject to the sin-
22 gle fund budget authority provisions of their MTW
23 agreements, from the agencies' calendar year 2016
24 MTW funding allocation: *Provided further,* That the
25 Secretary shall use any offset referred to in the pre-

1 vious two provisos throughout the calendar year to
2 prevent the termination of rental assistance for fam-
3 ilies as the result of insufficient funding, as deter-
4 mined by the Secretary, and to avoid or reduce the
5 proration of renewal funding allocations: *Provided*
6 *further*, That up to \$75,000,000 shall be available
7 only: (A) for adjustments in the allocations for pub-
8 lie housing agencies, after application for an adjust-
9 ment by a public housing agency that experienced a
10 significant increase, as determined by the Secretary,
11 in renewal costs of vouchers resulting from unfore-
12 seen circumstances or from portability under section
13 8(r) of the Act; (B) for vouchers that were not in
14 use during the 12-month period in order to be avail-
15 able to meet a commitment pursuant to section
16 8(o)(13) of the Act; (C) for adjustments for costs
17 associated with ~~HUD~~ Veterans Affairs Supportive
18 Housing (~~HUD~~-VASH) vouchers; (D) for adjust-
19 ments for public housing agencies with voucher leas-
20 ing rates at the end of the calendar year that exceed
21 the average leasing for the 12-month period used to
22 establish the allocation, and for additional leasing of
23 vouchers that were issued but not leased prior to the
24 end of such calendar year; (E) for public housing
25 agencies that despite taking reasonable cost savings

1 measures, as determined by the Secretary, would
2 otherwise be required to terminate rental assistance
3 for families as a result of insufficient funding; and
4 (F) for adjustments in the allocations for public
5 housing agencies that experienced a significant in-
6 crease, as determined by the Secretary, in renewal
7 costs as a result of participation in the Small Area
8 Fair Market Rent demonstration: *Provided further,*
9 That the Secretary shall allocate amounts under the
10 previous proviso based on need, as determined by
11 the Secretary;

12 (2) \$130,000,000 shall be for section 8 rental
13 assistance for relocation and replacement of housing
14 units that are demolished or disposed of pursuant to
15 section 18 of the Act, conversion of section 23
16 projects to assistance under section 8, the family
17 unification program under section 8(x) of the Act,
18 relocation of witnesses in connection with efforts to
19 combat crime in public and assisted housing pursu-
20 ant to a request from a law enforcement or prosecu-
21 tion agency, enhanced vouchers under any provision
22 of law authorizing such assistance under section 8(t)
23 of the Act, HOPE VI and Choice Neighborhood
24 vouchers, mandatory and voluntary conversions, and
25 tenant protection assistance including replacement

1 and relocation assistance or for project-based assist-
2 ance to prevent the displacement of unassisted elder-
3 ly tenants currently residing in section 202 prop-
4 erties financed between 1959 and 1974 that are refi-
5 nanced pursuant to Public Law 106-569, as amend-
6 ed, or under the authority as provided under this
7 Act. *Provided*, That when a public housing develop-
8 ment is submitted for demolition or disposition
9 under section 18 of the Act, the Secretary may pro-
10 vide section 8 rental assistance when the units pose
11 an imminent health and safety risk to residents.
12 *Provided further*, That the Secretary may only pro-
13 vide replacement vouchers for units that were occu-
14 pied within the previous 24 months that cease to be
15 available as assisted housing, subject only to the
16 availability of funds. *Provided further*, That of the
17 amounts made available under this paragraph,
18 \$5,000,000 may be available to provide tenant pro-
19 tection assistance, not otherwise provided under this
20 paragraph, to residents residing in low vacancy
21 areas and who may have to pay rents greater than
22 30 percent of household income, as the result of: (A)
23 the maturity of a HUD-insured, HUD-held or sec-
24 tion 202 loan that requires the permission of the
25 Secretary prior to loan prepayment; (B) the expira-

tion of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) 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 reissued 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

1 and carryovers, remaining from amounts appro-
2 priated in prior fiscal years under this heading for
3 voucher assistance for nonelderly disabled families
4 and for disaster assistance made available under
5 Public Law 110-329;

6 (3) \$1,530,000,000 shall be for administrative
7 and other expenses of public housing agencies in ad-
8 ministering the section 8 tenant-based rental assist-
9 ance program, of which up to \$10,000,000 shall be
10 available to the Secretary to allocate to public hous-
11 ing agencies that need additional funds to admin-
12 ister their section 8 programs, including fees associ-
13 ated with section 8 tenant protection rental assist-
14 ance, the administration of disaster related vouchers,
15 Veterans Affairs Supportive Housing vouchers, and
16 other special purpose incremental vouchers. *Pro-*
17 *vided,* That no less than \$1,520,000,000 of the
18 amount provided in this paragraph shall be allocated
19 to public housing agencies for the calendar year
20 2016 funding cycle based on section 8(q) of the Act
21 (and related Appropriation Act provisions) as in ef-
22 fect immediately before the enactment of the Quality
23 Housing and Work Responsibility Act of 1998 (Pub-
24 lic Law 105-276). *Provided further,* That if the
25 amounts made available under this paragraph are

1 insufficient to pay the amounts determined under
2 the previous proviso, the Secretary may decrease the
3 amounts allocated to agencies by a uniform percent-
4 age applicable to all agencies receiving funding
5 under this paragraph or may, to the extent nec-
6 essary to provide full payment of amounts deter-
7 mined under the previous proviso, utilize unobligated
8 balances, including recaptures and carryovers, re-
9 maining from funds appropriated to the Department
10 of Housing and Urban Development under this
11 heading from prior fiscal years, excluding special
12 purpose vouchers, notwithstanding the purposes for
13 which such amounts were appropriated: *Provided*
14 *further*, That all public housing agencies partici-
15 pating in the MTW demonstration shall be funded
16 pursuant to their MTW agreements, and shall be
17 subject to the same uniform percentage decrease as
18 under the previous proviso: *Provided further*, That
19 amounts provided under this paragraph shall be only
20 for activities related to the provision of tenant-based
21 rental assistance authorized under section 8, includ-
22 ing related development activities;

23 (4) \$107,643,210 for the renewal of tenant-
24 based assistance contracts under section 811 of the
25 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)~~

14 Unobligated balances, including recaptures and ear-
15 ryover, remaining from funds appropriated to the Depart-
16 ment of Housing and Urban Development under this
17 heading; the heading “Annual Contributions for Assisted
18 Housing” and the heading “Project-Based Rental Assist-
19 ance”, for fiscal year 2016 and prior years may be used
20 for renewal of or amendments to section 8 project-based
21 contracts and for performance-based contract administra-
22 tors, notwithstanding the purposes for which such funds
23 were appropriated: *Provided*, That any obligated balances
24 of contract authority from fiscal year 1974 and prior that
25 have been terminated shall be rescinded: *Provided further*,

1 That amounts heretofore recaptured, or recaptured during
2 the current fiscal year, from section 8 project-based con-
3 tracts from source years fiscal year 1975 through fiscal
4 year 1987 are hereby rescinded, and an amount of addi-
5 tional new budget authority, equivalent to the amount re-
6 scinded is hereby appropriated, to remain available until
7 expended, for the purposes set forth under this heading;
8 in addition to amounts otherwise available.

9 PUBLIC HOUSING CAPITAL FUND

10 For the Public Housing Capital Fund Program to
11 carry out capital and management activities for public
12 housing agencies, as authorized under section 9 of the
13 United States Housing Act of 1937 (42 U.S.C. 1437g)
14 (“the Act”), \$1,681,000,000, to remain available until
15 September 30, 2019: *Provided*, That notwithstanding any
16 other provision of law or regulation, during fiscal year
17 2016 the Secretary of Housing and Urban Development
18 may not delegate to any Department official other than
19 the Deputy Secretary and the Assistant Secretary for
20 Public and Indian Housing any authority under paragraph
21 (2) of section 9(j) regarding the extension of the time peri-
22 ods under such section: *Provided further*, That for pur-
23 poses of such section 9(j), the term “obligate” means, with
24 respect to amounts, that the amounts are subject to a
25 binding agreement that will result in outlays, immediately

1 or in the future: *Provided further*, That up to \$3,000,000
2 shall be to support ongoing Public Housing Financial and
3 Physical Assessment activities: *Provided further*, That of
4 the total amount provided under this heading, not to ex-
5 eed \$20,000,000 shall be available for the Secretary to
6 make grants, notwithstanding section 204 of this Act, to
7 public housing agencies for emergency capital needs in-
8 cluding safety and security measures necessary to address
9 crime and drug-related activity as well as needs resulting
10 from unforeseen or unpreventable emergencies and nat-
11 ural disasters excluding Presidentially declared emer-
12 gencies and natural disasters under the Robert T. Stafford
13 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
14 seq.) occurring in fiscal year 2016: *Provided further*, That
15 of the total amount provided under this heading
16 \$30,000,000 shall be for supportive services, service coor-
17 dinator and congregate services as authorized by section
18 34 of the Act (42 U.S.C. 1437z-6) and the Native Amer-
19 ian Housing Assistance and Self-Determination Act of
20 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of
21 the total amount made available under this heading, up
22 to \$15,000,000 may be used for a Jobs-Plus initiative
23 modeled after the Jobs-Plus demonstration: *Provided fur-*
24 *ther*, That the funding provided under the previous proviso
25 shall provide competitive grants to partnerships between

1 public housing authorities, local workforce investment
2 boards established under section 117 of the Workforce In-
3 vestment Act of 1998, and other agencies and organiza-
4 tions that provide support to help public housing residents
5 obtain employment and increase earnings: *Provided fur-*
6 *ther,* That applicants must demonstrate the ability to pro-
7 vide services to residents, partner with workforce invest-
8 ment boards, and leverage service dollars: *Provided fur-*
9 *ther,* That the Secretary may set aside a portion of the
10 funds provided for the Resident Opportunity and Self-Suf-
11 ficiency program to support the services element of the
12 Jobs Plus Pilot initiative: *Provided further,* That the Sec-
13 retary may allow PHAs to request exemptions from rent
14 and income limitation requirements under sections 3 and
15 6 of the United States Housing Act of 1937 as necessary
16 to implement the Jobs Plus program, on such terms and
17 conditions as the Secretary may approve upon a finding
18 by the Secretary that any such waivers or alternative re-
19 quirements are necessary for the effective implementation
20 of the Jobs Plus initiative as a voluntary program for resi-
21 dents: *Provided further,* That the Secretary shall publish
22 by notice in the Federal Register any waivers or alter-
23 native requirements pursuant to the preceding proviso no
24 later than 10 days before the effective date of such notice:
25 *Provided further,* That for funds provided under this head-

1 ing, the limitation in section 9(g)(1) of the Act shall be
2 25 percent: *Provided further*, That the Secretary may
3 waive the limitation in the previous proviso to allow public
4 housing agencies to fund activities authorized under sec-
5 tion 9(e)(1)(C) of the Act: *Provided further*, That from
6 the funds made available under this heading, the Secretary
7 shall provide bonus awards in fiscal year 2016 to public
8 housing agencies that are designated high performers:
9 *Provided further*, That the Department shall notify public
10 housing agencies of their formula allocation within 60
11 days of enactment of this Act.

12 PUBLIC HOUSING OPERATING FUND

13 For 2016 payments to public housing agencies for the
14 operation and management of public housing, as author-
15 ized by section 9(e) of the United States Housing Act of
16 1937 (42 U.S.C. 1437g(e)), \$4,440,000,000.

17 CHOICE NEIGHBORHOODS INITIATIVE

18 For competitive grants under the Choice Neighbor-
19 hoods Initiative (subject to section 24 of the United States
20 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
21 specified under this heading), for transformation, rehabili-
22 tation, and replacement housing needs of both public and
23 HUD-assisted housing and to transform neighborhoods of
24 poverty into functioning, sustainable mixed income neigh-
25 borhoods with appropriate services, schools, public assets,

1 transportation and access to jobs, \$20,000,000, to remain
2 available until September 30, 2018: *Provided*, That grant
3 funds may be used for resident and community services,
4 community development, and affordable housing needs in
5 the community, and for conversion of vacant or foreclosed
6 properties to affordable housing: *Provided further*, That
7 the use of funds made available under this heading shall
8 not be deemed to be public housing notwithstanding see-
9 tion 3(b)(1) of such Act: *Provided further*, That grantees
10 shall commit to an additional period of affordability deter-
11 mined by the Secretary of not fewer than 20 years: *Pro-*
12 *vided further*, That grantees shall undertake comprehen-
13 sive local planning with input from residents and the com-
14 munity, and that grantees shall provide a match in State,
15 local, other Federal or private funds: *Provided further*,
16 That grantees may include local governments, tribal enti-
17 ties, public housing authorities, and nonprofits: *Provided*
18 *further*, That for-profit developers may apply jointly with
19 a public entity: *Provided further*, That for purposes of en-
20 vironmental review, a grantee shall be treated as a public
21 housing agency under section 26 of the United States
22 Housing Act of 1937 (42 U.S.C. 1437x), and grants under
23 this heading shall be subject to the regulations issued by
24 the Secretary to implement such section: *Provided further*,
25 That such grantees shall create partnerships with other

1 local organizations including assisted housing owners,
2 service agencies, and resident organizations: *Provided fur-*
3 *ther,* That the Secretary shall consult with the Secretaries
4 of Education, Labor, Transportation, Health and Human
5 Services, Agriculture, and Commerce, the Attorney Gen-
6 eral, and the Administrator of the Environmental Protec-
7 tion Agency to coordinate and leverage other appropriate
8 Federal resources: *Provided further,* That unobligated bal-
9 anees, including recaptures, remaining from funds appro-
10 priated under the heading “Revitalization of Severely Dis-
11 tressed Public Housing (HOPE VI)” in fiscal year 2011
12 and prior fiscal years may be used for purposes under this
13 heading, notwithstanding the purposes for which such
14 amounts were appropriated.

15 **FAMILY SELF-SUFFICIENCY**

16 For the Family Self-Sufficiency program to support
17 family self-sufficiency coordinators under section 23 of the
18 United States Housing Act of 1937, to promote the devel-
19 opment of local strategies to coordinate the use of assist-
20 ance under sections 8 and 9 of such Act with public and
21 private resources, and enable eligible families to achieve
22 economic independence and self-sufficiency, \$75,000,000,
23 to remain available until September 30, 2017: *Provided,*
24 That the Secretary may, by Federal Register notice, waive
25 or specify alternative requirements under section b(3),

1 b(4), b(5), or e(1) of section 23 of such Act in order to
2 facilitate the operation of a unified self-sufficiency pro-
3 gram for individuals receiving assistance under different
4 provisions of the Act, as determined by the Secretary. *Pro-*
5 *vided further,* That owners of multifamily properties with
6 project-based subsidy contracts under section 8 may com-
7 pete for funding under this heading and/or voluntarily
8 make a Family Self-Sufficiency program available to the
9 assisted tenants of such property in accordance with pro-
10 cedures established by the Secretary. *Provided further,*
11 That such procedures established pursuant to the previous
12 proviso shall permit participating tenants to accrue escrow
13 funds in accordance with section 23(d)(2) and shall allow
14 owners to use funding from residual receipt accounts to
15 hire coordinators for their own Family Self-Sufficiency
16 program.

17 NATIVE AMERICAN HOUSING BLOCK GRANTS

18 For the Native American Housing Block Grants pro-
19 gram, as authorized under title I of the Native American
20 Housing Assistance and Self-Determination Act of 1996
21 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to
22 remain available until September 30, 2020. *Provided,*
23 That, notwithstanding the Native American Housing As-
24 sistance and Self-Determination Act of 1996, to determine
25 the amount of the allocation under title I of such Act for

1 each Indian tribe, the Secretary shall apply the formula
2 under section 302 of such Act with the need component
3 based on single race census data and with the need compo-
4 nent based on multi-race census data, and the amount of
5 the allocation for each Indian tribe shall be the greater
6 of the two resulting allocation amounts: *Provided further,*
7 That of the amounts made available under this heading,
8 \$3,500,000 shall be contracted for assistance for national
9 or regional organizations representing Native American
10 housing interests for providing training and technical as-
11 sistance to Indian housing authorities and tribally des-
12 ignated housing entities as authorized under NAHASDA:
13 *Provided further,* That of the funds made available under
14 the previous proviso, not less than \$2,000,000 shall be
15 made available for a national organization as authorized
16 under section 703 of NAHASDA (25 U.S.C. 4212). *Pro-*
17 *vided further,* That of the amounts made available under
18 this heading, \$2,000,000 shall be to support the inspection
19 of Indian housing units; contract expertise; training; and
20 technical assistance in the training; oversight; and man-
21 agement of such Indian housing and tenant-based assist-
22 ance, including up to \$300,000 for related travel. *Provided*
23 *further,* That of the amount provided under this heading,
24 \$2,000,000 shall be made available for the cost of guaran-
25 teed notes and other obligations, as authorized by title VI

1 of NAHASDA: *Provided further*, That such costs, includ-
2 ing the costs of modifying such notes and other obliga-
3 tions, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974, as amended: *Provided further*,
5 That these funds are available to subsidize the total prin-
6 cipal amount of any notes and other obligations, any part
7 of which is to be guaranteed, not to exceed \$17,452,007:
8 *Provided further*, That the Department will notify grantees
9 of their formula allocation within 60 days of the date of
10 enactment of this Act: *Provided further*, notwithstanding
11 section 302(d) of NAHASDA, if on January 1, 2016, a
12 recipient's total amount of undisbursed block grants in the
13 Department's line of credit control system is greater than
14 three times the formula allocation it would otherwise re-
15 ceive under this heading, the Secretary shall adjust that
16 recipient's formula allocation down by the difference be-
17 tween its total amount of undisbursed block grants in the
18 Department's line of credit control system on January 1,
19 2016, and three times the formula allocation it would oth-
20 erwise receive: *Provided further*, That grant amounts not
21 allocated to a recipient pursuant to the previous proviso
22 shall be allocated under the need component of the for-
23 mula proportionately among all other Indian tribes not
24 subject to an adjustment: *Provided further*, That the 2
25 previous provisos shall not apply to any Indian tribe that

1 would otherwise receive a formula allocation of less than
2 \$5,000,000: *Provided further*, That to take effect, the
3 three previous provisos do not require the issuance of any
4 regulation.

5 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

6 ACCOUNT

7 For the cost of guaranteed loans, as authorized by
8 section 184 of the Housing and Community Development
9 Act of 1992 (42 U.S.C. 1715z-13a), \$8,000,000, to re-
10 main available until expended: *Provided*, That such costs,
11 including the costs of modifying such loans, shall be as
12 defined in section 502 of the Congressional Budget Act
13 of 1974: *Provided further*, That these funds are available
14 to subsidize total loan principal, any part of which is to
15 be guaranteed, up to \$1,269,841,270, to remain available
16 until expended: *Provided further*, That up to \$750,000 of
17 this amount may be for administrative contract expenses
18 including management processes and systems to carry out
19 the loan guarantee program.

20 COMMUNITY PLANNING AND DEVELOPMENT

21 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

22 For carrying out the Housing Opportunities for Per-
23 sons with AIDS program, as authorized by the AIDS
24 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
25 \$332,000,000 (increased by \$3,000,000), to remain avail-

1 able until September 30, 2017, except that amounts allo-
2 cated pursuant to section 854(e)(3) of such Act shall re-
3 main available until September 30, 2018: *Provided*, That
4 the Secretary shall renew all expiring contracts for perma-
5 nent supportive housing that initially were funded under
6 section 854(e)(3) of such Act from funds made available
7 under this heading in fiscal year 2010 and prior fiscal
8 years that meet all program requirements before awarding
9 funds for new contracts under such section: *Provided fur-*
10 *ther*, That the Department shall notify grantees of their
11 formula allocation within 60 days of enactment of this Act.

12 COMMUNITY DEVELOPMENT FUND

13 For assistance to units of State and local govern-
14 ment, and to other entities, for economic and community
15 development activities, and for other purposes,
16 \$3,060,000,000, to remain available until September 30,
17 2018, unless otherwise specified: *Provided*, That of the
18 total amount provided, \$3,000,000,000 is for carrying out
19 the community development block grant program under
20 title I of the Housing and Community Development Act
21 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
22 et seq.): *Provided further*, That unless explicitly provided
23 for under this heading, not to exceed 20 percent of any
24 grant made with funds appropriated under this heading
25 shall be expended for planning and management develop-

1 ment and administration: *Provided further*, That a metro-
2 politan city, urban county, unit of general local govern-
3 ment, or Indian tribe, or insular area that directly or indi-
4 rectly receives funds under this heading may not sell,
5 trade, or otherwise transfer all or any portion of such
6 funds to another such entity in exchange for any other
7 funds, credits or non-Federal considerations, but must use
8 such funds for activities eligible under title I of the Act.
9 *Provided further*, That notwithstanding section 105(e)(1)
10 of the Act, no funds provided under this heading may be
11 provided to a for-profit entity for an economic develop-
12 ment project under section 105(a)(17) unless such project
13 has been evaluated and selected in accordance with guide-
14 lines required under subparagraph (e)(2): *Provided fur-*
15 *ther*, That none of the funds made available under this
16 heading may be used for grants for the Economic Develop-
17 ment Initiative (“EDI”) or Neighborhood Initiatives ac-
18 tivities, Rural Innovation Fund, or for grants pursuant to
19 section 107 of the Housing and Community Development
20 Act of 1974 (42 U.S.C. 5307): *Provided further*, That the
21 Department shall notify grantees of their formula alloca-
22 tion within 60 days of enactment of this Act: *Provided*
23 *further*, That of the total amount provided under this
24 heading \$60,000,000 shall be for grants to Indian tribes
25 notwithstanding section 106(a)(1) of such Act, of which,

1 notwithstanding any other provision of law (including sec-
2 tion 204 of this Act), up to \$3,960,000 may be used for
3 emergencies that constitute imminent threats to health
4 and safety.

5 **COMMUNITY DEVELOPMENT LOAN GUARANTEES**

6 **PROGRAM ACCOUNT**

7 **(INCLUDING RESCISSION)**

8 Subject to section 502 of the Congressional Budget
9 Act of 1974, during fiscal year 2016, commitments to
10 guarantee loans under section 108 of the Housing and
11 Community Development Act of 1974 (42 U.S.C. 5308),
12 any part of which is guaranteed, shall not exceed a total
13 principal amount of \$300,000,000, notwithstanding any
14 aggregate limitation on outstanding obligations guaran-
15 teed in subsection (k) of such section 108. *Provided*, That
16 the Secretary shall collect fees from borrowers, notwith-
17 standing subsection (m) of such section 108, to result in
18 a credit subsidy cost of zero for guaranteeing such loans,
19 and any such fees shall be collected in accordance with
20 section 502(7) of the Congressional Budget Act of 1974.
21 *Provided further*, That all unobligated balances, including
22 recaptures and carryover, remaining from funds appro-
23 priated to the Department of Housing and Urban Devel-
24 opment under this heading are hereby permanently re-
25 seinded.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 (INCLUDING TRANSFER OF FUNDS)

3 For the HOME investment partnerships program, as
4 authorized under title II of the Cranston-Gonzalez Na-
5 tional Affordable Housing Act, as amended,
6 \$767,000,000, to remain available until September 30,
7 2019: *Provided*, That notwithstanding the amount made
8 available under this heading, the threshold reduction re-
9 quirements in sections 216(10) and 217(b)(4) of such Act
10 shall not apply to allocations of such amount: *Provided*
11 *further*, That the requirements under provisos 2 through
12 6 under this heading for fiscal year 2012 and such re-
13 quirements applicable pursuant to the “Full-Year Con-
14 tinuing Appropriations Act, 2013”, shall not apply to any
15 project to which funds were committed on or after August
16 23, 2013, but such projects shall instead be governed by
17 the Final Rule titled “Home Investment Partnerships
18 Program; Improving Performance and Accountability; Up-
19 dating Property Standards” which became effective on
20 such date: *Provided further*, That notwithstanding para-
21 graph (1)(B)(i) or (2)(B)(i) of section 1337(a) of the
22 Housing and Community Development Act of 1992 (12
23 U.S.C. 4567(a)), amounts allocated under such para-
24 graphs shall be credited to, made available, and merged
25 with this account: *Provided further*, That no amounts

1 made available by any provision of law may be transferred,
2 reprogrammed, or credited to the Housing Trust Fund.

3 **SELF-HELP AND ASSISTED HOMEOWNERSHIP**

4 **OPPORTUNITY PROGRAM**

5 For the Self-Help and Assisted Homeownership Op-
6 portunity Program, as authorized under section 11 of the
7 Housing Opportunity Program Extension Act of 1996, as
8 amended, \$50,000,000, to remain available until Sep-
9 tember 30, 2018: *Provided*, That of the total amount pro-
10 vided under this heading, \$10,000,000 shall be made
11 available to the Self-Help and Assisted Homeownership
12 Opportunity Program as authorized under section 11 of
13 the Housing Opportunity Program Extension Act of 1996,
14 as amended: *Provided further*, That of the total amount
15 provided under this heading, \$35,000,000 shall be made
16 available for the second, third, and fourth capacity build-
17 ing activities authorized under section 4(a) of the HUD
18 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
19 which not less than \$5,000,000 shall be made available
20 for rural capacity building activities: *Provided further*,
21 That of the total amount provided under this heading,
22 \$5,000,000 shall be made available for capacity building
23 by national rural housing organizations with experience
24 assessing national rural conditions and providing finance-
25 ing, training, technical assistance, information, and re-

1 search to local nonprofits, local governments and Indian
2 Tribes serving high need rural communities.

3 **HOMELESS ASSISTANCE GRANTS**

4 **(INCLUDING TRANSFER OF FUNDS)**

5 For the emergency solutions grants program as au-
6 thorized under subtitle B of title IV of the McKinney-
7 Vento Homeless Assistance Act, as amended; the con-
8 tinuum of care program as authorized under subtitle C
9 of title IV of such Act; and the rural housing stability as-
10 sistance program as authorized under subtitle D of title
11 IV of such Act, \$2,185,000,000, to remain available until
12 September 30, 2018: *Provided*, That any rental assistance
13 amounts that are recaptured under such continuum of
14 care program shall remain available until expended: *Pro-*
15 *vided further*, That not less than \$250,000,000 of the
16 funds appropriated under this heading shall be available
17 for such emergency solutions grants program: *Provided*
18 *further*, That not less than \$1,905,000,000 of the funds
19 appropriated under this heading shall be available for such
20 continuum of care and rural housing stability assistance
21 programs: *Provided further*, That up to \$5,000,000 of the
22 funds appropriated under this heading shall be available
23 for the national homeless data analysis project: *Provided*
24 *further*, That all funds awarded for supportive services
25 under the continuum of care program and the rural hous-

1 ing stability assistance program shall be matched by not
2 less than 25 percent in cash or in kind by each grantee:
3 *Provided further,* That for all match requirements applica-
4 ble to funds made available under this heading for this
5 fiscal year and prior years, a grantee may use (or could
6 have used) as a source of match funds other funds admin-
7 istered by the Secretary and other Federal agencies unless
8 there is (or was) a specific statutory prohibition on any
9 such use of any such funds: *Provided further,* That the
10 Secretary shall establish minimum project performance
11 thresholds for each grantee under the continuum of care
12 program based on program performance data: *Provided*
13 *further,* That none of the funds provided under this head-
14 ing shall be available to renew any expiring contract or
15 amendment to a contract funded under the continuum of
16 care program unless the Secretary determines that the ex-
17 piring contract or amendment to a contract is needed
18 under the applicable continuum of care and meets appro-
19 priate program requirements, financial standards, and
20 performance measures, including the minimum perform-
21 ance thresholds established in the previous proviso: *Pro-*
22 *vided further,* That the Secretary shall prioritize funding
23 under the continuum of care program to grant applica-
24 tions that demonstrate a capacity to reallocate funding
25 from lower performing projects to higher performing

1 projects: *Provided further*, That all awards of assistance
2 under this heading shall be required to coordinate and in-
3 tegrate homeless programs with other mainstream health,
4 social services, and employment programs for which home-
5 less populations may be eligible: *Provided further*, That
6 with respect to funds provided under this heading for the
7 continuum of care program for fiscal years 2013, 2014,
8 2015, and 2016 provision of permanent housing rental as-
9 sistance may be administered by private nonprofit organi-
10 zations: *Provided further*, That any unobligated amounts
11 remaining from funds appropriated under this heading in
12 fiscal year 2012 and prior years for project-based rental
13 assistance for rehabilitation projects with 10-year grant
14 terms may be used for purposes under this heading, not-
15 withstanding the purposes for which such funds were ap-
16 propriated: *Provided further*, That all balances for Shelter
17 Plus Care renewals previously funded from the Shelter
18 Plus Care Renewal account and transferred to this ac-
19 count shall be available, if recaptured, for continuum of
20 care renewals in fiscal year 2016: *Provided further*, That
21 the Department shall notify grantees of their formula allo-
22 cation from amounts allocated (which may represent ini-
23 tial or final amounts allocated) for the emergency solu-
24 tions grant program within 60 days of enactment of this
25 Act.

1 HOUSING PROGRAMS

2 PROJECT-BASED RENTAL ASSISTANCE

3 For activities and assistance for the provision of
4 project-based subsidy contracts under the United States
5 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
6 Act”), not otherwise provided for, \$10,254,000,000, to re-
7 main available until expended, shall be available on Octo-
8 ber 1, 2015 (in addition to the \$400,000,000 previously
9 appropriated under this heading that became available Oc-
10 tober 1, 2015), and \$400,000,000, to remain available
11 until expended, shall be available on October 1, 2016: *Pro-*
12 *vided,* That the amounts made available under this head-
13 ing shall be available for expiring or terminating section
14 8 project-based subsidy contracts (including section 8
15 moderate rehabilitation contracts), for amendments to sec-
16 tion 8 project-based subsidy contracts (including section
17 8 moderate rehabilitation contracts), for contracts entered
18 into pursuant to section 441 of the McKinney-Vento
19 Homeless Assistance Act (42 U.S.C. 14401), for renewal
20 of section 8 contracts for units in projects that are subject
21 to approved plans of action under the Emergency Low In-
22 come Housing Preservation Act of 1987 or the Low-In-
23 come Housing Preservation and Resident Homeownership
24 Act of 1990, and for administrative and other expenses
25 associated with project-based activities and assistance

1 funded under this paragraph: *Provided further*, That of
2 the total amounts provided under this heading, not to ex-
3 ceed \$150,000,000 shall be available for performance-
4 based contract administrators for section 8 project-based
5 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
6 *further*, That the Secretary of Housing and Urban Devel-
7 opment may also use such amounts in the previous proviso
8 for performance-based contract administrators for the ad-
9 ministration of: (1) interest reduction payments pursuant
10 to section 236(a) of the National Housing Act (42 U.S.C.
11 1715z-1(a)); (2) rent supplement payments pursuant to
12 section 101 of the Housing and Urban Development Act
13 of 1965 (42 U.S.C. 1701s); (3) section 236(f)(2) rental
14 assistance payments (42 U.S.C. 1715z-1(f)(2)); (4)
15 project rental assistance contracts for the elderly under
16 section 202(e)(2) of the Housing Act of 1959 (42 U.S.C.
17 1701q); (5) project rental assistance contracts for sup-
18 portive housing for persons with disabilities under section
19 811(d)(2) of the Cranston-Gonzalez National Affordable
20 Housing Act (42 U.S.C. 8013(d)(2)); (6) project assist-
21 ance contracts pursuant to section 202(h) of the Housing
22 Act of 1959 (Public Law 86-372; 73 Stat. 667); and (7)
23 loans under section 202 of the Housing Act of 1959 (Pub-
24 lic Law 86-372; 73 Stat. 667): *Provided further*, That
25 amounts recaptured under this heading, the heading “An-

1 mual Contributions for Assisted Housing", or the heading
2 "Housing Certificate Fund", may be used for renewals of
3 or amendments to section 8 project-based contracts or for
4 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~~

22 For amendments to capital advance contracts for
23 housing for the elderly, as authorized by section 202 of
24 the Housing Act of 1959, as amended, and for project
25 rental assistance for the elderly under section 202(e)(2)

1 of such Act, including amendments to contracts for such
2 assistance and renewal of expiring contracts for such as-
3 sistance for up to a 1-year term, and for senior preserva-
4 tion rental assistance contracts, including renewals, as au-
5 thorized by section 811(e) of the American Housing and
6 Economic Opportunity Act of 2000, as amended, and for
7 supportive services associated with the housing;
8 \$414,000,000 (increased by \$2,500,000) to remain avail-
9 able until September 30, 2019: *Provided*, That of the
10 amount provided under this heading, up to \$77,000,000
11 shall be for service coordinators and the continuation of
12 existing congregate service grants for residents of assisted
13 housing projects: *Provided further*, That amounts under
14 this heading shall be available for Real Estate Assessment
15 Center inspections and inspection-related activities associ-
16 ated with section 202 projects: *Provided further*, That the
17 Secretary may waive the provisions of section 202 gov-
18 erning the terms and conditions of project rental assist-
19 ance, except that the initial contract term for such assist-
20 ance shall not exceed 5 years in duration: *Provided further*,
21 That upon request of the Secretary of Housing and Urban
22 Development, project funds that are held in residual re-
23 eceipts accounts for any project subject to a section 202
24 project rental assistance contract, and that upon termi-
25 nation of such contract are in excess of an amount to be

1 determined by the Secretary, shall be remitted to the De-
2 partment and deposited in this account, to be available
3 until September 30, 2019, for purposes under this head-
4 ing, and shall be in addition to the amounts otherwise pro-
5 vided under this heading for such purposes: *Provided fur-*
6 *ther,* That in addition, of the prior year unobligated bal-
7 anees of funds, including recaptures and carryover, made
8 available under this heading, \$47,000,000 shall be used
9 for an additional amount for the purposes provided under
10 this heading, notwithstanding any purpose for which origi-
11 nally appropriated.

12 **HOUSING FOR PERSONS WITH DISABILITIES**

13 For amendments to capital advance contracts for
14 supportive housing for persons with disabilities, as author-
15 ized by section 811 of the Cranston-Gonzalez National Af-
16 fordable Housing Act (42 U.S.C. 8013), for project rental
17 assistance for supportive housing for persons with disabil-
18 ities under section 811(d)(2) of such Act and for project
19 assistance contracts pursuant to section 202(h) of the
20 Housing Act of 1959 (Public Law 86-372, 73 Stat. 667),
21 including amendments to contracts for such assistance
22 and renewal of expiring contracts for such assistance for
23 up to a 1-year term, for project rental assistance to State
24 housing finance agencies and other appropriate entities as
25 authorized under section 811(b)(3) of the Cranston-Gon-

1 zalez National Housing Act, and for supportive services
2 associated with the housing for persons with disabilities
3 as authorized by section 811(b)(1) of such Act,
4 \$152,000,000, to remain available until September 30,
5 2019: *Provided*, That amounts made available under this
6 heading shall be available for Real Estate Assessment
7 Center inspections and inspection-related activities associ-
8 ated with section 811 projects: *Provided further*, That, in
9 this fiscal year, upon the request of the Secretary of Hous-
10 ing and Urban Development, project funds that are held
11 in residual receipts accounts for any project subject to a
12 section 811 project rental assistance contract and that
13 upon termination of such contract are in excess of an
14 amount to be determined by the Secretary shall be remit-
15 ted to the Department and deposited in this account, to
16 be available until September 30, 2019: *Provided further*,
17 That amounts deposited in this account pursuant to the
18 previous proviso shall be available in addition to the
19 amounts otherwise provided by this heading for the pur-
20 poses authorized under this heading: *Provided further*,
21 That unobligated balances, including recaptures and ear-
22 ryover, remaining from funds transferred to or appro-
23 priated under this heading may be used for the current
24 purposes authorized under this heading notwithstanding

1 the purposes for which such funds originally were appro-
2 priated.

3 **HOUSING COUNSELING ASSISTANCE**

4 For contracts, grants, and other assistance excluding
5 loans, as authorized under section 106 of the Housing and
6 Urban Development Act of 1968, as amended,
7 \$47,000,000, to remain available until September 30,
8 2017, including up to \$4,500,000 for administrative con-
9 tract services: *Provided*, That grants made available from
10 amounts provided under this heading shall be awarded
11 within 180 days of enactment of this Act: *Provided further*,
12 That funds shall be used for providing counseling and ad-
13 vice to tenants and homeowners, both current and pro-
14 spective, with respect to property maintenance, financial
15 management/literacy, and such other matters as may be
16 appropriate to assist them in improving their housing con-
17 ditions, meeting their financial needs, and fulfilling the re-
18 sponsibilities of tenancy or homeownership; for program
19 administration; and for housing counselor training: *Pro-
20 vided further*, That for purposes of providing such grants
21 from amounts provided under this heading, the Secretary
22 may enter into multiyear agreements as is appropriate,
23 subject to the availability of annual appropriations.

1 RENTAL HOUSING ASSISTANCE

2 For amendments to contracts under section 101 of
3 the Housing and Urban Development Act of 1965 (12
4 U.S.C. 1701s) and section 236(f)(2) of the National
5 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
6 insured rental housing projects, \$30,000,000, to remain
7 available until expended. *Provided*, That such amount, to-
8 gether with unobligated balances from recaptured
9 amounts appropriated prior to fiscal year 2006 from ter-
10 minated contracts under such sections of law, and any un-
11 obligated balances, including recaptures and carryover, re-
12 maining from funds appropriated under this heading after
13 fiscal year 2005, shall also be available for extensions of
14 up to one year for expiring contracts under such sections
15 of law.

16 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

17 FUND

18 For necessary expenses as authorized by the National
19 Manufactured Housing Construction and Safety Stand-
20 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
21 \$11,000,000, to remain available until expended, of which
22 \$11,000,000 is to be derived from the Manufactured
23 Housing Fees Trust Fund. *Provided*, That not to exceed
24 the total amount appropriated under this heading shall be
25 available from the general fund of the Treasury to the ex-

1 tent necessary to incur obligations and make expenditures
2 pending the receipt of collections to the Fund pursuant
3 to section 620 of such Act. *Provided further,* That the
4 amount made available under this heading from the gen-
5 eral fund shall be reduced as such collections are received
6 during fiscal year 2016 so as to result in a final fiscal
7 year 2016 appropriation from the general fund estimated
8 at zero, and fees pursuant to such section 620 shall be
9 modified as necessary to ensure such a final fiscal year
10 2016 appropriation. *Provided further,* That for the dispute
11 resolution and installation programs, the Secretary of
12 Housing and Urban Development may assess and collect
13 fees from any program participant. *Provided further,* That
14 such collections shall be deposited into the Fund, and the
15 Secretary, as provided herein, may use such collections,
16 as well as fees collected under section 620, for necessary
17 expenses of such Act. *Provided further,* That, notwith-
18 standing the requirements of section 620 of such Act, the
19 Secretary may carry out responsibilities of the Secretary
20 under such Act through the use of approved service pro-
21 viders that are paid directly by the recipients of their serv-
22 ies.

1 **FEDERAL HOUSING ADMINISTRATION**2 **MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT**

3 New commitments to guarantee single family loans
4 insured under the Mutual Mortgage Insurance Fund shall
5 not exceed \$400,000,000,000, to remain available until
6 September 30, 2017: *Provided*, That during fiscal year
7 2016, obligations to make direct loans to carry out the
8 purposes of section 204(g) of the National Housing Act,
9 as amended, shall not exceed \$5,000,000: *Provided fur-*
10 *ther*, That the foregoing amount in the previous proviso
11 shall be for loans to nonprofit and governmental entities
12 in connection with sales of single family real properties
13 owned by the Secretary and formerly insured under the
14 Mutual Mortgage Insurance Fund: *Provided Further*, That
15 for administrative contract expenses of the Federal Hous-
16 ing Administration, \$130,000,000, to remain available
17 until September 30, 2017.

18 **GENERAL AND SPECIAL RISK PROGRAM ACCOUNT**

19 New commitments to guarantee loans insured under
20 the General and Special Risk Insurance Funds, as author-
21 ized by sections 238 and 519 of the National Housing Act
22 (~~12 U.S.C. 1715z-3 and 1735e~~), shall not exceed
23 \$30,000,000,000 in total loan principal, any part of which
24 is to be guaranteed, to remain available until September
25 30, 2017: *Provided*, That during fiscal year 2016, gross

1 obligations for the principal amount of direct loans, as au-
2 thorized by sections 204(g), 207(l), 238, and 519(a) of
3 the National Housing Act, shall not exceed \$5,000,000,
4 which shall be for loans to nonprofit and governmental en-
5 tities in connection with the sale of single family real prop-
6 erties owned by the Secretary and formerly insured under
7 such Act.

8 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

9 GUARANTEES OF MORTGAGE BACKED SECURITIES LOAN

10 GUARANTEE PROGRAM ACCOUNT

11 New commitments to issue guarantees to carry out
12 the purposes of section 306 of the National Housing Act,
13 as amended (~~12 U.S.C. 1721(g)~~), shall not exceed
14 \$500,000,000,000, to remain available until September
15 30, 2017: *Provided*, That \$23,000,000 shall be available
16 for necessary salaries and expenses of the Office of Gov-
17 ernment National Mortgage Association: *Provided further*,
18 That receipts from Commitment and Multiclass fees col-
19 lected pursuant to title III of the National Housing Act,
20 as amended, shall be credited as offsetting collections to
21 this account.

22 POLICY DEVELOPMENT AND RESEARCH

23 RESEARCH AND TECHNOLOGY

24 For contracts, grants, and necessary expenses of pro-
25 grams of research and studies relating to housing and

1 urban problems, not otherwise provided for, as authorized
2 by title V of the Housing and Urban Development Act
3 of 1970 (~~12 U.S.C. 1701z-1 et seq.~~), including carrying
4 out the functions of the Secretary of Housing and Urban
5 Development under section 1(a)(1)(i) of Reorganization
6 Plan No. 2 of 1968, \$52,500,000 (reduced by
7 \$2,500,000), to remain available until September 30,
8 2017: *Provided*, That with respect to amounts made avail-
9 able under this heading, notwithstanding section 204 of
10 this title, the Secretary may enter into cooperative agree-
11 ments funded with philanthropic entities, other Federal
12 agencies, or State or local governments and their agencies
13 for research projects: *Provided further*, That with respect
14 to the previous proviso, such partners to the cooperative
15 agreements must contribute at least a 50 percent match
16 toward the cost of the project: *Provided further*, That for
17 non-competitive agreements entered into in accordance
18 with the previous two provisos, the Secretary of Housing
19 and Urban Development shall comply with section 2(b) of
20 the Federal Funding Accountability and Transparency
21 Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu
22 of compliance with section 102(a)(4)(C) with respect to
23 documentation of award decisions: *Provided further*, That
24 prior to obligation of technical assistance funding, the Sec-
25 retary shall submit a plan, for approval, to the House and

1 Senate Committees on Appropriations on how it will allo-
2 cate funding for this activity.

3 **FAIR HOUSING AND EQUAL OPPORTUNITY**

4 **FAIR HOUSING ACTIVITIES**

5 For contracts, grants, and other assistance, not oth-
6 erwise provided for, as authorized by title VIII of the Civil
7 Rights Act of 1968, as amended by the Fair Housing
8 Amendments Act of 1988, and section 561 of the Housing
9 and Community Development Act of 1987, as amended,
10 \$65,300,000 (reduced by \$28,375,000) (increased by
11 \$28,375,000), to remain available until September 30,
12 2017: *Provided*, That notwithstanding 31 U.S.C. 3302,
13 the Secretary may assess and collect fees to cover the costs
14 of the Fair Housing Training Academy, and may use such
15 funds to provide such training: *Provided further*, That no
16 funds made available under this heading shall be used to
17 lobby the executive or legislative branches of the Federal
18 Government in connection with a specific contract, grant,
19 or loan: *Provided further*, That of the funds made available
20 under this heading, \$300,000 (increased by \$150,000)
21 shall be available to the Secretary of Housing and Urban
22 Development for the creation and promotion of translated
23 materials and other programs that support the assistance
24 of persons with limited English proficiency in utilizing the

1 services provided by the Department of Housing and
2 Urban Development.

5 LEAD HAZARD REDUCTION

6 For the Lead Hazard Reduction Program, as author-
7 ized by section 1011 of the Residential Lead-Based Paint
8 Hazard Reduction Act of 1992, \$75,000,000, to remain
9 available until September 30, 2017: *Provided*, That up to
10 \$15,000,000 of that amount shall be for the Healthy
11 Homes Initiative, pursuant to sections 501 and 502 of the
12 Housing and Urban Development Act of 1970 that shall
13 include research, studies, testing, and demonstration ef-
14 forts, including education and outreach concerning lead-
15 based paint poisoning and other housing-related diseases
16 and hazards: *Provided further*, That for purposes of envi-
17 ronmental review, pursuant to the National Environ-
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
19 other provisions of the law that further the purposes of
20 such Act, a grant under the Healthy Homes Initiative, or
21 the Lead Technical Studies program under this heading
22 or under prior appropriations Acts for such purposes
23 under this heading, shall be considered to be funds for
24 a special project for purposes of section 305(e) of the Mul-
25 tifamily Housing Property Disposition Reform Act of

1 1994. *Provided further*, That amounts made available
2 under this heading in this or prior appropriations Acts,
3 and that still remain available, may be used for any pur-
4 pose under this heading notwithstanding the purpose for
5 which such amounts were appropriated if a program com-
6 petition is undersubscribed and there are other program
7 competitions under this heading that are oversubscribed.

8 **INFORMATION TECHNOLOGY FUND**

9 For the development of, modifications to, and infra-
10 structure for Department-wide and program-specific infor-
11 mation technology systems, for the continuing operation
12 and maintenance of both Department-wide and program-
13 specific information systems, and for program-related
14 maintenance activities, \$100,000,000 (reduced by
15 \$3,000,000). *Provided*, That any amounts transferred to
16 this Fund under this Act shall remain available until ex-
17 pended. *Provided further*, That any amounts transferred
18 to this Fund from amounts appropriated by previously en-
19 acted appropriations Acts may be used for the purposes
20 specified under this Fund, in addition to any other infor-
21 mation technology purposes for which such amounts were
22 appropriated.

23 **OFFICE OF INSPECTOR GENERAL**

24 For necessary salaries and expenses of the Office of
25 Inspector General in carrying out the Inspector General

1 Act of 1978, as amended, \$126,000,000: *Provided*, That
2 the Inspector General shall have independent authority
3 over all personnel issues within this office.

4 **GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND**
5 **URBAN DEVELOPMENT**
6 **(INCLUDING RESCISSIONS)**

7 SEC. 201. Eighty five percent of the amounts of
8 budget authority, or in lieu thereof 85 percent of the cash
9 amounts associated with such budget authority, that are
10 recaptured from projects described in section 1012(a) of
11 the Stewart B. McKinney Homeless Assistance Amend-
12 ments Act of 1988 (42 U.S.C. 1437 note) shall be re-
13 scinded or in the case of cash, shall be remitted to the
14 Treasury. Notwithstanding the previous sentence, the Sec-
15 retary may award up to 15 percent of the budget authority
16 or cash recaptured and not rescinded or remitted to the
17 Treasury to provide project owners with incentives to refi-
18 nance their project at a lower interest rate. Any amounts
19 of budget authority or cash recaptured and not rescinded,
20 returned to the Treasury, or otherwise awarded by Sep-
21 tember 30, 2016, shall be rescinded or in the case of cash,
22 shall be remitted to the Treasury.

23 SEC. 202. None of the amounts made available under
24 this Act may be used during fiscal year 2016 to investigate
25 or prosecute under the Fair Housing Act any otherwise

1 lawful activity engaged in by one or more persons, includ-
2 ing the filing or maintaining of a nonfrivolous legal action,
3 that is engaged in solely for the purpose of achieving or
4 preventing action by a Government official or entity, or
5 a court of competent jurisdiction.

6 SEC. 203. Sections 203 and 209 of division C of Pub-
7 lie Law 112-55 (125 Stat. 693-694) shall apply during
8 fiscal year 2016 as if such sections were included in this
9 title, except that during such fiscal year such sections shall
10 be applied by substituting “fiscal year 2016” for “fiscal
11 year 2011” and for “fiscal year 2012” each place such
12 terms appear, and shall be amended to reflect revised de-
13 lineations of statistical areas established by the Office of
14 Management and Budget pursuant to 44 U.S.C.
15 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No.
16 10253.

17 SEC. 204. Except as explicitly provided in law, any
18 grant, cooperative agreement or other assistance made
19 pursuant to title II of this Act shall be made on a competi-
20 tive basis and in accordance with section 102 of the De-
21 partment of Housing and Urban Development Reform Act
22 of 1989 (42 U.S.C. 3545).

23 SEC. 205. Funds of the Department of Housing and
24 Urban Development subject to the Government Corpora-
25 tion Control Act or section 402 of the Housing Act of

1 1950 shall be available, without regard to the limitations
2 on administrative expenses, for legal services on a contract
3 or fee basis, and for utilizing and making payment for the
4 services and facilities of the Federal National Mortgage
5 Association, Government National Mortgage Association,
6 Federal Home Loan Mortgage Corporation, Federal Fi-
7 nancing Bank, Federal Reserve banks or any member
8 thereof, Federal Home Loan banks, and any insured bank
9 within the meaning of the Federal Deposit Insurance Cor-
10 poration Act, as amended (12 U.S.C. 1811-11).

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

17 SEC. 207. Corporations and agencies of the Depart-
18 ment of Housing and Urban Development which are sub-
19 jeet to the Government Corporation Control Act are here-
20 by authorized to make such expenditures, within the limits
21 of funds and borrowing authority available to each such
22 corporation or agency and in accordance with law, and to
23 make such contracts and commitments without regard to
24 fiscal year limitations as provided by section 104 of such
25 Act as may be necessary in carrying out the programs set

1 forth in the budget for 2016 for such corporation or agen-
2 cy except as hereinafter provided: *Provided*, That collec-
3 tions of these corporations and agencies may be used for
4 new loan or mortgage purchase commitments only to the
5 extent expressly provided for in this Act (unless such loans
6 are in support of other forms of assistance provided for
7 in this or prior appropriations Acts), except that this pro-
8 vise shall not apply to the mortgage insurance or guaranty
9 operations of these corporations, or where loans or mort-
10 gage purchases are necessary to protect the financial in-
11 terest of the United States Government.

12 SEC. 208. The Secretary of Housing and Urban De-
13 velopment shall provide quarterly reports to the House
14 and Senate Committees on Appropriations regarding all
15 uncommitted, unobligated, recaptured and excess funds in
16 each program and activity within the jurisdiction of the
17 Department and shall submit additional, updated budget
18 information to these Committees upon request.

19 SEC. 209. The President's formal budget request for
20 fiscal year 2017, as well as the Department of Housing
21 and Urban Development's congressional budget justifica-
22 tions to be submitted to the Committees on Appropriations
23 of the House of Representatives and the Senate, shall use
24 the identical account and sub-account structure provided
25 under this Act.

1 SEC. 210. A public housing agency or such other enti-
2 ty that administers Federal housing assistance for the
3 Housing Authority of the county of Los Angeles, Calif-
4 ornia, and the States of Alaska, Iowa, and Mississippi
5 shall not be required to include a resident of public hous-
6 ing or a recipient of assistance provided under section 8
7 of the United States Housing Act of 1937 on the board
8 of directors or a similar governing board of such agency
9 or entity as required under section (2)(b) of such Act.
10 Each public housing agency or other entity that admin-
11 isters Federal housing assistance under section 8 for the
12 Housing Authority of the county of Los Angeles, Calif-
13 ornia, and the States of Alaska, Iowa, and Mississippi
14 that chooses not to include a resident of public housing
15 or a recipient of section 8 assistance on the board of direc-
16 tors or a similar governing board shall establish an advi-
17 sory board of not less than six residents of public housing
18 or recipients of section 8 assistance to provide advice and
19 comment to the public housing agency or other admin-
20 istering entity on issues related to public housing and sec-
21 tion 8. Such advisory board shall meet not less than quar-
22 terly.

23 SEC. 211. No funds provided under this title may be
24 used for an audit of the Government National Mortgage

1 Association that makes applicable requirements under the
2 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

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

12 (b) Transfers of project-based assistance under this
13 section may be done in phases to accommodate the finance-
14 ing and other requirements related to rehabilitating or
15 constructing the project or projects to which the assistance
16 is transferred, to ensure that such project or projects meet
17 the standards under subsection (e).

18 (c) The transfer authorized in subsection (a) is sub-
19 ject to the following conditions:

20 (1) Number and bedroom size of units:

21 (A) For occupied units in the transferring
22 project, the number of low-income and very low-
23 income units and the configuration (i.e., bed-
24 room size) provided by the transferring project
25 shall be no less than when transferred to the re-

1 ceiving project or projects and the net dollar
2 amount of Federal assistance provided to the
3 transferring project shall remain the same in
4 the receiving project or projects.

5 (B) For unoccupied units in the transfer-
6 ring project the Secretary may authorize a re-
7 duction in the number of dwelling units in the
8 receiving project or projects to allow for a re-
9 configuration of bedroom sizes to meet current
10 market demands, as determined by the Sec-
11 retary and provided there is no increase in the
12 project-based assistance budget authority.

13 (2) The transferring project shall, as deter-
14 mined by the Secretary, be either physically obsolete
15 or economically nonviable.

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

19 (4) The owner or mortgagor of the transferring
20 project shall notify and consult with the tenants re-
21 siding in the transferring project and provide a certi-
22 fication of approval by all appropriate local govern-
23 mental officials.

24 (5) The tenants of the transferring project who
25 remain eligible for assistance to be provided by the

1 receiving project or projects shall not be required to
2 vacate their units in the transferring project or
3 projects until new units in the receiving project are
4 available for occupancy.

5 (6) The Secretary determines that this transfer
6 is in the best interest of the tenants.

7 (7) If either the transferring project or the re-
8 ceiving project or projects meets the condition speci-
9 fied in subsection (d)(2)(A), any lien on the receiv-
10 ing project resulting from additional financing ob-
11 tained by the owner shall be subordinate to any
12 FHA-insured mortgage lien transferred to, or placed
13 on, such project by the Secretary, except that the
14 Secretary may waive this requirement upon deter-
15 mination that such a waiver is necessary to facilitate
16 the financing of acquisition, construction, and/or re-
17 habilitation of the receiving project or projects.

18 (8) If the transferring project meets the re-
19 quirements of subsection (d)(2), the owner or mort-
20 gager of the receiving project or projects shall exe-
21 cute and record either a continuation of the existing
22 use agreement or a new use agreement for the
23 project where, in either case, any use restrictions in
24 such agreement are of no lesser duration than the
25 existing use restrictions.

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

7 (d) For purposes of this section—

8 (1) the terms “low-income” and “very low-in-
9 come” shall have the meanings provided by the stat-
10 ute and/or regulations governing the program under
11 which the project is insured or assisted;

12 (2) the term “multifamily housing project”
13 means housing that meets one of the following con-
14 ditions—

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

17 (B) housing that has project-based assist-
18 ance attached to the structure including
19 projects undergoing mark to market debt re-
20 structuring under the Multifamily Assisted
21 Housing Reform and Affordability Housing Act;

22 (C) housing that is assisted under section
23 202 of the Housing Act of 1959, as amended
24 by section 801 of the Cranston-Gonzales Na-
25 tional Affordable Housing Act;

- 1 (D) housing that is assisted under section
2 202 of the Housing Act of 1959, as such sec-
3 tion existed before the enactment of the Cran-
4 ston-Gonzales National Affordable Housing Act;
- 5 (E) housing that is assisted under section
6 811 of the Cranston-Gonzales National Afford-
7 able Housing Act; or
- 8 (F) housing or vacant land that is subject
9 to a use agreement;
- 10 (3) the term “project-based assistance”
11 means—
- 12 (A) assistance provided under section 8(b)
13 of the United States Housing Act of 1937;
- 14 (B) assistance for housing constructed or
15 substantially rehabilitated pursuant to assist-
16 ance provided under section 8(b)(2) of such Act
17 (as such section existed immediately before Oc-
18 tober 1, 1983);
- 19 (C) rent supplement payments under sec-
20 tion 101 of the Housing and Urban Develop-
21 ment Act of 1965;
- 22 (D) interest reduction payments under sec-
23 tion 236 and/or additional assistance payments
24 under section 236(f)(2) of the National Hous-
25 ing Act;

1 (E) assistance payments made under sec-
2 tion 202(c)(2) of the Housing Act of 1959; and

3 (F) assistance payments made under sec-
4 tion 811(d)(2) of the Cranston-Gonzalez Na-
5 tional Affordable Housing Act;

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

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

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

19 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

1 (2) The Secretary shall conduct an evaluation
2 of the transfer authority under this section, includ-
3 ing the effect of such transfers on the operational ef-
4 ficiency, contract rents, physical and financial condi-
5 tions, and long-term preservation of the affected
6 properties.

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

10 (1) is enrolled as a student at an institution of
11 higher education (as defined under section 102 of
12 the Higher Education Act of 1965 (20 U.S.C.
13 1002));

14 (2) is under 24 years of age;

15 (3) is not a veteran;

16 (4) is unmarried;

17 (5) does not have a dependent child;

18 (6) is not a person with disabilities, as such
19 term is defined in section 3(b)(3)(E) of the United
20 States Housing Act of 1937 (42 U.S.C.
21 1437a(b)(3)(E)) and was not receiving assistance
22 under such section 8 as of November 30, 2005; and

23 (7) is not otherwise individually eligible, or has
24 parents who, individually or jointly, are not eligible,

1 to receive assistance under section 8 of the United
2 States Housing Act of 1937 (42 U.S.C. 1437f).

3 (b) For purposes of determining the eligibility of a
4 person to receive assistance under section 8 of the United
5 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
6 cial assistance (in excess of amounts received for tuition
7 and any other required fees and charges) that an indi-
8 vidual receives under the Higher Education Act of 1965
9 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
10 tution of higher education (as defined under the Higher
11 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
12 ered income to that individual, except for a person over
13 the age of 23 with dependent children.

14 SEC. 214. The funds made available for Native Alas-
15 kans under the heading “Native American Housing Block
16 Grants” in title II of this Act shall be allocated to the
17 same Native Alaskan housing block grant recipients that
18 received funds in fiscal year 2005.

19 SEC. 215. Notwithstanding the limitation in the first
20 sentence of section 255(g) of the National Housing Act
21 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and
22 Urban Development may, until September 30, 2016, in-
23 sure and enter into commitments to insure mortgages
24 under such section 255.

1 SEC. 216. Notwithstanding any other provision of
2 law, in fiscal year 2016, in managing and disposing of any
3 multifamily property that is owned or has a mortgage held
4 by the Secretary of Housing and Urban Development, and
5 during the process of foreclosure on any property with a
6 contract for rental assistance payments under section 8
7 of the United States Housing Act of 1937 or other Fed-
8 eral programs, the Secretary shall maintain any rental as-
9 sistance payments under section 8 of the United States
10 Housing Act of 1937 and other programs that are at-
11 tached to any dwelling units in the property. To the extent
12 the Secretary determines, in consultation with the tenants
13 and the local government, that such a multifamily prop-
14 erty owned or held by the Secretary is not feasible for con-
15 tinued rental assistance payments under such section 8
16 or other programs, based on consideration of: (1) the costs
17 of rehabilitating and operating the property and all avail-
18 able Federal, State, and local resources, including rent ad-
19 justments under section 524 of the Multifamily Assisted
20 Housing Reform and Affordability Act of 1997
21 (“MAHRAA”); and (2) environmental conditions that
22 cannot be remedied in a cost-effective fashion, the Sec-
23 retary may, in consultation with the tenants of that prop-
24 erty, contract for project-based rental assistance payments
25 with an owner or owners of other existing housing prop-

1 ties, or provide other rental assistance. The Secretary
2 shall also take appropriate steps to ensure that project-
3 based contracts remain in effect prior to foreclosure, sub-
4 ject to the exercise of contractual abatement remedies to
5 assist relocation of tenants for imminent major threats to
6 health and safety after written notice to and informed con-
7 sent of the affected tenants and use of other available rem-
8 edies, such as partial abatements or receivership. After
9 disposition of any multifamily property described under
10 this section, the contract and allowable rent levels on such
11 properties shall be subject to the requirements under sec-
12 tion 524 of MAHRAA.

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

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

9 SEC. 219. With respect to the use of amounts pro-
10 vided in this Act and in future Acts for the operation, cap-
11 ital improvement and management of public housing as
12 authorized by sections 9(d) and 9(e) of the United States
13 Housing Act of 1937 (42 U.S.C. 1437g (d) and (e)), the
14 Secretary shall not impose any requirement or guideline
15 relating to asset management that restricts or limits in
16 any way the use of capital funds for central office costs
17 pursuant to section 9(g)(1) or 9(g)(2) of the United States
18 Housing Act of 1937 (42 U.S.C. 1437g(g) (1) and (2)): *Provided*, That a public housing agency may not use cap-
20 ital funds authorized under section 9(d) for activities that
21 are eligible under section 9(e) for assistance with amounts
22 from the operating fund in excess of the amounts per-
23 mitted under section 9(g)(1) or 9(g)(2).

24 SEC. 220. No official or employee of the Department
25 of Housing and Urban Development shall be designated

1 as an allotment holder unless the Office of the Chief Fi-
2 nancial Officer has determined that such allotment holder
3 has implemented an adequate system of funds control and
4 has received training in funds control procedures and di-
5 rectives. The Chief Financial Officer shall ensure that
6 there is a trained allotment holder for each HUD sub-
7 office under the accounts "Executive Offices" and "Ad-
8 ministrative Support Offices", as well as each account re-
9 ceiving appropriations for "Program Office Salaries and
10 Expenses", "Government National Mortgage Associa-
11 tion—Guarantees of Mortgage-Backed Securities Loan
12 Guarantee Program Account", and "Office of Inspector
13 General" within the Department of Housing and Urban
14 Development.

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

1 Government web site or through other electronic media,
2 as determined by the Secretary.

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

10 SEC. 223. The Disaster Housing Assistance Pro-
11 grams, administered by the Department of Housing and
12 Urban Development, shall be considered a "program of
13 the Department of Housing and Urban Development"
14 under section 904 of the McKinney Act for the purpose
15 of income verifications and matching.

16 SEC. 224. (a) The Secretary of Housing and Urban
17 Development shall take the required actions under sub-
18 section (b) when a multifamily housing project with a sec-
19 tion 8 contract or contract for similar project-based assist-
20 ance—

21 (1) receives a Real Estate Assessment Center
22 (REAC) score of 30 or less; or
23 (2) receives a REAC score between 31 and 59;
24 and—

1 (A) fails to certify in writing to HUD within
2 in 60 days that all deficiencies have been cor-
3 rected; or

4 (B) receives consecutive scores of less than
5 60 on REAC inspections.

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

14

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

17 (1) The Secretary shall notify the owner and
18 provide an opportunity for response within 30 days.
19 If the violations remain, the Secretary shall develop
20 a Compliance, Disposition and Enforcement Plan
21 within 60 days, with a specified timetable for cor-
22 recting all deficiencies. The Secretary shall provide
23 notice of the Plan to the owner, tenants, the local
24 government, any mortgagees, and any contract ad-
25 ministrator.

- 1 (2) At the end of the term of the Compliance,
2 Disposition and Enforcement Plan, if the owner fails
3 to fully comply with such plan, the Secretary may
4 require immediate replacement of project manage-
5 ment with a management agent approved by the
6 Secretary, and shall take one or more of the fol-
7 lowing actions, and provide additional notice of those
8 actions to the owner and the parties specified
9 above—
- 10 (A) impose civil money penalties;
- 11 (B) abate the section 8 contract, including
12 partial abatement, as determined by the Sec-
13 retary, until all deficiencies have been corrected;
- 14 (C) pursue transfer of the project to an
15 owner, approved by the Secretary under estab-
16 lished procedures, which will be obligated to
17 promptly make all required repairs and to ac-
18 cept renewal of the assistance contract as long
19 as such renewal is offered; or
- 20 (D) seek judicial appointment of a receiver
21 to manage the property and cure all project de-
22 ficiencies or seek a judicial order of specific per-
23 formance requiring the owner to cure all project
24 deficiencies.

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

1 tive physical inspection scores of less than 60. The report
2 shall include—

3 (1) the enforcement actions being taken to ad-
4 dress such conditions, including imposition of civil
5 money penalties and termination of subsidies, and
6 identify properties that have such conditions mul-
7 tiple times; and

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

11 SEC. 225. None of the funds made available by this
12 Act, or any other Act, for purposes authorized under sec-
13 tion 8 (only with respect to the tenant-based rental assist-
14 ance program) and section 9 of the United States Housing
15 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
16 any public housing agency for any amount of salary, in-
17 cluding bonuses, for the chief executive officer of which,
18 or any other official or employee of which, that exceeds
19 the annual rate of basic pay payable for a position at level
20 IV of the Executive Schedule at any time during any pub-
21 lic housing agency fiscal year 2016.

22 SEC. 226. None of the funds in this Act may be avail-
23 able for the doctoral dissertation research grant program
24 at the Department of Housing and Urban Development.

1 SEC. 227. None of the funds in this Act provided to
2 the Department of Housing and Urban Development may
3 be used to make a grant award unless the Secretary noti-
4 fies the House and Senate Committees on Appropriations
5 not less than 3 full business days before any project,
6 State, locality, housing authority, tribe, nonprofit organi-
7 zation, or other entity selected to receive a grant award
8 is announced by the Department or its offices.

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

12 SEC. 229. None of the funds made available in this
13 Act shall be used by the Federal Housing Administration,
14 the Government National Mortgage Administration, or the
15 Department of Housing and Urban Development to in-
16 sure, securitize, or establish a Federal guarantee of any
17 mortgage or mortgage backed security that refinances or
18 otherwise replaces a mortgage that has been subject to
19 eminent domain condemnation or seizure, by a State, mu-
20 nicipality, or any other political subdivision of a State.

21 SEC. 230. None of the funds made available by this
22 Act may be used to terminate the status of a unit of gen-
23 eral local government as a metropolitan city (as defined
24 in section 102 of the Housing and Community Develop-

1 ment Act of 1974 (42 U.S.C. 5302)) with respect to
2 grants under section 106 of such Act (42 U.S.C. 5306).

3 SEC. 231. Amounts made available under this Act
4 which are either appropriated, allocated, advanced on a
5 reimbursable basis, or transferred to the Office of Policy
6 Development and Research in the Department of Housing
7 and Urban Development and functions thereof, for re-
8 search, evaluation, or statistical purposes, and which are
9 unexpended at the time of completion of a contract, grant,
10 or cooperative agreement, may be deobligated and shall
11 immediately become available and may be reobligated in
12 that fiscal year or the subsequent fiscal year for the re-
13 search, evaluation, or statistical purposes for which the
14 amounts are made available to that Office subject to re-
15 programming requirements in section 405 of this Act.

16 SEC. 232. None of the funds made available by this
17 Act may be used by the Secretary of Housing and Urban
18 Development to require a recipient or sub-recipient of
19 funding for the purpose of land acquisition, affordable
20 housing construction, or affordable housing rehabilitation
21 to meet Energy Star standards or any other energy effi-
22 ciency standards that exceed the requirements of applica-
23 ble State and local building codes.

24 SEC. 233. Of the unobligated balances, including re-
25 captures and carryover, remaining from funds appro-

1 priated in section 1497(a) of the Dodd-Frank Wall Street
2 Reform and Consumer Protection Act (Public Law 111-
3 203; 42 U.S.C. 5301 note) and section 2301(a) of title
4 III of division B of the Housing and Economic Recovery
5 Act of 2008 (Public Law 110-289; 42 U.S.C. 5301 note),
6 \$7,000,000 is hereby rescinded.

7 SEC. 234. (a) All unobligated balances, including re-
8 captures and carryover, remaining from funds appro-
9 priated to the Department of Housing and Urban Devel-
10 opment under the heading “Rural Housing and Economic
11 Development” are hereby rescinded.

12 (b) Effective October 1, 2015, all unobligated bal-
13 ances, including recaptures and carryover, remaining from
14 funds appropriated to the Department of Housing and
15 Urban Development for accounts under the headings
16 “Management and Administration” and “Program Office
17 Salaries and Expenses” in division K of Public Law 113-
18 235 are rescinded.

19 This title may be cited as the “Department of Hous-
20 ing and Urban Development Appropriations Act, 2016”.

21 **TITLE III—RELATED AGENCIES**

22 **ACCESS BOARD**

23 **SALARIES AND EXPENSES**

24 For expenses necessary for the Access Board, as au-
25 thorized by section 502 of the Rehabilitation Act of 1973,

1 as amended, \$7,548,000: *Provided*, That, notwithstanding
2 any other provision of law, there may be credited to this
3 appropriation funds received for publications and training
4 expenses.

5 **FEDERAL MARITIME COMMISSION**

6 **SALARIES AND EXPENSES**

7 For necessary expenses of the Federal Maritime
8 Commission as authorized by section 201(d) of the Mer-
9 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
10 cluding services as authorized by 5 U.S.C. 3109; hire of
11 passenger motor vehicles as authorized by 31 U.S.C.
12 1343(b); and uniforms or allowances therefore, as author-
13 ized by 5 U.S.C. 5901–5902, \$25,660,000: *Provided*, That
14 not to exceed \$2,000 shall be available for official recep-
15 tion and representation expenses.

16 **NATIONAL RAILROAD PASSENGER CORPORATION OFFICE**

17 **OF INSPECTOR GENERAL**

18 **SALARIES AND EXPENSES**

19 For necessary expenses of the Office of Inspector
20 General for the National Railroad Passenger Corporation
21 to carry out the provisions of the Inspector General Act
22 of 1978, as amended, \$23,999,000 (increased by
23 \$500,000): *Provided*, That the Inspector General shall
24 have all necessary authority, in carrying out the duties
25 specified in the Inspector General Act, as amended (5

1 U.S.C. App. 3), to investigate allegations of fraud, includ-
2 ing false statements to the government (18 U.S.C. 1001),
3 by any person or entity that is subject to regulation by
4 the National Railroad Passenger Corporation: *Provided*
5 *further*, That the Inspector General may enter into con-
6 tracts and other arrangements for audits, studies, anal-
7 yses, and other services with public agencies and with pri-
8 vate persons, subject to the applicable laws and regula-
9 tions that govern the obtaining of such services within the
10 National Railroad Passenger Corporation: *Provided fur-*
11 *ther*, That the Inspector General may select, appoint, and
12 employ such officers and employees as may be necessary
13 for carrying out the functions, powers, and duties of the
14 Office of Inspector General, subject to the applicable laws
15 and regulations that govern such selections, appointments,
16 and employment within Amtrak: *Provided further*, That
17 concurrent with the President's budget request for fiscal
18 year 2017, the Inspector General shall submit to the
19 House and Senate Committees on Appropriations a budget
20 request for fiscal year 2017 in similar format and sub-
21 stance to those submitted by executive agencies of the
22 Federal Government.

1 NATIONAL TRANSPORTATION SAFETY BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Transporta-
4 tion Safety Board, including hire of passenger motor ve-
5 hicles and aircraft; services as authorized by § U.S.C.
6 3109, but at rates for individuals not to exceed the per
7 diem rate equivalent to the rate for a GS-15; uniforms,
8 or allowances therefor, as authorized by law (§ U.S.C.
9 5901-5902), \$103,981,000, of which not to exceed \$2,000
10 may be used for official reception and representation ex-
11 penses. The amounts made available to the National
12 Transportation Safety Board in this Act include amounts
13 necessary to make lease payments on an obligation in-
14 curred in fiscal year 2001 for a capital lease.

15 NEIGHBORHOOD REINVESTMENT CORPORATION

16 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

17 CORPORATION

18 For payment to the Neighborhood Reinvestment Cor-
19 poration for use in neighborhood reinvestment activities,
20 as authorized by the Neighborhood Reinvestment Corpora-
21 tion Act (42 U.S.C. 8101–8107), \$135,000,000, of which
22 \$5,000,000 shall be for a multi-family rental housing pro-
23 gram: *Provided*, That in addition, \$42,000,000 shall be
24 made available until expended to the Neighborhood Rein-

1 vestment Corporation for mortgage foreclosure mitigation
2 activities, under the following terms and conditions:

3 (1) The Neighborhood Reinvestment Corpora-
4 tion (NRC) shall make grants to counseling inter-
5 mediaries approved by the Department of Housing
6 and Urban Development (HUD) (with match to be
7 determined by NRC based on affordability and the
8 economic conditions of an area; a match also may be
9 waived by NRC based on the aforementioned condi-
10 tions) to provide mortgage foreclosure mitigation as-
11 sistance primarily to States and areas with high
12 rates of defaults and foreclosures to help eliminate
13 the default and foreclosure of mortgages of owner-
14 occupied single-family homes that are at risk of such
15 foreclosure. Other than areas with high rates of de-
16 faults and foreclosures, grants may also be provided
17 to approved counseling intermediaries based on a ge-
18 ographic analysis of the Nation by NRC which de-
19 termines where there is a prevalence of mortgages
20 that are risky and likely to fail, including any trends
21 for mortgages that are likely to default and face
22 foreclosure. A State Housing Finance Agency may
23 also be eligible where the State Housing Finance
24 Agency meets all the requirements under this para-
25 graph. A HUD-approved counseling intermediary

1 shall meet certain mortgage foreclosure mitigation
2 assistance counseling requirements, as determined
3 by NRC, and shall be approved by HUD or NRC as
4 meeting these requirements.

5 (2) Mortgage foreclosure mitigation assistance
6 shall only be made available to homeowners of
7 owner-occupied homes with mortgages in default or
8 in danger of default. These mortgages shall likely be
9 subject to a foreclosure action and homeowners will
10 be provided such assistance that shall consist of ac-
11 tivities that are likely to prevent foreclosures and re-
12 sult in the long-term affordability of the mortgage
13 retained pursuant to such activity or another posi-
14 tive outcome for the homeowner. No funds made
15 available under this paragraph may be provided di-
16 rectly to lenders or homeowners to discharge out-
17 standing mortgage balances or for any other direct
18 debt reduction payments.

19 (3) The use of mortgage foreclosure mitigation
20 assistance by approved counseling intermediaries
21 and State Housing Finance Agencies shall involve a
22 reasonable analysis of the borrower's financial situa-
23 tion, an evaluation of the current value of the prop-
24 erty that is subject to the mortgage, counseling re-
25 garding the assumption of the mortgage by another

1 non-Federal party, counseling regarding the possible
2 purchase of the mortgage by a non-Federal third
3 party, counseling and advice of all likely restruc-
4 turing and refinancing strategies or the approval of
5 a work-out strategy by all interested parties.

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

14 (5) HUD-approved counseling entities and
15 State Housing Finance Agencies receiving funds
16 under this paragraph shall have demonstrated expe-
17 rience in successfully working with financial institu-
18 tions as well as borrowers facing default, delin-
19 quency and foreclosure as well as documented coun-
20 seling capacity, outreach capacity, past successful
21 performance and positive outcomes with documented
22 counseling plans (including post mortgage fore-
23 closure mitigation counseling), loan workout agree-
24 ments and loan modification agreements. NRC may

1 use other criteria to demonstrate capacity in under-
2 served areas.

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

12 (7) Of the total amount made available under
13 this paragraph, up to 5 percent may be used for as-
14 sociated administrative expenses for NRC to carry
15 out activities provided under this section.

16 (8) Mortgage foreclosure mitigation assistance
17 grants may include a budget for outreach and adver-
18 tising, and training, as determined by NRC.

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

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$3,530,000.

12 TITLE IV

13 GENERAL PROVISIONS—THIS ACT

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

19 SEC. 402. None of the funds appropriated in this Act
20 shall remain available for obligation beyond the current
21 fiscal year, nor may any be transferred to other appropria-
22 tions, unless expressly so provided herein.

23 SEC. 403. The expenditure of any appropriation
24 under this Act for any consulting service through a pro-
25 curement contract pursuant to section 3109 of title 5,

1 United States Code, shall be limited to those contracts
2 where such expenditures are a matter of public record and
3 available for public inspection, except where otherwise pro-
4 vided under existing law, or under existing Executive order
5 issued pursuant to existing law.

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

9 (1) does not meet identified needs for knowl-
10 edge, skills, and abilities bearing directly upon the
11 performance of official duties;

12 (2) contains elements likely to induce high lev-
13 els of emotional response or psychological stress in
14 some participants;

15 (3) does not require prior employee notification
16 of the content and methods to be used in the train-
17 ing and written end of course evaluation;

18 (4) contains any methods or content associated
19 with religious or quasi-religious belief systems or
20 “new age” belief systems as defined in Equal Em-
21 ployment Opportunity Commission Notice N-
22 915.022, dated September 2, 1988; or

23 (5) is offensive to, or designed to change, par-
24 ticipants’ personal values or lifestyle outside the
25 workplace.

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

4 ~~SEE. 405. Except as otherwise provided in this Act,~~
5 none of the funds provided in this Act, provided by pre-
6 vious appropriations Acts to the agencies or entities fund-
7 ed in this Act that remain available for obligation or ex-
8 penditure in fiscal year 2016, or provided from any ac-
9 counts in the Treasury derived by the collection of fees
10 and available to the agencies funded by this Act, shall be
11 available for obligation or expenditure through a re-
12 programming of funds that—

13 (1) creates a new program;
14 (2) eliminates a program, project, or activity;
15 (3) increases funds or personnel for any pro-
16 gram, project, or activity for which funds have been
17 denied or restricted by the Congress;
18 (4) proposes to use funds directed for a specific
19 activity by either the House or Senate Committees
20 on Appropriations for a different purpose;
21 (5) augments existing programs, projects, or ac-
22 tivities in excess of \$5,000,000 or 10 percent, which-
23 ever is less;

1 (6) reduces existing programs, projects, or ac-
2 tivities by \$5,000,000 or 10 percent, whichever is
3 less; or

4 (7) creates, reorganizes, or restructures a
5 branch, division, office, bureau, board, commission,
6 agency, administration, or department different from
7 the budget justifications submitted to the Commit-
8 tees on Appropriations or the table accompanying
9 the explanatory statement accompanying this Act,
10 whichever is more detailed, unless prior approval is
11 received from the House and Senate Committees on
12 Appropriations: *Provided*, That not later than 60
13 days after the date of enactment of this Act, each
14 agency funded by this Act shall submit a report to
15 the Committees on Appropriations of the Senate and
16 of the House of Representatives to establish the
17 baseline for application of reprogramming and trans-
18 fer authorities for the current fiscal year: *Provided*
19 *further*, That the report shall include—

20 (A) a table for each appropriation with a
21 separate column to display the prior year en-
22 acted level, the President's budget request, ad-
23 justments made by Congress, adjustments due
24 to enacted rescissions, if appropriate, and the
25 fiscal year enacted level;

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

8 SEC. 406. Except as otherwise specifically provided
9 by law, not to exceed 50 percent of unobligated balances
10 remaining available at the end of fiscal year 2016 from
11 appropriations made available for salaries and expenses
12 for fiscal year 2016 in this Act, shall remain available
13 through September 30, 2017, for each such account for
14 the purposes authorized: *Provided*, That a request shall
15 be submitted to the House and Senate Committees on Ap-
16 propriations for approval prior to the expenditure of such
17 funds: *Provided further*, That these requests shall be made
18 in compliance with reprogramming guidelines under sec-
19 tion 405 of this Act.

20 SEC. 407. No funds in this Act may be used to sup-
21 port any Federal, State, or local projects that seek to use
22 the power of eminent domain, unless eminent domain is
23 employed only for a public use: *Provided*, That for pur-
24 poses of this section, public use shall not be construed to
25 include economic development that primarily benefits pri-

1 vate entities: *Provided further*, That any use of funds for
2 mass transit, railroad, airport, seaport or highway
3 projects, as well as utility projects which benefit or serve
4 the general public (including energy-related, communica-
5 tion-related, water-related and wastewater-related infra-
6 structure), other structures designated for use by the gen-
7 eral public or which have other common-carrier or public-
8 utility functions that serve the general public and are sub-
9 jeet to regulation and oversight by the government, and
10 projects for the removal of an immediate threat to public
11 health and safety or brownfields as defined in the Small
12 Business Liability Relief and Brownfields Revitalization
13 Act (Public Law 107-118) shall be considered a public
14 use for purposes of eminent domain.

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

20 SEC. 409. No part of any appropriation contained in
21 this Act shall be available to pay the salary for any person
22 filling a position, other than a temporary position, for-
23 mely held by an employee who has left to enter the Armed
24 Forces of the United States and has satisfactorily com-
25 pleted his or her period of active military or naval service,

1 and has within 90 days after his or her release from such
2 service or from hospitalization continuing after discharge
3 for a period of not more than 1 year, made application
4 for restoration to his or her former position and has been
5 certified by the Office of Personnel Management as still
6 qualified to perform the duties of his or her former posi-
7 tion and has not been restored thereto.

8 SEC. 410. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with sections 2 through 4 of the Act of March 3, 1933
12 (~~41 U.S.C. 10a-10e~~, popularly known as the "Buy Amer-
13 ian Act").

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

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

22 SEC. 413. (a) None of the funds made available by
23 this Act may be used to approve a new foreign air carrier
24 permit under sections 41301 through 41305 of title 49,
25 United States Code, or exemption application under sec-

1 tion 40109 of that title of an air carrier already holding
2 an air operators certificate issued by a country that is
3 party to the U.S.-E.U.-Iceland-Norway Air Transport
4 Agreement where such approval would contravene United
5 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
6 way Air Transport Agreement.

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

13 SEC. 414. None of the funds made available by this
14 Act may be used by the Federal Maritime Commission or
15 the Administrator of the Maritime Administration to issue
16 a license or certificate for a commercial vessel that docked
17 or anchored within the previous 180 days within 7 miles
18 of a port or property that was confiscated, in whole or
19 in part, by the Cuban Government, as the terms con-
20 fiscated, Cuban Government, and property are defined in
21 paragraphs (4), (5), and (12)(A), respectively, of section
22 4 of the Cuban Liberty and Democracy Solidarity
23 (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

24 SEC. 415. None of the funds made available by this
25 Act may be used by the Federal Transit Administration

1 to implement, administer, or enforce section 18.36(e)(2)
2 of title 49, Code of Federal Regulations, for construction
3 hiring purposes.

4 SPENDING REDUCTION ACCOUNT

5 SEC. 416. The amount by which the applicable alloca-
6 tion of new budget authority made by the Committee on
7 Appropriations of the House of Representatives under
8 Section 302(b) of the Congressional Budget Act of 1974
9 exceeds the amount of proposed new budget authority is
10 \$0.

11 SEC. 417. None of the funds made available in this
12 Act may be used to enter into a contract with any offeror
13 or any of its principals if the offeror certifies, as required
14 by the Federal Acquisition Regulation, that the offeror or
15 any of its principals—

16 (1) within a 3-year period preceding this offer
17 has been convicted of or had a civil judgment ren-
18 dered against it for: commission of fraud or a crimi-
19 nal offense in connection with obtaining, attempting
20 to obtain, or performing a public (Federal, State, or
21 local) contract or subcontract; violation of Federal or
22 State antitrust statutes relating to the submission of
23 offers; or commission of embezzlement, theft, for-
24 gery, bribery, falsification or destruction of records,

1 making false statements, tax evasion, violating Federal
2 criminal tax laws, or receiving stolen property;

3 (2) are presently indicted for, or otherwise
4 criminally or civilly charged by a governmental enti-
5 ty with, commission of any of the offenses enum-
6 erated in paragraph (1); or

7 (3) within a 3-year period preceding this offer,
8 has been notified of any delinquent Federal taxes in
9 an amount that exceeds \$3,000 for which the liabil-
10 ity remains unsatisfied.

11 SEC. 418. None of the funds made available by this
12 Act may be used in contravention of section 121.584 of
13 title 14, Code of Federal Regulations.

14 SEC. 419. None of the funds made available by this
15 Act may be used to make incentive payments pursuant
16 to 48 CFR 16.4 to contractors for contracts that are be-
17 hind schedule under the terms of the contract as pre-
18 scribed by 48 CFR 52.211 or over the contract amount
19 indicated in Standard Form 33, box 20.

20 SEC. 420. None of the funds made available by this
21 Act may be used in contravention of the 5th or 14th
22 Amendment to the Constitution or title VI of the Civil
23 Rights Act of 1964.

1 SEC. 421. None of the funds made available by this
2 Act may be used for the Federal Transit Administration's
3 Rapid Growth Area Transit Program.

4 SEC. 422. None of these funds made available by this
5 Act may be used by the Federal Aviation Administration
6 (FAA) to redesign the Phoenix Metroplex regional air-
7 space.

8 SEC. 423. None of the funds made available by this
9 Act may be used to carry out section 210 of this Act with
10 respect to the Housing Authority of the county of Los An-
11 geles, California.

12 SEC. 424. None of the funds made available by this
13 Act may be used for the Private Enforcement Initiative
14 of the Fair Housing Initiatives Program under section
15 561(b) of the Housing and Community Development Act
16 of 1987 (42 U.S.C. 3616a(b)) and section 125.401 of the
17 regulations of the Secretary of Housing and Urban Devel-
18 opment (24 CFR 125.401).

19 SEC. 425. None of the funds made available by this
20 Act may be used to carry out the rule entitled "Affirma-
21 tively Furthering Fair Housing", published by the Depart-
22 ment of Housing and Urban Development in the Federal
23 Register on July 19, 2013 (78 Fed. Reg. 43710; Docet
24 No. FR-5173-P-01) or to carry out the notice entitled
25 "Affirmatively Furthering Fair Housing Assessment

1 Tool”, published by the Department of Housing and
2 Urban Development in the Federal Register on September
3 26, 2014 (79 Fed. Reg. 57949; Docket No. FR-5173-
4 02).

5 SEC. 426. None of the funds made available by this
6 Act may be used in contravention of section 5309 of title
7 49, United States Code.

8 SEC. 427. None of the funds made available by this
9 Act may be used by the Department of Transportation,
10 the Department of Housing and Urban Development, or
11 any other Federal agency to lease or purchase new light
12 duty vehicles for any executive fleet, or for an agency’s
13 fleet inventory, except in accordance with Presidential
14 Memorandum—Federal Fleet Performance, dated May
15 24, 2011.

16 SEC. 428. None of the funds made available by this
17 Act may be used to issue, implement, or enforce regulations
18 by the Federal Aviation Administration entitled “Op-
19 erations and Certification of Small Unmanned Aircraft
20 Systems” (FAA-2015-0150) in contravention to 14 CFR
21 21.25(b)(1).

22 SEC. 429. None of the funds made available by this
23 Act may be used by the Administrator of the Federal Avia-
24 tion Administration to institute an administrative or civil
25 action (as defined in section 47107 of title 49, United

1 States Code) against the sponsor of the East Hampton
2 Airport in East Hampton, New York.

3 SEC. 430. None of the funds made available by this
4 Act may be used for high-speed rail in the State of Cali-
5 fornia or for the California High-Speed Rail Authority,
6 nor may any be used by the Federal Railroad Administra-
7 tion to administer a grant agreement with the California
8 High-Speed Rail Authority that contains a tapered match-
9 ing requirement.

10 SEC. 431. None of the funds made available by this
11 Act may be used to enforce subpart B of part 750 of title
12 23, Code of Federal Regulations, regarding signs for serv-
13 ice clubs and religious notices as defined in section 153(p)
14 of such part.

15 SEC. 432. None of the funds made available by this
16 Act may be used in contravention of subpart E of part
17 5 of the regulations of the Secretary of Housing and
18 Urban Development (24 CFR part 5, subpart E, relating
19 to restrictions on assistance to noncitizens).

20 SEC. 433. None of the funds made available by this
21 Act may be used to provide financial assistance in con-
22 travention of section 214(d) of the Housing and Commu-
23 nity Development Act of 1980 (42 U.S.C. 1436a(d)).

24 SEC. 434. None of the funds made available by this
25 Act may be used by the Federal Aviation Administration

1 for the bio-data assessment in the hiring of Air Traffic
2 Control Specialists.

3 SEC. 435. None of the funds made available by this
4 Act may be used to implement, administer, or enforce the
5 final rule entitled “Implementation of the Fair Housing
6 Act’s Discriminatory Effects Standard”, published by the
7 Department of Housing and Urban Development in the
8 Federal Register on February 15, 2013 (78 Fed. Reg.
9 11460; Docket No. FR-5508-F-02).

10 SEC. 436. None of the funds made available by this
11 Act may be used in contravention of Executive Order No.
12 11246 (relating to Equal Employment Opportunity).

13 SEC. 437. None of the funds made available by this
14 Act may be used to acquire a camera for the purpose of
15 collecting or storing vehicle license plate numbers.

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

19 That the following sums are appropriated, out of any
20 money in the Treasury not otherwise appropriated, for the
21 Departments of Transportation, and Housing and Urban
22 Development, and related agencies for the fiscal year ending
23 September 30, 2016, and for other purposes, namely:

1 **TITLE I**2 **DEPARTMENT OF TRANSPORTATION**3 **OFFICE OF THE SECRETARY**4 **SALARIES AND EXPENSES**

5 *For necessary expenses of the Office of the Secretary,*

6 *\$110,738,000, of which not to exceed \$2,734,000 shall be*

7 *available for the immediate Office of the Secretary; not to*

8 *exceed \$1,025,000 shall be available for the immediate Of-*

9 *fice of the Deputy Secretary; not to exceed \$20,109,000 shall*

10 *be available for the Office of the General Counsel; not to*

11 *exceed \$10,141,000 shall be available for the Office of the*

12 *Under Secretary of Transportation for Policy; not to exceed*

13 *\$13,867,000 shall be available for the Office of the Assistant*

14 *Secretary for Budget and Programs; not to exceed*

15 *\$2,546,000 shall be available for the Office of the Assistant*

16 *Secretary for Governmental Affairs; not to exceed*

17 *\$27,411,000 shall be available for the Office of the Assistant*

18 *Secretary for Administration; not to exceed \$2,029,000 shall*

19 *be available for the Office of Public Affairs; not to exceed*

20 *\$1,769,000 shall be available for the Office of the Executive*

21 *Secretariat; not to exceed \$1,434,000 shall be available for*

22 *the Office of Small and Disadvantaged Business Utiliza-*

23 *tion; not to exceed \$10,793,000 shall be available for the*

24 *Office of Intelligence, Security, and Emergency Response;*

25 *and not to exceed \$16,880,000 shall be available for the Of-*

1 fice of the Chief Information Officer: Provided, That the
2 Secretary of Transportation is authorized to transfer funds
3 appropriated for any office of the Office of the Secretary
4 to any other office of the Office of the Secretary: Provided
5 further, That no appropriation for any office shall be in-
6 creased or decreased by more than 5 percent by all such
7 transfers: Provided further, That notice of any change in
8 funding greater than 5 percent shall be submitted for ap-
9 proval to the House and Senate Committees on Appropria-
10 tions: Provided further, That not to exceed \$60,000 shall
11 be for allocation within the Department for official recep-
12 tion and representation expenses as the Secretary may de-
13 termine: Provided further, That notwithstanding any other
14 provision of law, excluding fees authorized in Public Law
15 107–71, there may be credited to this appropriation up to
16 \$2,500,000 in funds received in user fees: Provided further,
17 That none of the funds provided in this Act shall be avail-
18 able for the position of Assistant Secretary for Public Af-
19 fairs: Provided further, That not later than 60 days after
20 the date of enactment of this Act, the Secretary of Transpor-
21 tation shall transmit to Congress the final Comprehensive
22 Truck Size and Weight Limits Study, as required by section
23 32801 of Public Law 112–141: Provided further, That the
24 amount herein appropriated for the Office of the Under Sec-
25 retary for Transportation Policy shall be reduced by

1 \$100,000 for each day after 60 days after the date of enact-
2 ment of this Act that such report has not been submitted
3 to Congress: Provided further, That the Secretary shall pro-
4 vide the House and Senate Committees on Appropriations
5 quarterly written notification regarding the status of pend-
6 ing reports required to be submitted to the House and Sen-
7 ate Committees on Appropriations: Provided further, That
8 the Secretary shall provide in electronic form all signed re-
9 ports required by Congress.

10 RESEARCH AND TECHNOLOGY

11 For necessary expenses related to the Office of the As-
12 sistant Secretary for Research and Technology,
13 \$13,000,000, of which \$8,218,000 shall remain available
14 until September 30, 2018: Provided, That there may be
15 credited to this appropriation, to be available until ex-
16 pended, funds received from States, counties, municipali-
17 ties, other public authorities, and private sources for ex-
18 penses incurred for training: Provided further, That any
19 reference in law, regulation, judicial proceedings, or else-
20 where to the Research and Innovative Technology Adminis-
21 tration shall continue to be deemed to be a reference to the
22 Office of the Assistant Secretary for Research and Tech-
23 nology of the Department of Transportation.

1 NATIONAL INFRASTRUCTURE INVESTMENTS

2 *For capital investments in surface transportation in-*
3 *frasrtucture, \$500,000,000, to remain available through*
4 *September 30, 2019: Provided, That the Secretary of Trans-*
5 *portation shall distribute funds provided under this heading*
6 *as discretionary grants to be awarded to a State, local gov-*
7 *ernment, transit agency, or a collaboration among such en-*
8 *tities on a competitive basis for projects that will have a*
9 *significant impact on the Nation, a metropolitan area, or*
10 *a region: Provided further, That projects eligible for funding*
11 *provided under this heading shall include, but not be lim-*
12 *ited to, highway or bridge projects eligible under title 23,*
13 *United States Code; public transportation projects eligible*
14 *under chapter 53 of title 49, United States Code; passenger*
15 *and freight rail transportation projects; and port infra-*
16 *structure investments (including inland port infrastruc-*
17 *ture): Provided further, That the Secretary may use up to*
18 *20 percent of the funds made available under this heading*
19 *for the purpose of paying the subsidy and administrative*
20 *costs of projects eligible for Federal credit assistance under*
21 *chapter 6 of title 23, United States Code, if the Secretary*
22 *finds that such use of the funds would advance the purposes*
23 *of this paragraph: Provided further, That in distributing*
24 *funds provided under this heading, the Secretary shall take*
25 *such measures so as to ensure an equitable geographic dis-*

1 tribution of funds, an appropriate balance in addressing
2 the needs of urban and rural areas, and the investment in
3 a variety of transportation modes: Provided further, That
4 a grant funded under this heading shall be not less than
5 \$10,000,000 and not greater than \$100,000,000: Provided
6 further, That not more than 25 percent of the funds made
7 available under this heading may be awarded to projects
8 in a single State: Provided further, That the Federal share
9 of the costs for which an expenditure is made under this
10 heading shall be, at the option of the recipient, up to 80
11 percent: Provided further, That the Secretary shall give pri-
12 ority to projects that require a contribution of Federal funds
13 in order to complete an overall financing package: Provided
14 further, That not less than 30 percent of the funds provided
15 under this heading shall be for projects located in rural
16 areas: Provided further, That for projects located in rural
17 areas, the minimum grant size shall be \$1,000,000 and the
18 Secretary may increase the Federal share of costs above 80
19 percent: Provided further, That of the amount made avail-
20 able under this heading, the Secretary may use an amount
21 not to exceed \$25,000,000 for the planning, preparation or
22 design of projects eligible for funding under this heading:
23 Provided further, That grants awarded under the previous
24 proviso shall not be subject to a minimum grant size: Pro-
25 vided further, That projects conducted using funds provided

1 under this heading must comply with the requirements of
2 subchapter IV of chapter 31 of title 40, United States Code:
3 Provided further, That the Secretary shall conduct a new
4 competition to select the grants and credit assistance
5 awarded under this heading: Provided further, That the
6 Secretary may retain up to \$20,000,000 of the funds pro-
7 vided under this heading, and may transfer portions of
8 those funds to the Administrators of the Federal Highway
9 Administration, the Federal Transit Administration, the
10 Federal Railroad Administration, and the Maritime Ad-
11 ministration, to fund the award and oversight of grants and
12 credit assistance made under the National Infrastructure
13 Investments program.

FINANCIAL MANAGEMENT CAPITAL

15 *For necessary expenses for upgrading and enhancing*
16 *the Department of Transportation's financial systems and*
17 *re-engineering business processes, \$5,000,000, to remain*
18 *available through September 30, 2017.*

CYBER SECURITY INITIATIVES

20 *For necessary expenses for cyber security initiatives,*
21 *including necessary upgrades to wide area network and in-*
22 *formation technology infrastructure, improvement of net-*
23 *work perimeter controls and identity management, testing*
24 *and assessment of information technology against business,*
25 *security, and other requirements, implementation of Fed-*

1 *eral cyber security initiatives and information infrastruc-*
2 *ture enhancements, implementation of enhanced security*
3 *controls on network devices, and enhancement of cyber secu-*
4 *rity workforce training tools, \$8,000,000, to remain avail-*
5 *able through September 30, 2017.*

6 ***OFFICE OF CIVIL RIGHTS***

7 *For necessary expenses of the Office of Civil Rights,*
8 *\$9,678,000.*

9 ***TRANSPORTATION PLANNING, RESEARCH, AND***

10 ***DEVELOPMENT***

11 *For necessary expenses for conducting transportation*
12 *planning, research, systems development, development ac-*
13 *tivities, and making grants, to remain available until ex-*
14 *pended, \$6,000,000.*

15 ***INTERAGENCY INFRASTRUCTURE PERMITTING***

16 ***IMPROVEMENT CENTER***

17 *For necessary expenses to establish an Interagency In-*
18 *frastructure Permitting Improvement Center (IIPIC) that*
19 *will implement reforms to improve interagency coordina-*
20 *tion and the expediting of projects related to the permitting*
21 *and environmental review of major transportation infra-*
22 *structure projects including one-time expenses to develop*
23 *and deploy information technology tools to track project*
24 *schedules and metrics and improve the transparency and*
25 *accountability of the permitting process, \$4,000,000, to re-*

1 main available until expended: Provided, That there may
2 be transferred to this appropriation, to remain available
3 until expended, amounts from other Federal agencies for ex-
4 penses incurred under this heading for activities not related
5 to transportation infrastructure: Provided further, That the
6 tools and analysis developed by the IIPIC shall be available
7 to other Federal agencies for the permitting and review of
8 major infrastructure projects not related to transportation
9 only to the extent that other Federal agencies provide fund-
10 ing to the Department as provided for under the previous
11 proviso.

12 WORKING CAPITAL FUND

13 *For necessary expenses for operating costs and capital*
14 *outlays of the Working Capital Fund, not to exceed*
15 *\$190,039,000 shall be paid from appropriations made*
16 *available to the Department of Transportation: Provided,*
17 *That such services shall be provided on a competitive basis*
18 *to entities within the Department of Transportation: Pro-*
19 *vided further, That the above limitation on operating ex-*
20 *penses shall not apply to non-DOT entities: Provided fur-*
21 *ther, That no funds appropriated in this Act to an agency*
22 *of the Department shall be transferred to the Working Cap-*
23 *ital Fund without majority approval of the Working Cap-*
24 *ital Fund Steering Committee and approval of the Sec-*
25 *retary: Provided further, That no assessments may be levied*

1 *against any program, budget activity, subactivity or project*
2 *funded by this Act unless notice of such assessments and*
3 *the basis therefor are presented to the House and Senate*
4 *Committees on Appropriations and are approved by such*
5 *Committees.*

6 *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

7 *For the cost of guaranteed loans, \$336,000, as author-*
8 *ized by 49 U.S.C. 332: Provided, That such costs, including*
9 *the cost of modifying such loans, shall be as defined in sec-*
10 *tion 502 of the Congressional Budget Act of 1974: Provided*
11 *further, That these funds are available to subsidize total*
12 *loan principal, any part of which is to be guaranteed, not*
13 *to exceed \$18,367,000.*

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

16 *MINORITY BUSINESS OUTREACH*

17 *For necessary expenses of Minority Business Resource*
18 *Center outreach activities, \$3,084,000, to remain available*
19 *until September 30, 2017: Provided, That notwithstanding*
20 *49 U.S.C. 332, these funds may be used for business oppor-*
21 *tunities related to any mode of transportation.*

22 *PAYMENTS TO AIR CARRIERS*

23 *(AIRPORT AND AIRWAY TRUST FUND)*

24 *In addition to funds made available from any other*
25 *source to carry out the essential air service program under*

1 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived
2 from the Airport and Airway Trust Fund, to remain avail-
3 able until expended: Provided, That in determining between
4 or among carriers competing to provide service to a commu-
5 nity, the Secretary may consider the relative subsidy re-
6 quirements of the carriers: Provided further, That basic es-
7 sential air service minimum requirements shall not include
8 the 15-passenger capacity requirement under subsection
9 41732(b)(3) of title 49, United States Code: Provided fur-
10 ther, That none of the funds in this Act or any other Act
11 shall be used to enter into a new contract with a community
12 located less than 40 miles from the nearest small hub air-
13 port before the Secretary has negotiated with the commu-
14 nity over a local cost share: Provided further, That amounts
15 authorized to be distributed for the essential air service pro-
16 gram under subsection 41742(b) of title 49, United States
17 Code, shall be made available immediately from amounts
18 otherwise provided to the Administrator of the Federal
19 Aviation Administration: Provided further, That the Ad-
20 ministrator may reimburse such amounts from fees credited
21 to the account established under section 45303 of title 49,
22 United States Code.

1 ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY

2 OF TRANSPORTATION

3 *SEC. 101. None of the funds made available in this*
4 *Act to the Department of Transportation may be obligated*
5 *for the Office of the Secretary of Transportation to approve*
6 *assessments or reimbursable agreements pertaining to funds*
7 *appropriated to the modal administrations in this Act, ex-*
8 *cept for activities underway on the date of enactment of*
9 *this Act, unless such assessments or agreements have com-*
10 *pleted the normal reprogramming process for Congressional*
11 *notification.*

12 *SEC. 102. The Secretary or his or her designee may*
13 *engage in activities with States and State legislators to con-*
14 *sider proposals related to the reduction of motorcycle fatali-*
15 *ties.*

16 *SEC. 103. Notwithstanding section 3324 of title 31,*
17 *United States Code, in addition to authority provided by*
18 *section 327 of title 49, United States Code, the Depart-*
19 *ment's Working Capital Fund is hereby authorized to pro-*
20 *vide payments in advance to vendors that are necessary to*
21 *carry out the Federal transit pass transportation fringe*
22 *benefit program under Executive Order 13150 and section*
23 *3049 of Public Law 109–59: Provided, That the Depart-*
24 *ment shall include adequate safeguards in the contract with*

1 *the vendors to ensure timely and high-quality performance*
2 *under the contract.*

3 *SEC. 104. The Secretary shall post on the Web site of*
4 *the Department of Transportation a schedule of all meetings*
5 *of the Credit Council, including the agenda for each meet-*
6 *ing, and require the Credit Council to record the decisions*
7 *and actions of each meeting.*

8 *SEC. 105. Notwithstanding any other provision of law,*
9 *none of the funds appropriated or made available under*
10 *this Act shall be used to finalize or implement sections 256.1*
11 *through 256.5 and 399.80 of the Department of Transpor-*
12 *tation's proposed rulemaking, as published in the Federal*
13 *Register on Friday, May 23, 2014 (79 FR 29969), relating*
14 *to Transparency of Airline Ancillary Fees and Other Con-*
15 *sumer Protection Issues.*

16 *FEDERAL AVIATION ADMINISTRATION*

17 *OPERATIONS*

18 *(AIRPORT AND AIRWAY TRUST FUND)*

19 *For necessary expenses of the Federal Aviation Adminin-*
20 *istration, not otherwise provided for, including operations*
21 *and research activities related to commercial space trans-*
22 *portation, administrative expenses for research and develop-*
23 *ment, establishment of air navigation facilities, the oper-*
24 *ation (including leasing) and maintenance of aircraft, sub-*
25 *sidizing the cost of aeronautical charts and maps sold to*

1 *the public, lease or purchase of passenger motor vehicles for*
2 *replacement only, in addition to amounts made available*
3 *by Public Law 112–95, \$9,897,818,000 of which*
4 *\$8,180,000,000 shall be derived from the Airport and Air-*
5 *way Trust Fund, of which not to exceed \$7,505,293,000*
6 *shall be available for air traffic organization activities; not*
7 *to exceed \$1,258,411,000 shall be available for aviation safe-*
8 *ty activities; not to exceed \$17,425,000 shall be available*
9 *for commercial space transportation activities; not to exceed*
10 *\$748,969,000 shall be available for finance and manage-*
11 *ment activities; not to exceed \$60,089,000 shall be available*
12 *for NextGen and operations planning activities; not to ex-*
13 *ceed \$100,880,000 shall be available for security and haz-*
14 *ardous materials safety; and not to exceed \$206,751,000*
15 *shall be available for staff offices: Provided, That not to ex-*
16 *ceed 2 percent of any budget activity, except for aviation*
17 *safety budget activity, may be transferred to any budget*
18 *activity under this heading: Provided further, That no*
19 *transfer may increase or decrease any appropriation by*
20 *more than 2 percent: Provided further, That any transfer*
21 *in excess of 2 percent shall be treated as a reprogramming*
22 *of funds under section 405 of this Act and shall not be avail-*
23 *able for obligation or expenditure except in compliance with*
24 *the procedures set forth in that section: Provided further,*
25 *That not later than March 31 of each fiscal year hereafter,*

1 *the Administrator of the Federal Aviation Administration*
2 *shall transmit to Congress an annual update to the report*
3 *submitted to Congress in December 2004 pursuant to sec-*
4 *tion 221 of Public Law 108–176: Provided further, That*
5 *the amount herein appropriated shall be reduced by*
6 *\$100,000 for each day after March 31 that such report has*
7 *not been submitted to the Congress: Provided further, That*
8 *not later than March 31 of each fiscal year hereafter, the*
9 *Administrator shall transmit to Congress a companion re-*
10 *port that describes a comprehensive strategy for staffing,*
11 *hiring, and training flight standards and aircraft certifi-*
12 *cation staff in a format similar to the one utilized for the*
13 *controller staffing plan, including stated attrition estimates*
14 *and numerical hiring goals by fiscal year: Provided further,*
15 *That the amount herein appropriated shall be reduced by*
16 *\$100,000 per day for each day after March 31 that such*
17 *report has not been submitted to Congress: Provided further,*
18 *That funds may be used to enter into a grant agreement*
19 *with a nonprofit standard-setting organization to assist in*
20 *the development of aviation safety standards: Provided fur-*
21 *ther, That none of the funds in this Act shall be available*
22 *for new applicants for the second career training program:*
23 *Provided further, That none of the funds in this Act shall*
24 *be available for the Federal Aviation Administration to fi-*
25 *nalize or implement any regulation that would promulgate*

1 new aviation user fees not specifically authorized by law
2 after the date of the enactment of this Act: Provided further,
3 That there may be credited to this appropriation, as offset-
4 ting collections, funds received from States, counties, mu-
5 nicipalities, foreign authorities, other public authorities,
6 and private sources for expenses incurred in the provision
7 of agency services, including receipts for the maintenance
8 and operation of air navigation facilities, and for issuance,
9 renewal or modification of certificates, including airman,
10 aircraft, and repair station certificates, or for tests related
11 thereto, or for processing major repair or alteration forms:
12 Provided further, That of the funds appropriated under this
13 heading, not less than \$154,400,000 shall be for the contract
14 tower program, including the contract tower cost share pro-
15 gram: Provided further, That none of the funds in this Act
16 for aeronautical charting and cartography are available for
17 activities conducted by, or coordinated through, the Work-
18 ing Capital Fund.

19 **FACILITIES AND EQUIPMENT**

20 **(AIRPORT AND AIRWAY TRUST FUND)**

21 For necessary expenses, not otherwise provided for, for
22 acquisition, establishment, technical support services, im-
23 provement by contract or purchase, and hire of national
24 airspace systems and experimental facilities and equip-
25 ment, as authorized under part A of subtitle VII of title

1 49, *United States Code, including initial acquisition of nec-*
2 *essary sites by lease or grant; engineering and service test-*
3 *ing, including construction of test facilities and acquisition*
4 *of necessary sites by lease or grant; construction and fur-*
5 *nishing of quarters and related accommodations for officers*
6 *and employees of the Federal Aviation Administration sta-*
7 *tioned at remote localities where such accommodations are*
8 *not available; and the purchase, lease, or transfer of aircraft*
9 *from funds available under this heading, including aircraft*
10 *for aviation regulation and certification; to be derived from*
11 *the Airport and Airway Trust Fund, \$2,600,000,000, of*
12 *which \$467,000,000 shall remain available until September*
13 *30, 2016, and \$2,133,000,000 shall remain available until*
14 *September 30, 2018: Provided, That there may be credited*
15 *to this appropriation funds received from States, counties,*
16 *municipalities, other public authorities, and private*
17 *sources, for expenses incurred in the establishment, im-*
18 *provement, and modernization of national airspace sys-*
19 *tems: Provided further, That no later than March 31, the*
20 *Secretary of Transportation shall transmit to the Congress*
21 *an investment plan for the Federal Aviation Administra-*
22 *tion which includes funding for each budget line item for*
23 *fiscal years 2017 through 2021, with total funding for each*
24 *year of the plan constrained to the funding targets for those*
25 *years as estimated and approved by the Office of Manage-*

1 *ment and Budget: Provided further, That the amount herein*
2 *appropriated shall be reduced by \$100,000 per day for each*
3 *day after March 31 that such report has not been submitted*
4 *to Congress.*

5 *RESEARCH, ENGINEERING, AND DEVELOPMENT*
6 *(AIRPORT AND AIRWAY TRUST FUND)*

7 *For necessary expenses, not otherwise provided for, for*
8 *research, engineering, and development, as authorized*
9 *under part A of subtitle VII of title 49, United States Code,*
10 *including construction of experimental facilities and acqui-*
11 *sition of necessary sites by lease or grant, \$163,325,000, to*
12 *be derived from the Airport and Airway Trust Fund and*
13 *to remain available until September 30, 2018: Provided,*
14 *That there may be credited to this appropriation as offset-*
15 *ting collections, funds received from States, counties, mu-*
16 *nicipalities, other public authorities, and private sources,*
17 *which shall be available for expenses incurred for research,*
18 *engineering, and development.*

1 **GRANTS-IN-AID FOR AIRPORTS**

2 **(LIQUIDATION OF CONTRACT AUTHORIZATION)**

3 **(LIMITATION ON OBLIGATIONS)**

4 **(AIRPORT AND AIRWAY TRUST FUND)**

5 **(INCLUDING TRANSFER OF FUNDS)**

6 **(INCLUDING RESCISSION)**

7 *For liquidation of obligations incurred for grants-in-*
8 *aid for airport planning and development, and noise com-*
9 *pability planning and programs as authorized under sub-*
10 *chapter I of chapter 471 and subchapter I of chapter 475*
11 *of title 49, United States Code, and under other law author-*
12 *izing such obligations; for procurement, installation, and*
13 *commissioning of runway incursion prevention devices and*
14 *systems at airports of such title; for grants authorized under*
15 *section 41743 of title 49, United States Code; and for in-*
16 *spection activities and administration of airport safety pro-*
17 *grams, including those related to airport operating certifi-*
18 *cates under section 44706 of title 49, United States Code,*
19 *\$3,600,000,000, to be derived from the Airport and Airway*
20 *Trust Fund and to remain available until expended: Pro-*
21 *vided, That none of the funds under this heading shall be*
22 *available for the planning or execution of programs the obli-*
23 *gations for which are in excess of \$3,350,000,000 in fiscal*
24 *year 2016, notwithstanding section 47117(g) of title 49,*
25 *United States Code: Provided further, That none of the*

1 funds under this heading shall be available for the replace-
2 ment of baggage conveyor systems, reconfiguration of ter-
3 minal baggage areas, or other airport improvements that
4 are necessary to install bulk explosive detection systems:
5 Provided further, That notwithstanding section 47109(a) of
6 title 49, United States Code, the Government's share of al-
7 lowable project costs under paragraph (2) for subgrants or
8 paragraph (3) of that section shall be 95 percent for a
9 project at other than a large or medium hub airport that
10 is a successive phase of a multi-phased construction project
11 for which the project sponsor received a grant in fiscal year
12 2011 for the construction project: Provided further, That
13 notwithstanding any other provision of law, of funds lim-
14 ited under this heading, not more than \$107,100,000 shall
15 be obligated for administration, not less than \$15,000,000
16 shall be available for the Airport Cooperative Research Pro-
17 gram, not less than \$31,000,000 shall be available for Air-
18 port Technology Research, and \$10,000,000, to remain
19 available until expended, shall be available and transferred
20 to "Office of the Secretary, Salaries and Expenses" to carry
21 out the Small Community Air Service Development Pro-
22 gram: Provided further, That in addition to airports eligi-
23 ble under section 41743 of title 49, such program may in-
24 clude the participation of an airport that serves a commu-
25 nity or consortium that is not larger than a small hub air-

1 port, according to FAA hub classifications effective at the
2 time the Office of the Secretary issues a request for pro-
3 posals.

4 (RESCISSION)

5 Of the amounts authorized for the fiscal year ending
6 September 30, 2016, under section 48112 of title 49, United
7 States Code, all unobligated balances are permanently re-
8 scinded.

9 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

10 ADMINISTRATION

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

17 SEC. 111. None of the funds in this Act shall be used
18 to pursue or adopt guidelines or regulations requiring air-
19 port sponsors to provide to the Federal Aviation Adminis-
20 tration without cost building construction, maintenance,
21 utilities and expenses, or space in airport sponsor-owned
22 buildings for services relating to air traffic control, air
23 navigation, or weather reporting: Provided, That the prohi-
24 bition of funds in this section does not apply to negotiations
25 between the agency and airport sponsors to achieve agree-

1 ment on “below-market” rates for these items or to grant
2 assurances that require airport sponsors to provide land
3 without cost to the FAA for air traffic control facilities.

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

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

14 SEC. 114. *None of the funds in this Act shall be avail-*
15 *able for paying premium pay under subsection 5546(a) of*
16 *title 5, United States Code, to any Federal Aviation Admin-*
17 *istration employee unless such employee actually performed*
18 *work during the time corresponding to such premium pay.*

19 SEC. 115. *None of the funds in this Act may be obli-*
20 *gated or expended for an employee of the Federal Aviation*
21 *Administration to purchase a store gift card or gift certifi-*
22 *cate through use of a Government-issued credit card.*

23 SEC. 116. *The Secretary shall apportion to the sponsor*
24 *of an airport that received scheduled or unscheduled air*
25 *service from a large certified air carrier (as defined in part*

1 *241 of title 14 Code of Federal Regulations, or such other*
2 *regulations as may be issued by the Secretary under the*
3 *authority of section 41709) an amount equal to the min-*
4 *imum apportionment specified in 49 U.S.C. 47114(c), if*
5 *the Secretary determines that airport had more than 10,000*
6 *passenger boardings in the preceding calendar year, based*
7 *on data submitted to the Secretary under part 241 of title*
8 *14, Code of Federal Regulations.*

9 *SEC. 117. None of the funds in this Act may be obli-*
10 *gated or expended for retention bonuses for an employee of*
11 *the Federal Aviation Administration without the prior*
12 *written approval of the Assistant Secretary for Administra-*
13 *tion of the Department of Transportation.*

14 *SEC. 118. Notwithstanding any other provision of law,*
15 *none of the funds made available under this Act or any*
16 *prior Act may be used to implement or to continue to im-*
17 *plement any limitation on the ability of any owner or oper-*
18 *ator of a private aircraft to obtain, upon a request to the*
19 *Administrator of the Federal Aviation Administration, a*
20 *blocking of that owner's or operator's aircraft registration*
21 *number from any display of the Federal Aviation Adminis-*
22 *tration's Aircraft Situational Display to Industry data*
23 *that is made available to the public, except data made*
24 *available to a Government agency, for the noncommercial*
25 *flights of that owner or operator.*

1 *SEC. 119. None of the funds in this Act shall be avail-*
2 *able for salaries and expenses of more than 9 political and*
3 *Presidential appointees in the Federal Aviation Adminis-*
4 *tration.*

5 *SEC. 119A. None of the funds made available under*
6 *this Act may be used to increase fees pursuant to section*
7 *44721 of title 49, United States Code, until the FAA pro-*
8 *vides to the House and Senate Committees on Appropria-*
9 *tions a report that justifies all fees related to aeronautical*
10 *navigation products and explains how such fees are con-*
11 *sistent with Executive Order 13642.*

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

16 *SEC. 119C. None of the funds in this Act may be used*
17 *to close a regional operations center of the Federal Aviation*
18 *Administration or reduce its services unless the Adminis-*
19 *trator notifies the House and Senate Committees on Appro-*
20 *priations not less than 90 full business days in advance.*

1 *FEDERAL HIGHWAY ADMINISTRATION*2 *LIMITATION ON ADMINISTRATIVE EXPENSES*3 *(HIGHWAY TRUST FUND)*4 *(INCLUDING TRANSFER OF FUNDS)*

5 *Not to exceed \$429,348,000, together with advances*
6 *and reimbursements received by the Federal Highway Ad-*
7 *ministration, shall be obligated for necessary expenses for*
8 *administration and operation of the Federal Highway Ad-*
9 *ministration or transferred to the Appalachian Regional*
10 *Commission in accordance with section 104 of title 23,*
11 *United States Code.*

12 *FEDERAL-AID HIGHWAYS*13 *(LIMITATION ON OBLIGATIONS)*14 *(HIGHWAY TRUST FUND)*

15 *Funds available for the implementation or execution*
16 *of Federal-aid highways and highway safety construction*
17 *programs authorized under titles 23 and 49, United States*
18 *Code, and the provisions of Public Law 112–141 shall not*
19 *exceed total obligations of \$40,256,000,000 for fiscal year*
20 *2016: Provided, That the Secretary may collect and spend*
21 *fees, as authorized by title 23, United States Code, to cover*
22 *the costs of services of expert firms, including counsel, in*
23 *the field of municipal and project finance to assist in the*
24 *underwriting and servicing of Federal credit instruments*
25 *and all or a portion of the costs to the Federal Government*

1 *of servicing such credit instruments: Provided further, That*
2 *such fees are available until expended to pay for such costs:*
3 *Provided further, That such amounts are in addition to ad-*
4 *ministrative expenses that are also available for such pur-*
5 *pose, and are not subject to any obligation limitation or*
6 *the limitation on administrative expenses under section 608*
7 *of title 23, United States Code.*

8 (*LIQUIDATION OF CONTRACT AUTHORIZATION*)

9 (*HIGHWAY TRUST FUND*)

10 *For the payment of obligations incurred in carrying*
11 *out Federal-aid highways and highway safety construction*
12 *programs authorized under title 23, United States Code,*
13 *\$40,995,000,000 derived from the Highway Trust Fund*
14 *(other than the Mass Transit Account), to remain available*
15 *until expended.*

16 ***ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY***

17 ***ADMINISTRATION***

18 *SEC. 120. (a) For fiscal year 2016, the Secretary of*
19 *Transportation shall—*

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

22 *(A) amounts authorized for administrative*
23 *expenses and programs by section 104(a) of title*
24 *23, United States Code; and*

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

3 (2) not distribute an amount from the obligation
4 limitation for Federal-aid highways that is equal to
5 the unobligated balance of amounts—

6 (A) made available from the Highway Trust
7 Fund (other than the Mass Transit Account) for
8 Federal-aid highways and highway safety con-
9 struction programs for previous fiscal years the
10 funds for which are allocated by the Secretary
11 (or apportioned by the Secretary under section
12 202 or 204 of title 23, United States Code); and

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

15 (3) determine the proportion that—

16 (A) the obligation limitation for Federal-aid
17 highways, less the aggregate of amounts not dis-
18 tributed under paragraphs (1) and (2) of this
19 subsection; bears to

20 (B) the total of the sums authorized to be
21 appropriated for the Federal-aid highways and
22 highway safety construction programs (other
23 than sums authorized to be appropriated for pro-
24 visions of law described in paragraphs (1)
25 through (11) of subsection (b) and sums author-

1 ized to be appropriated for section 119 of title
2 23, United States Code, equal to the amount re-
3 ferred to in subsection (b)(12) for such fiscal
4 year), less the aggregate of the amounts not dis-
5 tributed under paragraphs (1) and (2) of this
6 subsection;

7 (4) distribute the obligation limitation for Fed-
8 eral-aid highways, less the aggregate amounts not dis-
9 tributed under paragraphs (1) and (2), for each of the
10 programs (other than programs to which paragraph
11 (1) applies) that are allocated by the Secretary under
12 the Moving Ahead for Progress in the 21st Century
13 Act and title 23, United States Code, or apportioned
14 by the Secretary under sections 202 or 204 of that
15 title, by multiplying—

16 (A) the proportion determined under para-
17 graph (3); by

18 (B) the amounts authorized to be appro-
19 priated for each such program for such fiscal
20 year; and

21 (5) distribute the obligation limitation for Fed-
22 eral-aid highways, less the aggregate amounts not dis-
23 tributed under paragraphs (1) and (2) and the
24 amounts distributed under paragraph (4), for Fed-
25 eral-aid highways and highway safety construction

1 *programs that are apportioned by the Secretary*
2 *under title 23, United States Code (other than the*
3 *amounts apportioned for the National Highway Per-*
4 *formance Program in section 119 of title 23, United*
5 *States Code, that are exempt from the limitation*
6 *under subsection (b)(12) and the amounts appor-*
7 *tioned under sections 202 and 204 of that title) in the*
8 *proportion that—*

9 (A) *amounts authorized to be appropriated*
10 *for the programs that are apportioned under title*
11 *23, United States Code, to each State for such*
12 *fiscal year; bears to*

13 (B) *the total of the amounts authorized to*
14 *be appropriated for the programs that are ap-*
15 *portioned under title 23, United States Code, to*
16 *all States for such fiscal year.*

17 (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.—*

18 *The obligation limitation for Federal-aid highways shall*

19 *not apply to obligations under or for—*

20 (1) *section 125 of title 23, United States Code;*
21 (2) *section 147 of the Surface Transportation As-*
22 *sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.*
23 *2714);*

24 (3) *section 9 of the Federal-Aid Highway Act of*
25 *1981 (95 Stat. 1701);*

- 1 (4) subsections (b) and (j) of section 131 of the
2 *Surface Transportation Assistance Act of 1982* (96
3 *Stat.* 2119);
- 4 (5) subsections (b) and (c) of section 149 of the
5 *Surface Transportation and Uniform Relocation As-*
6 *sistance Act of 1987* (101 *Stat.* 198);
- 7 (6) sections 1103 through 1108 of the *Intermodal*
8 *Surface Transportation Efficiency Act of 1991* (105
9 *Stat.* 2027);
- 10 (7) section 157 of title 23, *United States Code*
11 (as in effect on June 8, 1998);
- 12 (8) section 105 of title 23, *United States Code*
13 (as in effect for fiscal years 1998 through 2004, but
14 only in an amount equal to \$639,000,000 for each of
15 those fiscal years);
- 16 (9) *Federal-aid highways programs for which ob-*
17 *ligation authority was made available under the*
18 *Transportation Equity Act for the 21st Century* (112
19 *Stat.* 107) or subsequent Acts for multiple years or to
20 remain available until expended, but only to the ex-
21 tent that the obligation authority has not lapsed or
22 been used;
- 23 (10) section 105 of title 23, *United States Code*
24 (as in effect for fiscal years 2005 through 2012, but

1 only in an amount equal to \$639,000,000 for each of
2 those fiscal years);

3 (11) section 1603 of SAFETEA-LU (23 U.S.C.
4 118 note; 119 Stat. 1248), to the extent that funds ob-
5 ligated in accordance with that section were not sub-
6 ject to a limitation on obligations at the time at
7 which the funds were initially made available for ob-
8 ligation; and

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

12 (c) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*
13 *THORITY.*—Notwithstanding subsection (a), the Secretary
14 shall, after August 1 of such fiscal year—

15 (1) revise a distribution of the obligation limita-
16 tion made available under subsection (a) if an
17 amount distributed cannot be obligated during that
18 fiscal year; and

19 (2) redistribute sufficient amounts to those States
20 able to obligate amounts in addition to those pre-
21 viously distributed during that fiscal year, giving pri-
22 ority to those States having large unobligated bal-
23 ances of funds apportioned under sections 144 (as in
24 effect on the day before the date of enactment of Pub-

1 lic Law 112–141) and 104 of title 23, United States
2 Code.

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

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the obligation limitation for Federal-aid
7 highways shall apply to contract authority for trans-
8 portation research programs carried out under—

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

11 (B) division E of the Moving Ahead for
12 Progress in the 21st Century Act.

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

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

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

21 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
22 FUNDS.—

23 (1) IN GENERAL.—Not later than 30 days after
24 the date of distribution of obligation limitation under
25 subsection (a), the Secretary shall distribute to the

1 *States any funds (excluding funds authorized for the*
2 *program under section 202 of title 23, United States*
3 *Code) that—*

4 *(A) are authorized to be appropriated for*
5 *such fiscal year for Federal-aid highways pro-*
6 *grams; and*

7 *(B) the Secretary determines will not be al-*
8 *located to the States (or will not be apportioned*
9 *to the States under section 204 of title 23,*
10 *United States Code), and will not be available*
11 *for obligation, for such fiscal year because of the*
12 *imposition of any obligation limitation for such*
13 *fiscal year.*

14 *(2) RATIO.—Funds shall be distributed under*
15 *paragraph (1) in the same proportion as the distribu-*
16 *tion of obligation authority under subsection (a)(5).*

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

21 *SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-*
22 *ceived by the Bureau of Transportation Statistics from the*
23 *sale of data products, for necessary expenses incurred pur-*
24 *suant to chapter 63 of title 49, United States Code, may*
25 *be credited to the Federal-aid highways account for the pur-*

1 pose of reimbursing the Bureau for such expenses: Provided,
2 That such funds shall be subject to the obligation limitation
3 for Federal-aid highways and highway safety construction
4 programs.

5 SEC. 122. Not less than 15 days prior to waiving,
6 under his or her statutory authority, any Buy America re-
7 quirement for Federal-aid highways projects, the Secretary
8 of Transportation shall make an informal public notice and
9 comment opportunity on the intent to issue such waiver and
10 the reasons therefor: Provided, That the Secretary shall pro-
11 vide an annual report to the House and Senate Committees
12 on Appropriations on any waivers granted under the Buy
13 America requirements.

14 SEC. 123. None of the funds in this Act to the Depart-
15 ment of Transportation may be used to provide credit as-
16 sistance unless not less than 3 days before any application
17 approval to provide credit assistance under sections 603
18 and 604 of title 23, United States Code, the Secretary of
19 Transportation provides notification in writing to the fol-
20 lowing committees: the House and Senate Committees on
21 Appropriations; the Committee on Environment and Public
22 Works and the Committee on Banking, Housing and Urban
23 Affairs of the Senate; and the Committee on Transportation
24 and Infrastructure of the House of Representatives: Pro-
25 vided, That such notification shall include, but not be lim-

1 cited to, the name of the project sponsor; a description of
2 the project; whether credit assistance will be provided as
3 a direct loan, loan guarantee, or line of credit; and the
4 amount of credit assistance.

5 SEC. 124. From the unobligated balances of funds ap-
6 portioned among the States prior to October 1, 2012, under
7 sections 104(b) of title 23, United States Code (as in effect
8 on the day before the date of enactment of Public Law 112–
9 141), the amount of \$22,348,000 shall be made available
10 in fiscal year 2016 for the administrative expenses of the
11 Federal Highway Administration: Provided, That this pro-
12 vision shall not apply to funds distributed in accordance
13 with section 104(b)(5) of title 23, United States Code (as
14 in effect on the day before the date of enactment of Public
15 Law 112–141); section 133(d)(1) of such title (as in effect
16 on the day before the date of enactment of Public Law 109–
17 59); and the first sentence of section 133(d)(3)(A) of such
18 title (as in effect on the day before the date of enactment
19 of Public Law 112–141): Provided further, That such
20 amount shall be derived on a proportional basis from the
21 unobligated balances of apportioned funds to which this
22 provision applies: Provided further, That the amount made
23 available by this provision in fiscal year 2016 for the ad-
24 ministrative expenses of the Federal Highway Administra-
25 tion shall be in addition to the amount made available in

1 fiscal year 2016 for such purposes under section 104(a) of
2 title 23, United States Code.

3 SEC. 125. Section 127 of title 23, United States Code,
4 is amended by adding at the end the following:

5 “(m) OPERATION OF CERTAIN SPECIALIZED HAULING
6 VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

7 “(1) IN GENERAL.—If any segment of United
8 States Route 59, United States Route 77, United
9 States Route 281, United States Route 84, or routes
10 otherwise made eligible for designation as Interstate
11 Route 69, is designated as Interstate Route 69, a ve-
12 hicle that could operate legally on that segment before
13 the date of such designation may continue to operate
14 on that segment, without regard to any requirement
15 under subsection (a).

16 “(2) DESCRIPTION OF HIGHWAY SEGMENTS.—
17 The highway segments referred to in paragraph (1)
18 are any segment of United States Route 59, United
19 States Route 77, United States Route 281, United
20 States Route 84, and routes otherwise made eligible
21 for designation as Interstate Route 69 in Texas.

22 “(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES
23 ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—
24 If any segment of United States Route 63 between the exits

1 for Arkansas Highway 14 and Arkansas Highway 75 is
2 designated as part of the Interstate System—

3 “(1) a vehicle that could legally operate on the
4 segment before the date of such designation at the
5 posted speed limit may continue to operate on that
6 segment; and

7 “(2) a vehicle that can only travel slower than
8 the posted speed limit on the segment and could other-
9 wise legally operate on the segment before the date of
10 such designation may continue to operate on that seg-
11 ment during daylight hours.”.

12 SEC. 126. (a) A State or territory, as defined in section
13 165 of title 23, United States Code, may use for any project
14 eligible under section 133(b) of title 23 or section 165 of
15 title 23 and located within the boundary of the State or
16 territory any earmarked amount, and any associated obli-
17 gation limitation, provided that the Department of Trans-
18 portation for the State or territory for which the earmarked
19 amount was originally designated or directed notifies the
20 Secretary of Transportation of its intent to use its authority
21 under this section and submits a quarterly report to the
22 Secretary identifying the projects to which the funding
23 would be applied. Notwithstanding the original period of
24 availability of funds to be obligated under this section, such
25 funds and associated obligation limitation shall remain

1 available for obligation for a period of 3 fiscal years after
2 the fiscal year in which the Secretary of Transportation
3 is notified. The Federal share of the cost of a project carried
4 out with funds made available under this section shall be
5 the same as associated with the earmark.

6 (b) In this section, the term "earmarked amount"
7 means—

8 (1) congressionally directed spending, as defined
9 in rule XLIV of the Standing Rules of the Senate,
10 identified in a prior law, report, or joint explanatory
11 statement, which was authorized to be appropriated
12 or appropriated more than 10 fiscal years prior to
13 the fiscal year in which this Act becomes effective, and
14 administered by the Federal Highway Administra-
15 tion; or

16 (2) a congressional earmark, as defined in rule
17 XXI of the Rules of the House of Representatives iden-
18 tified in a prior law, report, or joint explanatory
19 statement, which was authorized to be appropriated
20 or appropriated more than 10 fiscal years prior to
21 the fiscal year in which this Act becomes effective, and
22 administered by the Federal Highway Administra-
23 tion.

24 (c) The authority under subsection (a) may be exer-
25 cised only for those projects or activities that have obligated

1 less than 10 percent of the amount made available for obli-
2 gation as of the effective date of this Act, and shall be ap-
3 plied to projects within the same general geographic area
4 within 50 miles for which the funding was designated, ex-
5 cept that a State or territory may apply such authority
6 to unexpended balances of funds from projects or activities
7 the State or territory certifies have been closed and for
8 which payments have been made under a final voucher.

9 (d) The Secretary shall submit consolidated reports of
10 the information provided by the States and territories each
11 quarter to the House and Senate Committees on Appropria-
12 tions.

13 SEC. 127. (a) IN GENERAL.—Section 31112(c)(5) of
14 title 49, United States Code, is amended—

15 (1) by striking “Nebraska may” and inserting
16 “Nebraska and Kansas may”; and
17 (2) by striking “the State of Nebraska” and in-
18 serting “the relevant state”.

19 (b) CONFORMING AND TECHNICAL AMENDMENTS.—
20 Section 31112(c) of such title is amended—

21 (1) by striking the subsection designation and
22 heading and inserting the following:
23 “(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA,
24 IOWA, NEBRASKA, AND KANSAS.—”;

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

5 *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*

6 *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*

7 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

8 *(LIMITATION ON OBLIGATIONS)*

9 *(HIGHWAY TRUST FUND)*

10 *For payment of obligations incurred in the implemen-*
11 *tation, execution and administration of motor carrier safe-*
12 *ty operations and programs pursuant to section 31104(i)*
13 *of title 49, United States Code, and sections 4127 and 4134*
14 *of Public Law 109–59, as amended by Public Law 112–*
15 *141, \$259,000,000, to be derived from the Highway Trust*
16 *Fund (other than the Mass Transit Account), together with*
17 *advances and reimbursements received by the Federal Motor*
18 *Carrier Safety Administration, the sum of which shall re-*
19 *main available until expended: Provided, That funds avail-*
20 *able for implementation, execution or administration of*
21 *motor carrier safety operations and programs authorized*
22 *under title 49, United States Code, shall not exceed total*
23 *obligations of \$259,000,000 for “Motor Carrier Safety Oper-*
24 *ations and Programs” for fiscal year 2016, of which*
25 *\$9,000,000, to remain available for obligation until Sep-*

1 tember 30, 2018, is for the research and technology pro-
2 gram, and of which \$34,545,000, to remain available for
3 obligation until September 30, 2018, is for information
4 management: Provided further, That \$1,000,000 shall be
5 made available for commercial motor vehicle operator
6 grants to carry out section 4134 of Public Law 109–59, as
7 amended by Public Law 112–141.

8 MOTOR CARRIER SAFETY GRANTS

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (LIMITATION ON OBLIGATIONS)

11 (HIGHWAY TRUST FUND)

12 For payment of obligations incurred in carrying out
13 sections 31102, 31104(a), 31106, 31107, 31109, 31309,
14 31313 of title 49, United States Code, and sections 4126
15 and 4128 of Public Law 109–59, as amended by Public
16 Law 112–141, \$313,000,000, to be derived from the High-
17 way Trust Fund (other than the Mass Transit Account) and
18 to remain available until expended: Provided, That funds
19 available for the implementation or execution of motor car-
20 rier safety programs shall not exceed total obligations of
21 \$313,000,000 in fiscal year 2016 for “Motor Carrier Safety
22 Grants”; of which \$218,000,000 shall be available for the
23 motor carrier safety assistance program, \$30,000,000 shall
24 be available for commercial driver’s license program im-
25 provement grants, \$32,000,000 shall be available for border

1 enforcement grants, \$5,000,000 shall be available for per-
2 formance and registration information system management
3 grants, \$25,000,000 shall be available for the commercial
4 vehicle information systems and networks deployment pro-
5 gram, and \$3,000,000 shall be available for safety data im-
6 provement grants: Provided further, That, of the funds
7 made available herein for the motor carrier safety assist-
8 ance program, \$32,000,000 shall be available for audits of
9 new entrant motor carriers.

10 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER

11 SAFETY ADMINISTRATION

12 SEC. 130. (a) Funds appropriated or limited in this
13 Act shall be subject to the terms and conditions stipulated
14 in section 350 of Public Law 107–87 and section 6901 of
15 Public Law 110–28.

16 (b) Section 350(d) of the Department of Transpor-
17 tation and Related Agencies Appropriation Act, 2002 (Pub-
18 lic Law 107–87) is hereby repealed.

19 SEC. 131. The Federal Motor Carrier Safety Adminis-
20 tration shall send notice of 49 CFR section 385.308 viola-
21 tions by certified mail, registered mail, or another manner
22 of delivery which records the receipt of the notice by the
23 persons responsible for the violations.

24 SEC. 132. None of the funds limited or otherwise made
25 available under this Act, or any other Act, hereafter, shall

1 *be used by the Secretary to enforce any regulation prohib-*
2 *iting a State from issuing a commercial learner's permit*
3 *to individuals under the age of eighteen if the State had*
4 *a law authorizing the issuance of commercial learner's per-*
5 *mits to individuals under eighteen years of age as of May*
6 *9, 2011.*

7 *SEC. 133. None of the funds limited or otherwise made*
8 *available under the heading "Motor Carrier Safety Oper-*
9 *ations and Programs" may be used to deny an application*
10 *to renew a Hazardous Materials Safety Program permit for*
11 *a motor carrier based on that carrier's Hazardous Mate-*
12 *rials Out-of-Service rate, unless the carrier has the oppor-*
13 *tunity to submit a written description of corrective actions*
14 *taken, and other documentation the carrier wishes the Sec-*
15 *retary to consider, including submitting a corrective action*
16 *plan, and the Secretary determines the actions or plan is*
17 *insufficient to address the safety concerns that resulted in*
18 *that Hazardous Materials Out-of-Service rate.*

19 *SEC. 134. Funds appropriated or otherwise made*
20 *available by this Act or any other Act shall be used hereafter*
21 *to enforce sections 395.3(c) and 395.3(d) of title 49, Code*
22 *of Federal Regulations, only if the final report issued by*
23 *the Secretary required by section 133 of division K of Pub-*
24 *lic Law 113–235 finds that the July 1, 2013 restart provi-*
25 *sions resulted in statistically significant net safety benefits*

1 and the Inspector General certifies that the final report
2 meets the statutory requirements of Public Law 113–235.

3 SEC. 135. Funds made available by this Act or any
4 other Act may be used to develop, issue, or implement any
5 regulation that increases levels of minimum financial re-
6 sponsibility for transporting passengers or property as in
7 effect on January 1, 2014, under regulations issued pursu-
8 ant to sections 31138 and 31139 of title 49, United States
9 Code, only 60 days after the Secretary provides a report
10 to the House and Senate Committees on Appropriations,
11 the House Committee on Transportation and Infrastruc-
12 ture, and the Senate Committee on Commerce, Science, and
13 Transportation on the impact of raising the minimum fi-
14 nancial responsibility for transporting passengers or prop-
15 erty. The report shall include an assessment of catastrophic
16 crashes in which damages exceeded the insurance limits, the
17 impact of higher insurance premiums on carriers, and the
18 capacity of the insurance industry to underwrite increases
19 in current minimum financial responsibility limits.

20 SEC. 136. Section 13506(a) of title 49, United States
21 Code, is amended:

22 (1) in subsection (14) by striking “or”;
23 (2) in subsection (15) by striking “.” and insert-
24 ing “; or”; and

1 (3) by inserting at the end, “(16) the transpor-
2 tation of passengers by motor vehicles operated by
3 youth or family camps that provide overnight accom-
4 modations and recreational or educational activities
5 at fixed locations.”.

6 SEC. 137. (a) Section 31111(b)(1)(A) of title 49,
7 United States Code, is amended by striking “or of less than
8 28 feet on a semitrailer or trailer operating in a truck trac-
9 tor semitrailer-trailer combination,” and inserting “or, not-
10 withstanding section 31112, of less than 33 feet on a
11 semitrailer or trailer operating in a truck tractor
12 semitrailer-trailer combination.”.

13 (b) Section 31111(f) of title 49, United States Code,
14 the term “chief executive officer of a State” shall include
15 “chief executive officer of a State Department of Transpor-
16 tation”.

17 (c) The Secretary of Transportation is directed to con-
18 duct a study comparing crash data between 28 foot and
19 33 foot semitrailers or trailers operating in a truck tractor-
20 semitrailer-trailer configuration. The Secretary shall sub-
21 mit its study to the House and Senate Committees on Ap-
22 propriations no later than three years after the date of en-
23 actment of this Act.

1 *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*2 *OPERATIONS AND RESEARCH*

3 *For expenses necessary to discharge the functions of the*
4 *Secretary, with respect to traffic and highway safety au-*
5 *thorized under chapter 301 and part C of subtitle VI of*
6 *title 49, United States Code, \$130,500,000, of which*
7 *\$20,000,000 shall remain available through September 30,*
8 *2017.*

9 *OPERATIONS AND RESEARCH*10 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*11 *(LIMITATION ON OBLIGATIONS)*12 *(HIGHWAY TRUST FUND)*

13 *For payment of obligations incurred in carrying out*
14 *the provisions of 23 U.S.C. 403, and chapter 303 of title*
15 *49, United States Code, \$118,500,000, to be derived from*
16 *the Highway Trust Fund (other than the Mass Transit Ac-*
17 *count) and to remain available until expended: Provided,*
18 *That none of the funds under this heading shall be available*
19 *for the planning or execution of programs the total obliga-*
20 *tions for which, in fiscal year 2016, are in excess of*
21 *\$118,500,000, of which \$113,500,000 shall be for programs*
22 *authorized under 23 U.S.C. 403 and \$5,000,000 shall be*
23 *for the National Driver Register authorized under chapter*
24 *303 of title 49, United States Code: Provided further, That*
25 *within the \$118,500,000 obligation limitation for oper-*

1 actions and research, \$20,000,000 shall remain available
2 until September 30, 2017, and shall be in addition to the
3 amount of any limitation imposed on obligations for future
4 years.

5 HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER PURPOSES

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (LIMITATION ON OBLIGATIONS)

8 (HIGHWAY TRUST FUND)

9 For payment of obligations incurred in carrying out
10 provisions of 23 U.S.C. 402, 403, and 405, section 2009
11 of Public Law 109–59, as amended by Public Law 112–
12 141, section 31101(a)(6) of Public Law 112–141, chapter
13 301 of title 49, United States Code, and part C of subtitle
14 VI of title 49, United States Code, to remain available until
15 expended, \$575,500,000, to be derived from the Highway
16 Trust Fund (other than the Mass Transit Account): Pro-
17 vided, That none of the funds in this Act shall be available
18 for the planning or execution of programs the total obliga-
19 tions for which, in fiscal year 2016, are in excess of
20 \$575,500,000 for programs authorized under 23 U.S.C. 402,
21 403, and 405, section 2009 of Public Law 109–59, as
22 amended by Public Law 112–141, section 31101(a)(6) of
23 Public Law 112–141, chapter 301 of title 49, United States
24 Code, and part C of subtitle VI of title 49, United States
25 Code, of which \$235,000,000 shall be for “Highway Safety”

1 *Programs*" under 23 U.S.C. 402; \$272,000,000 shall be for
2 "National Priority Safety Programs" under 23 U.S.C. 405;
3 \$29,000,000 shall be for "High Visibility Enforcement Pro-
4 gram" under section 2009 of Public Law 109-59, as
5 amended by Public Law 112-141; \$25,500,000 shall be for
6 "Administrative Expenses" under section 31101(a)(6) of
7 Public Law 112-141: Provided further, That none of these
8 funds shall be used for construction, rehabilitation, or re-
9 modeling costs, or for office furnishings and fixtures for
10 State, local or private buildings or structures: Provided fur-
11 ther, That not to exceed \$500,000 of the funds made avail-
12 able for "National Priority Safety Programs" under 23
13 U.S.C. 405 for "Impaired Driving Countermeasures" (as
14 described in subsection (d) of that section) shall be available
15 for technical assistance to the States: Provided further, That
16 with respect to the "Transfers" provision under 23 U.S.C.
17 405(a)(1)(G), any amounts transferred to increase the
18 amounts made available under section 402 shall include the
19 obligation authority for such amounts: Provided further,
20 That the Administrator shall notify the House and Senate
21 Committees on Appropriations of any exercise of the au-
22 thority granted under the previous proviso or under 23
23 U.S.C. 405(a)(1)(G) within 5 days: Provided further, That
24 \$10,000,000 of the total obligation limitation made avail-
25 able shall be applied toward unobligated balances of con-

1 tract authority under the program for which funds were au-
2 thorized in section 2005 of Public Law 109–59, as amended,
3 and shall be used for programs authorized under 23 U.S.C.
4 403: Provided further, That \$4,000,000 of the total obliga-
5 tion limitation made available shall be applied toward un-
6 obligated balances of contract authority under the program
7 for which funds were authorized in section 2005 of Public
8 Law 109–59, as amended, and shall be used to cover the
9 expenses necessary to discharge the functions of the Sec-
10 retary, with respect to traffic and highway safety under
11 chapter 301 of title 49, United States Code, and part C
12 of subtitle VI of title 49, United States Code: Provided fur-
13 ther, That the additional \$14,000,000 made available for
14 obligation from unobligated balances of contract authority
15 under section 2005 of Public Law 109–59, as amended,
16 shall be available in the same manner as though such funds
17 were apportioned under chapter 1 of title 23, United States
18 Code, except that the Federal share payable on account of
19 any program, project, or activity carried out with such
20 funds made available under this heading shall be 100 per-
21 cent and such funds shall remain available for obligation
22 until expended.

1 *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*2 *TRAFFIC SAFETY ADMINISTRATION*

3 *SEC. 140. An additional \$130,000 shall be made avail-*
4 *able to the National Highway Traffic Safety Administra-*
5 *tion, out of the amount limited for section 402 of title 23,*
6 *United States Code, to pay for travel and related expenses*
7 *for State management reviews and to pay for core com-*
8 *petency development training and related expenses for high-*
9 *way safety staff.*

10 *SEC. 141. The limitations on obligations for the pro-*
11 *grams of the National Highway Traffic Safety Administra-*
12 *tion set in this Act shall not apply to obligations for which*
13 *obligation authority was made available in previous public*
14 *laws but only to the extent that the obligation authority*
15 *has not lapsed or been used.*

16 *SEC. 142. None of the funds in this Act shall be used*
17 *to implement section 404 of title 23, United States Code.*

18 *FEDERAL RAILROAD ADMINISTRATION*19 *SAFETY AND OPERATIONS*

20 *For necessary expenses of the Federal Railroad Admin-*
21 *istration, not otherwise provided for, \$199,000,000, of which*
22 *\$15,900,000 shall remain available until expended.*

23 *RAILROAD RESEARCH AND DEVELOPMENT*

24 *For necessary expenses for railroad research and devel-*
25 *opment, \$39,100,000, to remain available until expended.*

1 RAILROAD REHABILITATION AND IMPROVEMENT FINANCING 2 PROGRAM

3 *The Secretary of Transportation is authorized to issue*
4 *direct loans and loan guarantees pursuant to sections 501*
5 *through 504 of the Railroad Revitalization and Regulatory*
6 *Reform Act of 1976 (Public Law 94-210), as amended, such*
7 *authority to exist as long as any such direct loan or loan*
8 *guarantee is outstanding: Provided, That pursuant to sec-*
9 *tion 502 of such Act, as amended, no new direct loans or*
10 *loan guarantee commitments shall be made using Federal*
11 *funds for the credit risk premium during fiscal year 2016.*

12 RAILROAD SAFETY GRANTS

13 For necessary expenses related to railroad safety
14 grants, \$50,000,000, of which not to exceed \$25,000,000
15 shall be available to carry out 49 U.S.C. 20167; not to ex-
16 ceed \$15,000,000 shall be made available to carry out 49
17 U.S.C. 20158; and not to exceed \$10,000,000 shall be made
18 available for projects as defined in section 22501 of title
19 49, United States Code, to remain available until expended.

20 OPERATING GRANTS TO THE NATIONAL RAILROAD

21 PASSENGER CORPORATION

22 To enable the Secretary of Transportation to make
23 quarterly grants to the National Railroad Passenger Cor-
24 poration, in amounts based on the Secretary's assessment
25 of the Corporation's seasonal cash flow requirements, for the

1 operation of intercity passenger rail, as authorized by sec-
2 tion 101 of the Passenger Rail Investment and Improve-
3 ment Act of 2008 (division B of Public Law 110–432),
4 \$288,500,000, to remain available until expended: Pro-
5 vided, That the amounts available under this paragraph
6 shall be available for the Secretary to approve funding to
7 cover operating losses for the Corporation only after receiv-
8 ing and reviewing a grant request for each specific train
9 route: Provided further, That each such grant request shall
10 be accompanied by a detailed financial analysis, revenue
11 projection, and capital expenditure projection justifying the
12 Federal support to the Secretary's satisfaction: Provided
13 further, That not later than 60 days after enactment of this
14 Act, the Corporation shall transmit, in electronic format,
15 to the Secretary and the House and Senate Committees on
16 Appropriations the annual budget, business plan, the 5-
17 Year Financial Plan for fiscal year 2016 required under
18 section 204 of the Passenger Rail Investment and Improve-
19 ment Act of 2008 and the comprehensive fleet plan for all
20 Amtrak rolling stock: Provided further, That the budget,
21 business plan and the 5-Year Financial Plan shall include
22 annual information on the maintenance, refurbishment, re-
23 placement, and expansion for all Amtrak rolling stock con-
24 sistent with the comprehensive fleet plan: Provided further,
25 That the Corporation shall provide monthly performance

1 reports in an electronic format which shall describe the
2 work completed to date, any changes to the business plan,
3 and the reasons for such changes as well as progress against
4 the milestones and target dates of the 2012 performance im-
5 provement plan: Provided further, That the Corporation's
6 budget, business plan, 5-Year Financial Plan, semiannual
7 reports, monthly reports, comprehensive fleet plan and all
8 supplemental reports or plans comply with requirements in
9 Public Law 112–55: Provided further, That none of the
10 funds provided in this Act may be used to support any
11 route on which Amtrak offers a discounted fare of more than
12 50 percent off the normal peak fare: Provided further, That
13 the preceding proviso does not apply to routes where the
14 operating loss as a result of the discount is covered by a
15 State and the State participates in the setting of fares.

16 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL

17 RAILROAD PASSENGER CORPORATION

18 To enable the Secretary of Transportation to make
19 grants to the National Railroad Passenger Corporation for
20 capital investments as authorized by sections 101(c), 102,
21 and 219(b) of the Passenger Rail Investment and Improve-
22 ment Act of 2008 (division B of Public Law 110–432),
23 \$1,101,500,000, to remain available until expended, of
24 which not to exceed \$160,200,000 shall be for debt service
25 obligations as authorized by section 102 of such Act: Pro-

1 *vided, That of the amounts made available under this head-*
2 *ing, not less than \$50,000,000 shall be made available to*
3 *bring Amtrak-served facilities and stations into compliance*
4 *with the Americans with Disabilities Act: Provided further,*
5 *That after an initial distribution of up to \$200,000,000,*
6 *which shall be used by the Corporation as a working capital*
7 *account, all remaining funds shall be provided to the Cor-*
8 *poration only on a reimbursable basis: Provided further,*
9 *That of the amounts made available under this heading,*
10 *up to \$50,000,000 may be used by the Secretary to subsidize*
11 *operating losses of the Corporation should the funds pro-*
12 *vided under the heading “Operating Grants to the National*
13 *Railroad Passenger Corporation” be insufficient to meet*
14 *operational costs for fiscal year 2016: Provided further,*
15 *That the Secretary may retain up to one-half of 1 percent*
16 *of the funds provided under this heading to fund the costs*
17 *of project management and oversight of activities author-*
18 *ized by subsections 101(a) and 101(c) of division B of Pub-*
19 *lic Law 110–432, of which up to \$500,000 may be available*
20 *for technical assistance for States, the District of Columbia,*
21 *and other public entities responsible for the implementation*
22 *of section 209 of division B of Public Law 110–432: Pro-*
23 *vided further, That the Secretary shall approve funding for*
24 *capital expenditures, including advance purchase orders of*
25 *materials, for the Corporation only after receiving and re-*

1 viewing a grant request for each specific capital project jus-
2 tifying the Federal support to the Secretary's satisfaction:
3 Provided further, That except as otherwise provided herein,
4 none of the funds under this heading may be used to sub-
5 sidize operating losses of the Corporation: Provided further,
6 That none of the funds under this heading may be used
7 for capital projects not approved by the Secretary of Trans-
8 portation or on the Corporation's fiscal year 2015 business
9 plan: Provided further, That in addition to the project man-
10 agement oversight funds authorized under section 101(d) of
11 division B of Public Law 110–432, the Secretary may re-
12 tain up to an additional \$5,000,000 of the funds provided
13 under this heading to fund expenses associated with imple-
14 menting section 212 of division B of Public Law 110–432,
15 including the amendments made by section 212 to section
16 24905 of title 49, United States Code.

17 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

18 ADMINISTRATION

19 SEC. 150. The Secretary of Transportation may re-
20 ceive and expend cash, or receive and utilize spare parts
21 and similar items, from non-United States Government
22 sources to repair damages to or replace United States Gov-
23 ernment owned automated track inspection cars and equip-
24 ment as a result of third-party liability for such damages,
25 and any amounts collected under this section shall be cred-

1 *ited directly to the Safety and Operations account of the*
2 *Federal Railroad Administration, and shall remain avail-*
3 *able until expended for the repair, operation and mainte-*
4 *nance of automated track inspection cars and equipment*
5 *in connection with the automated track inspection program.*

6 *SEC. 151. None of the funds provided to the National*
7 *Railroad Passenger Corporation may be used to fund any*
8 *overtime costs in excess of \$35,000 for any individual em-*
9 *ployee: Provided, That the President of Amtrak may waive*
10 *the cap set in the previous proviso for specific employees*
11 *when the President of Amtrak determines such a cap poses*
12 *a risk to the safety and operational efficiency of the system:*
13 *Provided further, That the President of Amtrak shall report*
14 *to the House and Senate Committees on Appropriations*
15 *each quarter of the calendar year on waivers granted to em-*
16 *ployees and amounts paid above the cap for each month*
17 *within such quarter and delineate the reasons each waiver*
18 *was granted: Provided further, That the President of Am-*
19 *trak shall report to the House and Senate Committees on*
20 *Appropriations by March 1, 2016, a summary of all over-*
21 *time payments incurred by the Corporation for 2015 and*
22 *the three prior calendar years: Provided further, That such*
23 *summary shall include the total number of employees that*
24 *received waivers and the total overtime payments the Cor-*

1 poration paid to those employees receiving waivers for each
2 month for 2015 and for the three prior calendar years.

3 SEC. 152. Of the unobligated balances of funds avail-
4 able to the Federal Railroad Administration, the following
5 funds are hereby rescinded: \$4,201,385 of the unobligated
6 balances of funds made available from the following ac-
7 counts in the specified amounts—“Rail Line Relocation
8 and Improvement Program”, \$2,241,385; and “Railroad
9 Research and Development”, \$1,960,000: Provided, That
10 such amounts are made available to enable the Secretary
11 of Transportation to assist Class II and Class III railroads
12 with eligible projects pursuant to sections 501 through 504
13 of the Railroad Revitalization and Regulatory Reform Act
14 of 1976 (Public Law 94–210), as amended: Provided fur-
15 ther, That such funds shall be available for applicant ex-
16 penses in preparing to apply and applying for direct loans
17 and loan guarantees as well as the credit risk premiums
18 notwithstanding any other restriction against the use of
19 Federal funds for such credit risk premiums: Provided fur-
20 ther, That these funds shall remain available until ex-
21 pended.

22 SEC. 153. Of the unobligated balances of funds avail-
23 able to the Federal Railroad Administration, the following
24 funds are hereby rescinded: \$5,000,000 of the unobligated
25 balances of funds made available to fund expenses associ-

1 ated with implementing section 212 of division B of Public
2 Law 110–432 in the Capital and Debt Service Grants to
3 the National Railroad Passenger Corporation account of the
4 Consolidated and Further Continuing Appropriations Act,
5 2015 and \$11,922,000 of the unobligated balances of funds
6 made available from the following accounts in the specified
7 amounts—“Grants to the National Railroad Passenger
8 Corporation”, \$267,019; “Next Generation High-Speed
9 Rail”, \$4,944,504; and “Safety and Operations”,
10 \$6,710,477: Provided, That such amounts are made avail-
11 able to enable the Secretary of Transportation to make
12 grants to the National Railroad Passenger Corporation as
13 authorized by section 101(c) of the Passenger Rail Invest-
14 ment and Improvement Act of 2008 (division B of Public
15 Law 110–432) for state-of-good-repair backlog and infra-
16 structure improvements on Northeast Corridor shared-use
17 infrastructure identified in the Northeast Corridor Infra-
18 structure and Operations Advisory Commission’s approved
19 5-year capital plan: Provided further, That these funds
20 shall remain available until expended and shall be available
21 for grants in an amount not to exceed 50 percent of the
22 total project cost, with the required matching funds to be
23 provided consistent with the Commission’s cost allocation
24 policy.

1 *FEDERAL TRANSIT ADMINISTRATION*2 *ADMINISTRATIVE EXPENSES*

3 *For necessary administrative expenses of the Federal*
4 *Transit Administration's programs authorized by chapter*
5 *53 of title 49, United States Code, \$107,000,000, of which*
6 *not less than \$5,000,000 shall be available to carry out the*
7 *provisions of 49 U.S.C. 5329 and not less than \$1,000,000*
8 *shall be available to carry out the provisions of 49 U.S.C.*
9 *5326: Provided, That none of the funds provided or limited*
10 *in this Act may be used to create a permanent office of*
11 *transit security under this heading: Provided further, That*
12 *upon submission to the Congress of the fiscal year 2017*
13 *President's budget, the Secretary of Transportation shall*
14 *transmit to Congress the annual report on New Starts, in-*
15 *cluding proposed allocations for fiscal year 2017.*

16 *TRANSIT FORMULA GRANTS*17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*18 *(LIMITATION ON OBLIGATIONS)*19 *(HIGHWAY TRUST FUND)*

20 *For payment of obligations incurred in the Federal*
21 *Public Transportation Assistance Program in this account,*
22 *and for payment of obligations incurred in carrying out*
23 *the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318,*
24 *5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amend-*
25 *ed by Public Law 112–141, and section 20005(b) of Public*

1 *Law 112–141, \$9,500,000,000, to be derived from the Mass*
2 *Transit Account of the Highway Trust Fund and to remain*
3 *available until expended: Provided, That funds available for*
4 *the implementation or execution of programs authorized*
5 *under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d),*
6 *5329(e)(6), 5335, 5337, 5339, and 5340, as amended by*
7 *Public Law 112–141, and section 20005(b) of Public Law*
8 *112–141, shall not exceed total obligations of*
9 *\$8,595,000,000 in fiscal year 2016.*

10 **TRANSIT RESEARCH**

11 *For necessary expenses to carry out 49 U.S.C. 5312*
12 *and 5313, \$32,500,000, to remain available until expended:*
13 *Provided, That \$30,000,000 shall be for activities author-*
14 *ized under 49 U.S.C. 5312 and \$2,500,000 shall be for ac-*
15 *tivities authorized under 49 U.S.C. 5313.*

16 **TECHNICAL ASSISTANCE AND TRAINING**

17 *For necessary expenses to carry out 49 U.S.C. 5314*
18 *and 5322(a), (b) and (e), \$3,153,000, to remain available*
19 *until expended: Provided, That \$2,653,000 shall be for ac-*
20 *tivities authorized under 49 U.S.C. 5314 and \$500,000*
21 *shall be for activities authorized under 49 U.S.C. 5322(a),*
22 *(b) and (e).*

23 **CAPITAL INVESTMENT GRANTS**

24 *For necessary expenses to carry out 49 U.S.C. 5309,*
25 *\$1,585,000,000, to remain available until expended: Pro-*

1 *vided, That when distributing funds among Recommended*
2 *New Starts Projects, the Administrator shall first fully fund*
3 *those projects covered by a full funding grant agreement,*
4 *then fully fund those projects whose section 5309 share is*
5 *less than 40 percent, and then distribute the remaining*
6 *funds so as to protect as much as possible the projects' budg-*
7 *ets and schedules.*

8 **GRANTS TO THE WASHINGTON METROPOLITAN AREA**

9 **TRANSIT AUTHORITY**

10 *For grants to the Washington Metropolitan Area Tran-*
11 *sit Authority as authorized under section 601 of division*
12 *B of Public Law 110–432, \$150,000,000, to remain avail-*
13 *able until expended: Provided, That the Secretary of Trans-*
14 *portation shall approve grants for capital and preventive*
15 *maintenance expenditures for the Washington Metropolitan*
16 *Area Transit Authority only after receiving and reviewing*
17 *a request for each specific project: Provided further, That*
18 *prior to approving such grants, the Secretary shall certify*
19 *that the Washington Metropolitan Area Transit Authority*
20 *is making progress to improve its safety management sys-*
21 *tem in response to the Federal Transit Administration's*
22 *2015 safety management inspection: Provided further, That*
23 *prior to approving such grants, the Secretary shall certify*
24 *that the Washington Metropolitan Area Transit Authority*
25 *is making progress toward full implementation of the cor-*

1 *rective actions identified in the 2014 Financial Manage-*
2 *ment Oversight Review Report: Provided further, That the*
3 *Secretary shall determine that the Washington Metropolitan*
4 *Area Transit Authority has placed the highest priority on*
5 *those investments that will improve the safety of the system*
6 *before approving such grants: Provided further, That the*
7 *Secretary, in order to ensure safety throughout the rail sys-*
8 *tem, may waive the requirements of section 601(e)(1) of title*
9 *VI of Public Law 110–432 (112 Stat. 4968).*

10 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

11 ADMINISTRATION

12 (INCLUDING RESCISSION)

13 *SEC. 160. The limitations on obligations for the pro-*
14 *grams of the Federal Transit Administration shall not*
15 *apply to any authority under 49 U.S.C. 5338, previously*
16 *made available for obligation, or to any other authority pre-*
17 *viously made available for obligation.*

18 *SEC. 161. Notwithstanding any other provision of law,*
19 *funds appropriated or limited by this Act under the heading*
20 *“Fixed Guideway Capital Investment” of the Federal Tran-*
21 *sit Administration for projects specified in this Act or iden-*
22 *tified in reports accompanying this Act not obligated by*
23 *September 30, 2020, and other recoveries, shall be directed*
24 *to projects eligible to use the funds for the purposes for*
25 *which they were originally provided.*

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

7 *SEC. 163. The Secretary may not enforce regulations*
8 *related to charter bus service under part 604 of title 49,*
9 *Code of Federal Regulations, for any transit agency that*
10 *during fiscal year 2008 was both initially granted a 60-*
11 *day period to come into compliance with part 604, and then*
12 *was subsequently granted an exception from said part.*

13 *SEC. 164. Notwithstanding the requirements of 49*
14 *U.S.C. 5334 and 2 CFR 200.313, conditions imposed as*
15 *a result of any and all Federal public transportation assist-*
16 *ance related to and for the use, encumbrance, transfer or*
17 *disposition of property originally built as a prototype hav-*
18 *ing icebreaking capabilities will be fully and completely*
19 *satisfied by the property's use—*

- 20 *(1) in the areas of Arctic research;*
21 *(2) to map the Arctic;*
22 *(3) to collect and analyze data in the Arctic;*
23 *(4) to support activities that further Arctic ex-*
24 *ploration, research, or development; or*

1 (5) for educational purposes or humanitarian re-
2 lief efforts.

3 SEC. 165. Projects selected for the pilot program for
4 expedited project delivery under section 20008(b) of MAP-
5 21 shall be exempt from the requirements of 49 U.S.C.
6 5309(d), (e), (g), and (h). Notwithstanding this exemption,
7 in determining whether a recipient has the financial capac-
8 ity to carry out the eligible project, the Secretary of Trans-
9 portation shall apply the requirements and considerations
10 of 49 U.S.C. 5309(f).

11 SEC. 166. Of the unobligated amounts made available
12 for fiscal year 2011 or prior fiscal years to carry out the
13 discretionary bus and bus facilities program under 49
14 U.S.C. 5309, \$10,000,000 is hereby rescinded.

15 SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION
16 The Saint Lawrence Seaway Development Corpora-
17 tion is hereby authorized to make such expenditures, within
18 the limits of funds and borrowing authority available to
19 the Corporation, and in accordance with law, and to make
20 such contracts and commitments without regard to fiscal
21 year limitations as provided by section 104 of the Govern-
22 ment Corporation Control Act, as amended, as may be nec-
23 essary in carrying out the programs set forth in the Cor-
24 poration's budget for fiscal year 2016.

1 *OPERATIONS AND MAINTENANCE*2 *(HARBOR MAINTENANCE TRUST FUND)*

3 *For necessary expenses to conduct the operations,*
4 *maintenance, and capital asset renewal activities of those*
5 *portions of the St. Lawrence Seaway owned, operated, and*
6 *maintained by the Saint Lawrence Seaway Development*
7 *Corporation, \$28,400,000, to be derived from the Harbor*
8 *Maintenance Trust Fund, pursuant to Public Law 99-662.*

9 *MARITIME ADMINISTRATION*10 *MARITIME SECURITY PROGRAM*

11 *For necessary expenses to maintain and preserve a*
12 *U.S.-flag merchant fleet to serve the national security needs*
13 *of the United States, \$186,000,000, to remain available*
14 *until expended.*

15 *OPERATIONS AND TRAINING*

16 *For necessary expenses of operations and training ac-*
17 *tivities authorized by law, \$170,000,000, of which*
18 *\$22,000,000 shall remain available until expended for*
19 *maintenance and repair of training ships at State Mari-*
20 *time Academies, and of which \$5,000,000 shall remain*
21 *available until expended for National Security Multi-Mis-*
22 *sion Vessel design for State Maritime Academies and Na-*
23 *tional Security, and of which \$2,400,000 shall remain*
24 *available through September 30, 2017, for the Student In-*
25 *centive Program at State Maritime Academies, and of*

1 which \$1,000,000 shall remain available until expended for
2 training ship fuel assistance payments, and of which
3 \$18,000,000 shall remain available until expended for fa-
4 cilities maintenance and repair, equipment, and capital
5 improvements at the United States Merchant Marine Acad-
6 emy, and of which \$2,000,000 shall remain available
7 through September 30, 2017, for Maritime Environment
8 and Technology Assistance grants, contracts, and coopera-
9 tive agreements, and of which \$5,000,000 shall remain
10 available until expended for the Short Sea Transportation
11 Program (America's Marine Highways) to make grants for
12 the purposes provided in title 46 section 55601(b)(1) and
13 55601(b)(3): Provided, That 50 percent of the funding made
14 available for the United States Merchant Marine Academy
15 under this heading shall be available only after the Sec-
16 retary of Transportation, in consultation with the Super-
17 intendent and the Maritime Administrator, completes a
18 plan detailing by program or activity how such funding
19 will be expended at the Academy, and this plan is submitted
20 to the House and Senate Committees on Appropriations:
21 Provided further, That not later than January 12, 2016,
22 the Administrator of the Maritime Administration shall
23 transmit to the House and Senate Committees on Approp-
24 priations the annual report on sexual assault and sexual
25 harassment at the United States Merchant Marine Academy

1 as required pursuant to section 3507 of Public Law 110–
2 417.

3 ASSISTANCE TO SMALL SHIPYARDS

4 To make grants to qualified shipyards as authorized
5 under section 54101 of title 46, United States Code, as
6 amended by Public Law 113–281, \$5,000,000 to remain
7 available until expended: Provided, That the Secretary shall
8 issue the Notice of Funding Availability no later than 15
9 days after enactment of this Act: Provided further, That
10 from applications submitted under the previous proviso, the
11 Secretary of Transportation shall make grants no later than
12 120 days after enactment of this Act in such amounts as
13 the Secretary determines: Provided further, That not to ex-
14 ceed 2 percent of the funds appropriated under this heading
15 shall be available for necessary costs of grant administra-
16 tion.

17 SHIP DISPOSAL

18 For necessary expenses related to the disposal of obso-
19 lete vessels in the National Defense Reserve Fleet of the Mar-
20 itime Administration, \$4,000,000, to remain available
21 until expended.

1 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*2 *ACCOUNT*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For the cost of guaranteed loans, as authorized,*
5 *\$8,135,000, of which \$5,000,000 shall remain available*
6 *until expended: Provided, That such costs, including the*
7 *cost of modifying such loans, shall be as defined in section*
8 *502 of the Congressional Budget Act of 1974, as amended:*
9 *Provided further, That not to exceed \$3,135,000 shall be*
10 *available for administrative expenses to carry out the guar-*
11 *anteed loan program, which shall be transferred to and*
12 *merged with the appropriations for "Operations and Train-*
13 *ing", Maritime Administration.*

14 *ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION*

15 *SEC. 170. Notwithstanding any other provision of this*
16 *Act, the Maritime Administration is authorized to furnish*
17 *utilities and services and make necessary repairs in connec-*
18 *tion with any lease, contract, or occupancy involving Gov-*
19 *ernment property under control of the Maritime Adminis-*
20 *tration: Provided, That payments received therefor shall be*
21 *credited to the appropriation charged with the cost thereof*
22 *and shall remain available until expended: Provided fur-*
23 *ther, That rental payments under any such lease, contract,*
24 *or occupancy for items other than such utilities, services,*

1 or repairs shall be covered into the Treasury as miscella-
2 neous receipts.

3 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

4 *ADMINISTRATION*

5 *OPERATIONAL EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary operational expenses of the Pipeline and*
8 *Hazardous Materials Safety Administration, \$22,500,000:*
9 *Provided, That \$1,500,000 shall be transferred to “Pipeline*
10 *Safety” in order to fund “Pipeline Safety Information*
11 *Grants to Communities” as authorized under section 60130*
12 *of title 49, United States Code: Provided further, That no*
13 *later than 90 days after the date of enactment of this Act,*
14 *the Secretary of Transportation shall initiate a rulemaking*
15 *to expand the applicability of comprehensive oil spill re-*
16 *sponse plans, and shall issue a final rule no later than one*
17 *year after the date of enactment of this Act.*

18 *HAZARDOUS MATERIALS SAFETY*

19 *For expenses necessary to discharge the hazardous ma-*
20 *terials safety functions of the Pipeline and Hazardous Ma-*
21 *terials Safety Administration, \$49,000,000, of which*
22 *\$2,300,000 shall remain available until September 30,*
23 *2018: Provided, That up to \$800,000 in fees collected under*
24 *49 U.S.C. 5108(g) shall be deposited in the general fund*
25 *of the Treasury as offsetting receipts: Provided further, That*

1 *there may be credited to this appropriation, to be available*
2 *until expended, funds received from States, counties, mu-*
3 *nicipalities, other public authorities, and private sources*
4 *for expenses incurred for training, for reports publication*
5 *and dissemination, and for travel expenses incurred in per-*
6 *formance of hazardous materials exemptions and approvals*
7 *functions.*

8 ***PIPELINE SAFETY***

9 ***(PIPELINE SAFETY FUND)***

10 ***(OIL SPILL LIABILITY TRUST FUND)***

11 *For expenses necessary to conduct the functions of the*
12 *pipeline safety program, for grants-in-aid to carry out a*
13 *pipeline safety program, as authorized by 49 U.S.C. 60107,*
14 *and to discharge the pipeline program responsibilities of*
15 *the Oil Pollution Act of 1990, \$146,623,000, of which*
16 *\$19,500,000 shall be derived from the Oil Spill Liability*
17 *Trust Fund and shall remain available until September 30,*
18 *2018; and of which \$127,123,000 shall be derived from the*
19 *Pipeline Safety Fund, of which \$66,309,000 shall remain*
20 *available until September 30, 2018: Provided, That not less*
21 *than \$1,058,000 of the funds provided under this heading*
22 *shall be for the One-Call state grant program.*

1 EMERGENCY PREPAREDNESS GRANTS

2 (EMERGENCY PREPAREDNESS FUND)

3 *For necessary expenses to carryout 49 U.S.C. 5128(b),*
4 \$188,000, *to be derived from the Emergency Preparedness*
5 *Fund, to remain available until September 30, 2017: Pro-*
6 *vided, That notwithstanding the fiscal year limitation spec-*
7 *ified in 49 U.S.C. 5116, not more than \$28,318,000 shall*
8 *be made available for obligation in fiscal year 2016 from*
9 *amounts made available by 49 U.S.C. 5116(i), and 5128(b)*
10 *and (c): Provided further, That notwithstanding 49 U.S.C.*
11 *5116(i)(4), not more than 4 percent of the amounts made*
12 *available from this account shall be available to pay admin-*
13 *istrative costs: Provided further, That none of the funds*
14 *made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c)*
15 *shall be made available for obligation by individuals other*
16 *than the Secretary of Transportation, or his or her designee:*
17 *Provided further, That notwithstanding 49 U.S.C. 5128(b)*
18 *and (c) and the current year obligation limitation, prior*
19 *year recoveries recognized in the current year shall be avail-*
20 *able to develop a hazardous materials response training*
21 *curriculum for emergency responders, including response*
22 *activities for the transportation of crude oil, ethanol and*
23 *other flammable liquids by rail, consistent with National*
24 *Fire Protection Association standards, and to make such*
25 *training available through an electronic format: Provided*

1 further, That the prior year recoveries made available under
2 this heading shall also be available to carry out 49 U.S.C.
3 5116(b) and (j).

4 ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS

5 MATERIALS SAFETY ADMINISTRATION

6 SEC. 180. The Secretary of Transportation is directed
7 to evaluate and report to the House and Senate Committees
8 on Appropriations within 60 days of enactment of this Act
9 an alternative risk-based compliance regime for the siting
10 of small-scale liquefaction facilities that generate and pack-
11 age liquefied natural gas for use as a fuel or delivery to
12 consumers by non-pipeline modes of transportation. In
13 evaluating such alternative risk-based compliance regime,
14 the Secretary should consider the value of adopting quan-
15 titative risk assessment methods, the benefit of incor-
16 porating modern industry standards and best practices, in-
17 cluding the provisions in the 2013 edition of the National
18 Fire Protection Association Standard 59A, and the need to
19 encourage the use of the best available technology.

20 OFFICE OF INSPECTOR GENERAL

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the Inspector
23 General to carry out the provisions of the Inspector General
24 Act of 1978, as amended, \$87,472,000: Provided, That the
25 Inspector General shall have all necessary authority, in car-

1 *rying out the duties specified in the Inspector General Act,*
2 *as amended (5 U.S.C. App. 3), to investigate allegations*
3 *of fraud, including false statements to the government (18*
4 *U.S.C. 1001), by any person or entity that is subject to*
5 *regulation by the Department of Transportation: Provided*
6 *further, That the funds made available under this heading*
7 *may be used to investigate, pursuant to section 41712 of*
8 *title 49, United States Code: (1) unfair or deceptive prac-*
9 *tices and unfair methods of competition by domestic and*
10 *foreign air carriers and ticket agents; and (2) the compli-*
11 *ance of domestic and foreign air carriers with respect to*
12 *item (1) of this proviso.*

13 *SURFACE TRANSPORTATION BOARD*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Surface Transportation*
16 *Board, including services authorized by 5 U.S.C. 3109,*
17 *\$32,375,000: Provided, That notwithstanding any other*
18 *provision of law, not to exceed \$1,250,000 from fees estab-*
19 *lished by the Chairman of the Surface Transportation*
20 *Board shall be credited to this appropriation as offsetting*
21 *collections and used for necessary and authorized expenses*
22 *under this heading: Provided further, That the sum herein*
23 *appropriated from the general fund shall be reduced on a*
24 *dollar-for-dollar basis as such offsetting collections are re-*
25 *ceived during fiscal year 2016, to result in a final appro-*

1 priation from the general fund estimated at no more than
2 \$31,125,000.

3 *GENERAL PROVISIONS—DEPARTMENT OF*
4 *TRANSPORTATION*

5 *SEC. 190. During the current fiscal year, applicable*
6 *appropriations to the Department of Transportation shall*
7 *be available for maintenance and operation of aircraft; hire*
8 *of passenger motor vehicles and aircraft; purchase of liabil-*
9 *ity insurance for motor vehicles operating in foreign coun-*
10 *tries on official department business; and uniforms or al-*
11 *lowances therefor, as authorized by law (5 U.S.C. 5901–*
12 *5902).*

13 *SEC. 191. Appropriations contained in this Act for the*
14 *Department of Transportation shall be available for services*
15 *as authorized by 5 U.S.C. 3109, but at rates for individuals*
16 *not to exceed the per diem rate equivalent to the rate for*
17 *an Executive Level IV.*

18 *SEC. 192. None of the funds in this Act shall be avail-*
19 *able for salaries and expenses of more than 110 political*
20 *and Presidential appointees in the Department of Trans-*
21 *portation: Provided, That none of the personnel covered by*
22 *this provision may be assigned on temporary detail outside*
23 *the Department of Transportation.*

24 *SEC. 193. (a) No recipient of funds made available in*
25 *this Act shall disseminate personal information (as defined*

1 in 18 U.S.C. 2725(3)) obtained by a State department of
2 motor vehicles in connection with a motor vehicle record
3 as defined in 18 U.S.C. 2725(1), except as provided in 18
4 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

9 SEC. 194. Funds received by the Federal Highway Ad-
10 ministration, Federal Transit Administration, and Federal
11 Railroad Administration from States, counties, municipali-
12 ties, other public authorities, and private sources for ex-
13 penses incurred for training may be credited respectively
14 to the Federal Highway Administration's "Federal-Aid
15 Highways" account, the Federal Transit Administration's
16 "Technical Assistance and Training" account, and to the
17 Federal Railroad Administration's "Safety and Oper-
18 ations" account, except for State rail safety inspectors par-
19 ticipating in training pursuant to 49 U.S.C. 20105.

20 SEC. 195. None of the funds in this Act to the Depart-
21 ment of Transportation may be used to make a loan, loan
22 guarantee, line of credit, or grant unless the Secretary of
23 Transportation notifies the House and Senate Committees
24 on Appropriations not less than 3 full business days before
25 any project competitively selected to receive a discretionary

1 grant award, any discretionary grant award, letter of in-
2 tent, loan commitment, loan guarantee commitment, line
3 of credit commitment, or full funding grant agreement is
4 announced by the department or its modal administrations
5 from:

6 (1) any discretionary grant or federal credit pro-
7 gram of the Federal Highway Administration includ-
8 ing the emergency relief program;

9 (2) the airport improvement program of the Fed-
10 eral Aviation Administration;

11 (3) any program of the Federal Railroad Admin-
12 istration;

13 (4) any program of the Federal Transit Admin-
14 istration other than the formula grants and fixed
15 guideway modernization programs;

16 (5) any program of the Maritime Administra-
17 tion; or

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

20 *Provided, That the Secretary of Transportation gives con-*
21 *current notification to the House and Senate Committees*
22 *on Appropriations for any “quick release” of funds from*
23 *the emergency relief program: Provided further, That no no-*
24 *tification shall involve funds that are not available for obli-*
25 *gation.*

1 *SEC. 196. Rebates, refunds, incentive payments, minor*
2 *fees and other funds received by the Department of Trans-*
3 *portation from travel management centers, charge card pro-*
4 *grams, the subleasing of building space, and miscellaneous*
5 *sources are to be credited to appropriations of the Depart-*
6 *ment of Transportation and allocated to elements of the De-*
7 *partment of Transportation using fair and equitable cri-*
8 *teria and such funds shall be available until expended.*

9 *SEC. 197. Amounts made available in this or any other*
10 *Act that the Secretary of Transportation determines rep-*
11 *resent improper payments by the Department of Transpor-*
12 *tation to a third-party contractor under a financial assist-*
13 *ance award, which are recovered pursuant to law, shall be*
14 *available—*

15 *(1) to reimburse the actual expenses incurred by*
16 *the Department of Transportation in recovering im-*
17 *proper payments; and*

18 *(2) to pay contractors for services provided in re-*
19 *coving improper payments or contractor support in*
20 *the implementation of the Improper Payments Infor-*
21 *mation Act of 2002: Provided, That amounts in excess*
22 *of that required for paragraphs (1) and (2)—*

23 *(A) shall be credited to and merged with the*
24 *appropriation from which the improper pay-*
25 *ments were made, and shall be available for the*

1 purposes and period for which such appropria-
2 tions are available: Provided further, That where
3 specific project or accounting information associ-
4 ated with the improper payment or payments is
5 not readily available, the Secretary may credit
6 an appropriate account, which shall be available
7 for the purposes and period associated with the
8 account so credited; or

9 (B) if no such appropriation remains avail-
10 able, shall be deposited in the Treasury as mis-
11 cellaneous receipts: Provided further, That prior
12 to the transfer of any such recovery to an appro-
13 priations account, the Secretary shall notify the
14 House and Senate Committees on Appropria-
15 tions of the amount and reasons for such trans-
16 fer: Provided further, That for purposes of this
17 section, the term “improper payments” has the
18 same meaning as that provided in section
19 2(d)(2) of Public Law 107–300.

20 SEC. 198. Notwithstanding any other provision of law,
21 if any funds provided in or limited by this Act are subject
22 to a reprogramming action that requires notice to be pro-
23 vided to the House and Senate Committees on Appropria-
24 tions, transmission of said reprogramming notice shall be
25 provided solely to the House and Senate Committees on Ap-

1 *propriations, and said reprogramming action shall be ap-*
2 *proved or denied solely by the House and Senate Commit-*
3 *tees on Appropriations: Provided, That the Secretary of*
4 *Transportation may provide notice to other congressional*
5 *committees of the action of the House and Senate Commit-*
6 *tees on Appropriations on such reprogramming but not*
7 *sooner than 30 days following the date on which the re-*
8 *programming action has been approved or denied by the*
9 *House and Senate Committees on Appropriations.*

10 *SEC. 199. None of the funds appropriated or otherwise*
11 *made available under this Act may be used by the Surface*
12 *Transportation Board of the Department of Transportation*
13 *to charge or collect any filing fee for rate or practice com-*
14 *plaints filed with the Board in an amount in excess of the*
15 *amount authorized for district court civil suit filing fees*
16 *under section 1914 of title 28, United States Code.*

17 *SEC. 199A. Funds appropriated in this Act to the*
18 *modal administrations may be obligated for the Office of*
19 *the Secretary for the costs related to assessments or reim-*
20 *bursable agreements only when such amounts are for the*
21 *costs of goods and services that are purchased to provide*
22 *a direct benefit to the applicable modal administration or*
23 *administrations.*

24 *SEC. 199B. The Secretary of Transportation is author-*
25 *ized to carry out a program that establishes uniform stand-*

1 ards for developing and supporting agency transit pass and
2 transit benefits authorized under section 7905 of title 5,
3 United States Code, including distribution of transit bene-
4 fits by various paper and electronic media.

5 SEC. 199C. The Department of Transportation may
6 use funds provided by this Act, or any other Act, to imple-
7 ment a pilot program under title 49 U.S.C. or title 23
8 U.S.C. for geographic, economic, or any other hiring pref-
9 erence not otherwise authorized by law, or to amend a rule,
10 regulation, policy or other measure that forbids a recipient
11 of a Federal Highway Administration or Federal Transit
12 Administration grant from imposing such hiring preference
13 on a construction project with which the Department of
14 Transportation is assisting, only if the grant recipient cer-
15 tifies the following:

16 (1) that except with respect to apprentices or
17 trainees, a pool of readily available but unemployed
18 individuals possessing the knowledge, skill, and abil-
19 ity to perform the work that the project requires re-
20 sides in the jurisdiction;

21 (2) that the grant recipient will include appro-
22 priate provisions in its bid document ensuring that
23 the contractor does not displace any of its existing
24 employees in order to satisfy such hiring preference;
25 and

1 (3) that any increase in the cost of labor, training,
2 or delays resulting from the use of such hiring
3 preference does not delay or displace any transpor-
4 tation project in the applicable Statewide Transpor-
5 tation Improvement Program or Transportation Im-
6 provement Program.

7 *This title may be cited as the “Department of Trans-*
8 *portation Appropriations Act, 2016”.*

1 **TITLE II**2 **DEPARTMENT OF HOUSING AND URBAN**
3 **DEVELOPMENT**4 **MANAGEMENT AND ADMINISTRATION**5 **EXECUTIVE OFFICES**

6 *For necessary salaries and expenses for Executive Of-*
7 *fices, which shall be comprised of the offices of the Secretary,*
8 *Deputy Secretary, Adjudicatory Services, Congressional*
9 *and Intergovernmental Relations, Public Affairs, Small*
10 *and Disadvantaged Business Utilization, and the Center for*
11 *Faith-Based and Neighborhood Partnerships, \$14,500,000:*
12 *Provided, That not to exceed \$25,000 of the amount made*
13 *available under this heading shall be available to the Sec-*
14 *retary for official reception and representation expenses as*
15 *the Secretary may determine.*

16 **ADMINISTRATIVE SUPPORT OFFICES**

17 *For necessary salaries and expenses for Administrative*
18 *Support Offices, \$568,244,000, of which not to exceed*
19 *\$44,657,000 shall be available for the Office of the Chief*
20 *Financial Officer; not to exceed \$96,000,000 shall be avail-*
21 *able for the Office of the General Counsel; not to exceed*
22 *\$208,604,000 shall be available for the Office of Administra-*
23 *tion; not to exceed \$61,475,000 shall be available for the*
24 *Office of the Chief Human Capital Officer; not to exceed*
25 *\$50,000,000 shall be available for the Office of Field Policy*

1 and Management; not to exceed \$17,036,000 shall be avail-
2 able for the Office of the Chief Procurement Officer; not to
3 exceed \$3,270,000 shall be available for the Office of Depart-
4 mental Equal Employment Opportunity; not to exceed
5 \$4,400,000 shall be available for the Office of Strategic
6 Planning and Management; and not to exceed \$82,802,000
7 shall be available for the Office of the Chief Information
8 Officer: Provided, That funds provided under this heading
9 may be used for necessary administrative and non-adminis-
10 trative expenses of the Department of Housing and Urban
11 Development, not otherwise provided for, including pur-
12 chase of uniforms, or allowances therefor, as authorized by
13 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and
14 services as authorized by 5 U.S.C. 3109: Provided further,
15 That notwithstanding any other provision of law, funds ap-
16 propriated under this heading may be used for advertising
17 and promotional activities that support the housing mis-
18 sion area: Provided further, That the Secretary shall pro-
19 vide the House and Senate Committees on Appropriations
20 quarterly written notification regarding the status of pend-
21 ing congressional reports: Provided further, That the Sec-
22 retary shall provide in electronic form all signed reports
23 required by Congress.

1 *PROGRAM OFFICE SALARIES AND EXPENSES*2 *PUBLIC AND INDIAN HOUSING*

3 *For necessary salaries and expenses of the Office of
4 Public and Indian Housing, \$207,000,000.*

5 *COMMUNITY PLANNING AND DEVELOPMENT*

6 *For necessary salaries and expenses of the Office of
7 Community Planning and Development, \$107,000,000.*

8 *HOUSING*

9 *For necessary salaries and expenses of the Office of
10 Housing, \$382,000,000.*

11 *POLICY DEVELOPMENT AND RESEARCH*

12 *For necessary salaries and expenses of the Office of
13 Policy Development and Research, \$23,100,000.*

14 *FAIR HOUSING AND EQUAL OPPORTUNITY*

15 *For necessary salaries and expenses of the Office of
16 Fair Housing and Equal Opportunity, \$69,500,000.*

17 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES*

18 *For necessary salaries and expenses of the Office of
19 Lead Hazard Control and Healthy Homes, \$6,800,000.*

20 *PUBLIC AND INDIAN HOUSING*21 *TENANT-BASED RENTAL ASSISTANCE*

22 *For activities and assistance for the provision of ten-
23 ant-based rental assistance authorized under the United
24 States Housing Act of 1937, as amended (42 U.S.C. 1437
25 et seq.) ("the Act" herein), not otherwise provided for,*

1 \$15,934,643,000, to remain available until expended, shall
2 be available on October 1, 2015 (in addition to the
3 \$4,000,000,000 previously appropriated under this heading
4 that shall be available on October 1, 2015), and
5 \$4,000,000,000, to remain available until expended, shall
6 be available on October 1, 2016: Provided, That the
7 amounts made available under this heading are provided
8 as follows:

9 (1) \$17,982,000,000 shall be available for renew-
10 als of expiring section 8 tenant-based annual con-
11 tributions contracts (including renewals of enhanced
12 vouchers under any provision of law authorizing such
13 assistance under section 8(t) of the Act) and includ-
14 ing renewal of other special purpose incremental
15 vouchers: Provided, That notwithstanding any other
16 provision of law, from amounts provided under this
17 paragraph and any carryover, the Secretary for the
18 calendar year 2016 funding cycle shall provide re-
19 newal funding for each public housing agency based
20 on validated voucher management system (VMS) leas-
21 ing and cost data for the prior calendar year and by
22 applying an inflation factor as established by the Sec-
23 retary, by notice published in the Federal Register,
24 and by making any necessary adjustments for the
25 costs associated with the first-time renewal of vouch-

1 *ers under this paragraph including tenant protection,*
2 *HOPE VI, and Choice Neighborhoods vouchers: Pro-*
3 *vided further, That in determining calendar year*
4 *2016 funding allocations under this heading for pub-*
5 *lic housing agencies, including agencies participating*
6 *in the Moving To Work (MTW) demonstration, the*
7 *Secretary may take into account the anticipated im-*
8 *impact of changes in targeting and utility allowances,*
9 *on public housing agencies' contract renewal needs:*
10 *Provided further, That none of the funds provided*
11 *under this paragraph may be used to fund a total*
12 *number of unit months under lease which exceeds a*
13 *public housing agency's authorized level of units*
14 *under contract, except for public housing agencies*
15 *participating in the MTW demonstration, which are*
16 *instead governed by the terms and conditions of their*
17 *MTW agreements: Provided further, That the Sec-*
18 *retary shall, to the extent necessary to stay within the*
19 *amount specified under this paragraph (except as oth-*
20 *erwise modified under this paragraph), prorate each*
21 *public housing agency's allocation otherwise estab-*
22 *lished pursuant to this paragraph: Provided further,*
23 *That except as provided in the following provisos, the*
24 *entire amount specified under this paragraph (except*
25 *as otherwise modified under this paragraph) shall be*

1 *obligated to the public housing agencies based on the*
2 *allocation and pro rata method described above, and*
3 *the Secretary shall notify public housing agencies of*
4 *their annual budget by the latter of 60 days after en-*
5 *actment of this Act or March 1, 2016: Provided fur-*
6 *ther, That the Secretary may extend the notification*
7 *period with the prior written approval of the House*
8 *and Senate Committees on Appropriations: Provided*
9 *further, That public housing agencies participating in*
10 *the MTW demonstration shall be funded pursuant to*
11 *their MTW agreements and shall be subject to the*
12 *same pro rata adjustments under the previous pro-*
13 *visos: Provided further, That the Secretary may offset*
14 *public housing agencies' calendar year 2016 alloca-*
15 *tions based on the excess amounts of public housing*
16 *agencies' net restricted assets accounts, including*
17 *HUD held programmatic reserves (in accordance with*
18 *VMS data in calendar year 2015 that is verifiable*
19 *and complete), as determined by the Secretary: Pro-*
20 *vided further, That public housing agencies partici-*
21 *pating in the MTW demonstration shall also be sub-*
22 *ject to the offset, as determined by the Secretary, ex-*
23 *cluding amounts subject to the single fund budget au-*
24 *thority provisions of their MTW agreements, from the*
25 *agencies' calendar year 2016 MTW funding alloca-*

1 tion: Provided further, That the Secretary shall use
2 any offset referred to in the previous two provisos
3 throughout the calendar year to prevent the termi-
4 nation of rental assistance for families as the result
5 of insufficient funding, as determined by the Sec-
6 retary, and to avoid or reduce the proration of re-
7 newal funding allocations: Provided further, That up
8 to \$75,000,000 shall be available only: (1) for adjust-
9 ments in the allocations for public housing agencies,
10 after application for an adjustment by a public hous-
11 ing agency that experienced a significant increase, as
12 determined by the Secretary, in renewal costs of
13 vouchers resulting from unforeseen circumstances or
14 from portability under section 8(r) of the Act; (2) for
15 vouchers that were not in use during the previous 12-
16 month period in order to be available to meet a com-
17 mitment pursuant to section 8(o)(13) of the Act; (3)
18 for adjustments for costs associated with HUD-Vet-
19 erans Affairs Supportive Housing (HUD-VASH)
20 vouchers; and (4) for public housing agencies that de-
21 spite taking reasonable cost savings measures, as de-
22 termined by the Secretary, would otherwise be re-
23 quired to terminate rental assistance for families as
24 a result of insufficient funding: Provided further,
25 That the Secretary shall allocate amounts under the

1 *previous proviso based on need, as determined by the*
2 *Secretary;*

3 *(2) \$130,000,000 shall be for section 8 rental as-*
4 *sistance for relocation and replacement of housing*
5 *units that are demolished or disposed of pursuant to*
6 *section 18 of the Act, conversion of section 23 projects*
7 *to assistance under section 8, the family unification*
8 *program under section 8(x) of the Act, relocation of*
9 *witnesses in connection with efforts to combat crime*
10 *in public and assisted housing pursuant to a request*
11 *from a law enforcement or prosecution agency, en-*
12 *hanced vouchers under any provision of law author-*
13 *izing such assistance under section 8(t) of the Act,*
14 *HOPE VI and Choice Neighborhood Initiative vouch-*
15 *ers, mandatory and voluntary conversions, and ten-*
16 *ant protection assistance including replacement and*
17 *relocation assistance or for project-based assistance to*
18 *prevent the displacement of unassisted elderly tenants*
19 *currently residing in section 202 properties financed*
20 *between 1959 and 1974 that are refinanced pursuant*
21 *to Public Law 106–569, as amended, or under the au-*
22 *thority as provided under this Act: Provided, That*
23 *when a public housing development is submitted for*
24 *demolition or disposition under section 18 of the Act,*
25 *the Secretary may provide section 8 rental assistance*

1 *when the units pose an imminent health and safety*
2 *risk to residents: Provided further, That the Secretary*
3 *may only provide replacement vouchers for units that*
4 *were occupied within the previous 24 months that*
5 *cease to be available as assisted housing, subject only*
6 *to the availability of funds: Provided further, That*
7 *any tenant protection voucher made available from*
8 *amounts under this paragraph shall not be reissued*
9 *by any public housing agency, except the replacement*
10 *vouchers as defined by the Secretary by notice, when*
11 *the initial family that received any such voucher no*
12 *longer receives such voucher, and the authority for*
13 *any public housing agency to issue any such voucher*
14 *shall cease to exist: Provided further, That the Sec-*
15 *retary, for the purposes under this paragraph, may*
16 *use unobligated balances, including recaptures and*
17 *carryovers, remaining from amounts appropriated in*
18 *prior fiscal years under this heading for voucher as-*
19 *sistance for nonelderly disabled families and for dis-*
20 *aster assistance made available under Public Law*
21 *110–329;*

22 *(3) \$1,620,000,000 shall be for administrative*
23 *and other expenses of public housing agencies in ad-*
24 *ministering the section 8 tenant-based rental assist-*
25 *ance program, of which up to \$10,000,000 shall be*

1 available to the Secretary to allocate to public hous-
2 ing agencies that need additional funds to administer
3 their section 8 programs, including fees associated
4 with section 8 tenant protection rental assistance, the
5 administration of disaster related vouchers, Veterans
6 Affairs Supportive Housing vouchers, and other spe-
7 cial purpose incremental vouchers: Provided, That no
8 less than \$1,610,000,000 of the amount provided in
9 this paragraph shall be allocated to public housing
10 agencies for the calendar year 2016 funding cycle
11 based on section 8(q) of the Act (and related Approp-
12 riation Act provisions) as in effect immediately be-
13 fore the enactment of the Quality Housing and Work
14 Responsibility Act of 1998 (Public Law 105-276):
15 Provided further, That if the amounts made available
16 under this paragraph are insufficient to pay the
17 amounts determined under the previous proviso, the
18 Secretary may decrease the amounts allocated to
19 agencies by a uniform percentage applicable to all
20 agencies receiving funding under this paragraph or
21 may, to the extent necessary to provide full payment
22 of amounts determined under the previous proviso,
23 utilize unobligated balances, including recaptures and
24 carryovers, remaining from funds appropriated to the
25 Department of Housing and Urban Development

1 under this heading from prior fiscal years, excluding
2 special purpose vouchers, notwithstanding the pur-
3 poses for which such amounts were appropriated: Pro-
4 vided further, That all public housing agencies par-
5 ticipating in the MTW demonstration shall be funded
6 pursuant to their MTW agreements, and shall be sub-
7 ject to the same uniform percentage decrease as under
8 the previous proviso: Provided further, That amounts
9 provided under this paragraph shall be only for ac-
10 tivities related to the provision of tenant-based rental
11 assistance authorized under section 8, including re-
12 lated development activities;

13 (4) \$107,643,000 for the renewal of tenant-based
14 assistance contracts under section 811 of the Cran-
15 ston-Gonzalez National Affordable Housing Act (42
16 U.S.C. 8013), including necessary administrative ex-
17 penses: Provided, That administrative and other ex-
18 penses of public housing agencies in administering
19 the special purpose vouchers in this paragraph shall
20 be funded under the same terms and be subject to the
21 same pro rata reduction as the percent decrease for
22 administrative and other expenses to public housing
23 agencies under paragraph (3) of this heading;

24 (5) \$75,000,000 for incremental rental voucher
25 assistance for use through a supported housing pro-

1 gram administered in conjunction with the Department
2 of Veterans Affairs as authorized under section
3 8(o)(19) of the United States Housing Act of 1937:
4 Provided, That the Secretary of Housing and Urban
5 Development shall make such funding available, notwithstanding
6 section 204 (competition provision) of
7 this title, to public housing agencies that partner with
8 eligible VA Medical Centers or other entities as designated
9 by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environ-

1 ment), upon a finding by the Secretary that any such
2 waivers or alternative requirements are necessary for
3 the effective delivery and administration of such
4 voucher assistance: Provided further, That assistance
5 made available under this paragraph shall continue
6 to remain available for homeless veterans upon turn-
7 over;

8 (6) \$20,000,000 shall be made available for new
9 incremental voucher assistance through the Family
10 Unification Program as authorized by section 8(x) of
11 the Act: Provided, That the assistance made available
12 under this paragraph shall continue to remain avail-
13 able for family unification upon turnover; and

14 (7) The Secretary shall separately track all spe-
15 cial purpose vouchers funded under this heading.

16 **HOUSING CERTIFICATE FUND**

17 (*INCLUDING RESCISSIONS*)

18 *Unobligated balances, including recaptures and carry-*
19 *over, remaining from funds appropriated to the Depart-*
20 *ment of Housing and Urban Development under this head-*
21 *ing, the heading “Annual Contributions for Assisted Hous-*
22 *ing” and the heading “Project-Based Rental Assistance”,*
23 *for fiscal year 2016 and prior years may be used for re-*
24 *newal of or amendments to section 8 project-based contracts*
25 *and for performance-based contract administrators, not-*

1 *withstanding the purposes for which such funds were appro-*
2 *priated: Provided, That any obligated balances of contract*
3 *authority from fiscal year 1974 and prior that have been*
4 *terminated shall be rescinded: Provided further, That*
5 *amounts heretofore recaptured, or recaptured during the*
6 *current fiscal year, from section 8 project-based contracts*
7 *from source years fiscal year 1975 through fiscal year 1987*
8 *are hereby rescinded, and an amount of additional new*
9 *budget authority, equivalent to the amount rescinded is*
10 *hereby appropriated, to remain available until expended,*
11 *for the purposes set forth under this heading, in addition*
12 *to amounts otherwise available.*

13 **PUBLIC HOUSING CAPITAL FUND**

14 *For the Public Housing Capital Fund Program to*
15 *carry out capital and management activities for public*
16 *housing agencies, as authorized under section 9 of the*
17 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*
18 *“Act”)* \$1,742,870,000, to remain available until September
19 30, 2019: Provided, That notwithstanding any other provi-
20 sion of law or regulation, during fiscal year 2016, the Sec-
21 retary of Housing and Urban Development may not dele-
22 gate to any Department official other than the Deputy Sec-
23 retary and the Assistant Secretary for Public and Indian
24 Housing any authority under paragraph (2) of section 9(j)
25 regarding the extension of the time periods under such sec-

1 tion: Provided further, That for purposes of such section
2 9(j), the term “obligate” means, with respect to amounts,
3 that the amounts are subject to a binding agreement that
4 will result in outlays, immediately or in the future: Pro-
5 vided further, That up to \$3,000,000 shall be to support
6 ongoing Public Housing Financial and Physical Assess-
7 ment activities: Provided further, That up to \$1,000,000
8 shall be to support the costs of administrative and judicial
9 receiverships: Provided further, That of the total amount
10 provided under this heading, not to exceed \$23,000,000 shall
11 be available for the Secretary to make grants, notwith-
12 standing section 204 of this Act, to public housing agencies
13 for emergency capital needs including safety and security
14 measures necessary to address crime and drug-related activ-
15 ity as well as needs resulting from unforeseen or unprevent-
16 able emergencies and natural disasters excluding Presi-
17 dentially declared emergencies and natural disasters under
18 the Robert T. Stafford Disaster Relief and Emergency Act
19 (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Pro-
20 vided further, That of the amount made available under the
21 previous proviso, not less than \$6,000,000 shall be for safety
22 and security measures: Provided further, That of the total
23 amount provided under this heading \$35,000,000 shall be
24 for supportive services, service coordinator and congregate
25 services as authorized by section 34 of the Act (42 U.S.C.

1 *1437z-6) and the Native American Housing Assistance and*
2 *Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.):*
3 *Provided further, That of the total amount made available*
4 *under this heading, \$15,000,000 shall be for a Jobs-Plus*
5 *initiative modeled after the Jobs-Plus demonstration: Pro-*
6 *vided further, That the funding provided under the previous*
7 *proviso shall provide competitive grants to partnerships be-*
8 *tween public housing authorities, local workforce investment*
9 *boards established under section 117 of the Workforce In-*
10 *vestment Act of 1998, and other agencies and organizations*
11 *that provide support to help public housing residents obtain*
12 *employment and increase earnings: Provided further, That*
13 *applicants must demonstrate the ability to provide services*
14 *to residents, partner with workforce investment boards, and*
15 *leverage service dollars: Provided further, That the Sec-*
16 *retary may allow public housing agencies to request exemp-*
17 *tions from rent and income limitation requirements under*
18 *sections 3 and 6 of the United States Housing Act of 1937*
19 *as necessary to implement the Jobs-Plus program, on such*
20 *terms and conditions as the Secretary may approve upon*
21 *a finding by the Secretary that any such waivers or alter-*
22 *native requirements are necessary for the effective imple-*
23 *mentation of the Jobs-Plus initiative as a voluntary pro-*
24 *gram for residents: Provided further, That the Secretary*
25 *shall publish by notice in the Federal Register any waivers*

1 or alternative requirements pursuant to the preceding pro-
2 viso no later than 10 days before the effective date of such
3 notice: Provided further, That for funds provided under this
4 heading, the limitation in section 9(g)(1)(A) of the Act shall
5 be 25 percent: Provided further, That the Secretary may
6 waive the limitation in the previous proviso to allow public
7 housing agencies to fund activities authorized under section
8 9(e)(1)(C) of the Act: Provided further, That the Secretary
9 shall notify public housing agencies requesting waivers
10 under the previous proviso if the request is approved or de-
11 nied within 14 days of submitting the request: Provided fur-
12 ther, That from the funds made available under this head-
13 ing, the Secretary shall provide bonus awards in fiscal year
14 2016 to public housing agencies that are designated high
15 performers: Provided further, That the Department shall
16 notify public housing agencies of their formula allocation
17 within 60 days of enactment of this Act.

18 **PUBLIC HOUSING OPERATING FUND**

19 For 2016 payments to public housing agencies for the
20 operation and management of public housing, as authorized
21 by section 9(e) of the United States Housing Act of 1937
22 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain available
23 until September 30, 2017.

1 **CHOICE NEIGHBORHOODS INITIATIVE**

2 *For competitive grants under the Choice Neighborhoods*
3 *Initiative (subject to section 24 of the United States Hous-*
4 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*
5 *fied under this heading), for transformation, rehabilitation,*
6 *and replacement housing needs of both public and HUD-*
7 *assisted housing and to transform neighborhoods of poverty*
8 *into functioning, sustainable mixed income neighborhoods*
9 *with appropriate services, schools, public assets, transpor-*
10 *tation and access to jobs, \$65,000,000, to remain available*
11 *until September 30, 2018: Provided, That grant funds may*
12 *be used for resident and community services, community*
13 *development, and affordable housing needs in the commu-*
14 *nity, and for conversion of vacant or foreclosed properties*
15 *to affordable housing: Provided further, That the use of*
16 *funds made available under this heading shall not be*
17 *deemed to be public housing notwithstanding section 3(b)(1)*
18 *of such Act: Provided further, That grantees shall commit*
19 *to an additional period of affordability determined by the*
20 *Secretary of not fewer than 20 years: Provided further, That*
21 *grantees shall undertake comprehensive local planning with*
22 *input from residents and the community, and that grantees*
23 *shall provide a match in State, local, other Federal or pri-*
24 *vate funds: Provided further, That grantees may include*
25 *local governments, tribal entities, public housing authori-*

1 ties, and nonprofits: Provided further, That for-profit devel-
2 opers may apply jointly with a public entity: Provided fur-
3 ther, That for purposes of environmental review, a grantee
4 shall be treated as a public housing agency under section
5 26 of the United States Housing Act of 1937 (42 U.S.C.
6 1437x), and grants under this heading shall be subject to
7 the regulations issued by the Secretary to implement such
8 section: Provided further, That of the amount provided, not
9 less than \$40,000,000 shall be awarded to public housing
10 agencies: Provided further, That such grantees shall create
11 partnerships with other local organizations including as-
12 sisted housing owners, service agencies, and resident organi-
13 zations: Provided further, That the Secretary shall consult
14 with the Secretaries of Education, Labor, Transportation,
15 Health and Human Services, Agriculture, and Commerce,
16 the Attorney General, and the Administrator of the Envi-
17 ronmental Protection Agency to coordinate and leverage
18 other appropriate Federal resources: Provided further, That
19 no more than \$5,000,000 of funds made available under this
20 heading may be provided to assist communities in devel-
21 oping comprehensive strategies for implementing this pro-
22 gram or implementing other revitalization efforts in con-
23 junction with community notice and input: Provided fur-
24 ther, That the Secretary shall develop and publish guide-
25 lines for the use of such competitive funds, including but

- 1 not limited to eligible activities, program requirements, and
 - 2 performance metrics.

3 *FAMILY SELF-SUFFICIENCY*

4 For the Family Self-Sufficiency program to support
5 family self-sufficiency coordinators under section 23 of the
6 United States Housing Act of 1937, to promote the develop-
7 ment of local strategies to coordinate the use of assistance
8 under sections 8(o) and 9 of such Act with public and pri-
9 vate resources, and enable eligible families to achieve eco-
10 nomic independence and self-sufficiency, \$75,000,000, to re-
11 main available until September 30, 2017: Provided, That
12 the Secretary may, by Federal Register notice, waive or
13 specify alternative requirements under sections b(3), b(4),
14 b(5), or c(1) of section 23 of such Act in order to facilitate
15 the operation of a unified self-sufficiency program for indi-
16 viduals receiving assistance under different provisions of
17 the Act, as determined by the Secretary: Provided further,
18 That owners of a privately owned multifamily property
19 with a section 8 contract may voluntarily make a Family
20 Self-Sufficiency program available to the assisted tenants
21 of such property in accordance with procedures established
22 by the Secretary: Provided further, That such procedures
23 established pursuant to the previous proviso shall permit
24 participating tenants to accrue escrow funds in accordance
25 with section 23(d)(2) and shall allow owners to use funding

1 from residual receipt accounts to hire coordinators for their
2 own Family Self-Sufficiency program.

3 **INDIAN BLOCK GRANTS**

4 *For the Indian Housing Block Grants program, as au-*
5 *thorized under title I of the Native American Housing As-*
6 *sistance and Self-Determination Act of 1996 (NAHASDA)*
7 *(25 U.S.C. 4111 et seq.), \$650,000,000, to remain available*
8 *until September 30, 2020: Provided, That, notwithstanding*
9 *the Native American Housing Assistance and Self-Deter-*
10 *mination Act of 1996, to determine the amount of the allo-*
11 *cation under title I of such Act for each Indian tribe, the*
12 *Secretary shall apply the formula under section 302 of such*
13 *Act with the need component based on single-race census*
14 *data and with the need component based on multi-race cen-*
15 *sus data, and the amount of the allocation for each Indian*
16 *tribe shall be the greater of the two resulting allocation*
17 *amounts: Provided further, That notwithstanding the pre-*
18 *vious proviso, no Indian tribe shall receive an allocation*
19 *amount greater than 10 percent: Provided further, That of*
20 *the amount provided under this heading, \$2,000,000 shall*
21 *be made available for the cost of guaranteed notes and other*
22 *obligations, as authorized by title VI of NAHASDA: Pro-*
23 *vided further, That such costs, including the costs of modi-*
24 *fying such notes and other obligations, shall be as defined*
25 *in section 502 of the Congressional Budget Act of 1974, as*

1 amended: Provided further, That these funds are available
2 to subsidize the total principal amount of any notes and
3 other obligations, any part of which is to be guaranteed,
4 not to exceed \$17,452,007: Provided further, That the De-
5 partment will notify grantees of their formula allocation
6 within 60 days of the date of enactment of this Act.

7 In addition to amounts made available under the first
8 paragraph under this heading, \$60,000,000, to remain
9 available until September 30, 2018, shall be for grants to
10 Indian tribes for carrying out the Community Development
11 Block Grant program under title I of the Housing and
12 Community Development Act of 1974 notwithstanding sec-
13 tion 106(a)(1) of such Act, of which, up to \$4,000,000 may
14 be used for emergencies that constitute imminent threats to
15 health and safety notwithstanding any other provision of
16 law (including section 204 of this title): Provided, That not
17 to exceed 20 percent of any grant made with funds appro-
18 priated under this paragraph shall be expended for plan-
19 ning and management development and administration.

20 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

21 ACCOUNT

22 For the cost of guaranteed loans, as authorized by sec-
23 tion 184 of the Housing and Community Development Act
24 of 1992 (12 U.S.C. 1715z-13a), \$7,000,000, to remain
25 available until expended: Provided, That such costs, includ-

1 *ing the costs of modifying such loans, shall be as defined*
2 *in section 502 of the Congressional Budget Act of 1974: Pro-*
3 *vided further, That these funds are available to subsidize*
4 *total loan principal, any part of which is to be guaranteed,*
5 *up to \$1,111,111,000, to remain available until expended:*
6 *Provided further, That up to \$750,000 of this amount may*
7 *be for administrative contract expenses including manage-*
8 *ment processes and systems to carry out the loan guarantee*
9 *program.*

10 ***COMMUNITY PLANNING AND DEVELOPMENT***

11 ***HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS***

12 *For carrying out the Housing Opportunities for Per-*
13 *sons with AIDS program, as authorized by the AIDS Hous-*
14 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*
15 *\$330,000,000, to remain available until September 30,*
16 *2017, except that amounts allocated pursuant to section*
17 *854(c)(3) of such Act shall remain available until Sep-*
18 *tember 30, 2018: Provided, That the Secretary shall renew*
19 *all expiring contracts for permanent supportive housing*
20 *that initially were funded under section 854(c)(3) of such*
21 *Act from funds made available under this heading in fiscal*
22 *year 2010 and prior fiscal years that meet all program re-*
23 *quirements before awarding funds for new contracts under*
24 *such section: Provided further, That notwithstanding 42*
25 *U.S.C. 12903, the Secretary shall allocate 90 percent of the*

1 funds by formula, of which 75 percent shall be among cities
2 that are the most populous unit of general local government
3 in a metropolitan statistical area with a population greater
4 than 500,000 and have more than 2,000 persons living with
5 the human immunodeficiency virus (HIV), and States with
6 more than 2,000 persons living with HIV outside of metro-
7 politan statistical areas, as reported to and confirmed by
8 the Director of the Centers for Disease Control and Preven-
9 tion (CDC) as of December 31 of the most recent calendar
10 year for which such data is available, and of which 25 per-
11 cent shall be among States and metropolitan statistical
12 areas based on fair market rents and area poverty indexes,
13 as determined by the Secretary: Provided further, That a
14 grantee's share shall not reflect a loss greater than 10 per-
15 cent or a gain greater than 20 percent of the share of total
16 available formula funds that the grantee received in the pre-
17 ceding fiscal year: Provided further, That any grantee that
18 received a formula allocation in fiscal year 2015 shall con-
19 tinue to be eligible for formula allocation in this fiscal year:
20 Provided further, That the Department shall notify grantees
21 of their formula allocation within 60 days of enactment of
22 this Act.

23 **COMMUNITY DEVELOPMENT FUND**

24 *For carrying out the Community Development Block*
25 *Grant program under title I of the Housing and Commu-*

1 *nity Development Act of 1974, as amended (the “Act” here-*
2 *in) (42 U.S.C. 5301 et seq.), \$2,900,000,000, to remain*
3 *available until September 30, 2018: Provided, That unless*
4 *explicitly provided for under this heading, not to exceed 20*
5 *percent of any grant made with funds appropriated under*
6 *this heading shall be expended for planning and manage-*
7 *ment development and administration: Provided further,*
8 *That a metropolitan city, urban county, unit of general*
9 *local government, or insular area that directly or indirectly*
10 *receives funds under this heading may not sell, trade, or*
11 *otherwise transfer all or any portion of such funds to an-*
12 *other such entity in exchange for any other funds, credits*
13 *or non-Federal considerations, but must use such funds for*
14 *activities eligible under title I of the Act: Provided further,*
15 *That notwithstanding section 105(e)(1) of the Act, no funds*
16 *provided under this heading may be provided to a for-profit*
17 *entity for an economic development project under section*
18 *105(a)(17) unless such project has been evaluated and se-*
19 *lected in accordance with guidelines required under sub-*
20 *paragraph (e)(2): Provided further, That the Department*
21 *shall notify grantees of their formula allocation within 60*
22 *days of enactment of this Act.*

1 COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM

2 ACCOUNT

3 *Subject to section 502 of the Congressional Budget Act*
4 *of 1974, during fiscal year 2016, commitments to guarantee*
5 *loans under section 108 of the Housing and Community*
6 *Development Act of 1974 (42 U.S.C. 5308), any part of*
7 *which is guaranteed, shall not exceed a total principal*
8 *amount of \$300,000,000, notwithstanding any aggregate*
9 *limitation on outstanding obligations guaranteed in sub-*
10 *section (k) of such section 108: Provided, That the Secretary*
11 *shall collect fees from borrowers, notwithstanding section*
12 *108(m), to result in a credit subsidy cost of zero for guaran-*
13 *teeing such loans, and any such fees shall be collected in*
14 *accordance with section 502(7) of the Congressional Budget*
15 *Act of 1974.*

16 HOME INVESTMENT PARTNERSHIPS PROGRAM

17 *For the HOME Investment Partnerships program, as*
18 *authorized under title II of the Cranston-Gonzalez National*
19 *Affordable Housing Act, as amended, \$66,000,000, to re-*
20 *main available until September 30, 2019: Provided, That*
21 *notwithstanding the amount made available under this*
22 *heading, the threshold reduction requirements in sections*
23 *216(10) and 217(b)(4) of such Act shall not apply to alloca-*
24 *tions of such amount: Provided further, That the require-*
25 *ments under provisos 2 through 6 under this heading for*

1 fiscal year 2012 and such requirements applicable pursuant
2 to the "Full-Year Continuing Appropriations Act, 2013",
3 shall not apply to any project to which funds were com-
4 mitted on or after August 23, 2013, but such projects shall
5 instead be governed by the Final Rule titled "Home Invest-
6 ment Partnerships Program; Improving Performance and
7 Accountability; Updating Property Standards" which be-
8 came effective on such date: Provided further, That with re-
9 spect to funds made available under this heading pursuant
10 to such Act and funds provided in prior and subsequent
11 appropriations acts that were or are used by community
12 land trusts for the development of affordable homeownership
13 housing pursuant to section 215(b) of such Act, such com-
14 munity land trusts, notwithstanding section 215(b)(3)(A)
15 of such Act, may hold and exercise purchase options, rights
16 of first refusal or other preemptive rights to purchase the
17 housing to preserve affordability, including but not limited
18 to the right to purchase the housing in lieu of foreclosure:
19 Provided further, That the Department shall notify grantees
20 of their formula allocation within 60 days of enactment of
21 this Act.

22 SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY

23 PROGRAM

24 For the Self-Help and Assisted Homeownership Op-
25 portunity Program, as authorized under section 11 of the

1 *Housing Opportunity Program Extension Act of 1996, as*
2 *amended, \$50,000,000, to remain available until September*
3 *30, 2018: Provided, That of the total amount provided*
4 *under this heading, \$10,000,000 shall be made available to*
5 *the Self-Help and Assisted Homeownership Opportunity*
6 *Program as authorized under section 11 of the Housing Op-*
7 *portunity Program Extension Act of 1996, as amended:*
8 *Provided further, That \$35,000,000 shall be made available*
9 *for the second, third, and fourth capacity building activities*
10 *authorized under section 4(a) of the HUD Demonstration*
11 *Act of 1993 (42 U.S.C. 9816 note), of which not less than*
12 *\$5,000,000 shall be made available for rural capacity build-*
13 *ing activities: Provided further, That \$5,000,000 shall be*
14 *made available for capacity building by national rural*
15 *housing organizations with experience assessing national*
16 *rural conditions and providing financing, training, tech-*
17 *nical assistance, information, and research to local non-*
18 *profits, local governments and Indian Tribes serving high*
19 *need rural communities: Provided further, That an addi-*
20 *tional \$5,700,000, to remain available until expended, shall*
21 *be for a program to rehabilitate and modify homes of dis-*
22 *abled and low-income veterans as authorized under section*
23 *1079 of Public Law 113–291.*

1 *HOMELESS ASSISTANCE GRANTS*

2 *For the Emergency Solutions Grants program as au-*
3 *thorized under subtitle B of title IV of the McKinney-Vento*
4 *Homeless Assistance Act, as amended; the continuum of*
5 *care program as authorized under subtitle C of title IV of*
6 *such Act; and the Rural Housing Stability Assistance pro-*
7 *gram as authorized under subtitle D of title IV of such Act,*
8 *\$2,235,000,000, to remain available until September 30,*
9 *2018: Provided, That any rental assistance amounts that*
10 *are recaptured under such Continuum of Care program*
11 *shall remain available until expended: Provided further,*
12 *That not less than \$250,000,000 of the funds appropriated*
13 *under this heading shall be available for such Emergency*
14 *Solutions Grants program: Provided further, That not less*
15 *than \$1,918,000,000 of the funds appropriated under this*
16 *heading shall be available for such Continuum of Care and*
17 *Rural Housing Stability Assistance programs: Provided*
18 *further, That up to \$7,000,000 of the funds appropriated*
19 *under this heading shall be available for the national home-*
20 *less data analysis project: Provided further, That up to*
21 *\$2,000,000 of the funds appropriated under this heading*
22 *shall be available to the Secretary, in coordination with the*
23 *Secretary of Health and Human Services, for a national*
24 *study on the prevalence, needs, and characteristics of home-*
25 *lessness among youth as authorized under section 345 of*

1 *the Runaway Homeless Youth Act (42 U.S.C. 5714–25),*
2 *notwithstanding section 204 of this title: Provided further,*
3 *That up to \$33,000,000 of the funds appropriated under*
4 *this heading shall be to implement projects to demonstrate*
5 *how a comprehensive approach to serving homeless youth,*
6 *age 24 and under, in up to 10 communities, including at*
7 *least four rural communities, can dramatically reduce*
8 *youth homelessness: Provided further, That such projects*
9 *shall be eligible for renewal under the Continuum of Care*
10 *program subject to the same terms and conditions as other*
11 *renewal applicants: Provided further, That up to*
12 *\$5,000,000 of the funds appropriated under this heading*
13 *shall be available to provide technical assistance on youth*
14 *homelessness, and collection, analysis, and reporting of data*
15 *and performance measures under the comprehensive ap-*
16 *proaches to serve homeless youth, in addition to and in co-*
17 *ordination with other technical assistance funds provided*
18 *under this title: Provided further, That all funds awarded*
19 *for supportive services under the Continuum of Care pro-*
20 *gram and the Rural Housing Stability Assistance program*
21 *shall be matched by not less than 25 percent in cash or*
22 *in kind by each grantee: Provided further, That for all*
23 *match requirements applicable to funds made available*
24 *under this heading for this fiscal year and prior years, a*
25 *grantee may use (or could have used) as a source of match*

1 funds other funds administered by the Secretary and other
2 Federal agencies unless a specific statutory prohibition on
3 any such use of any such funds exists: Provided further,
4 That the Secretary may renew on an annual basis expiring
5 contracts or amendments to contracts funded under the
6 Continuum of Care program if the program is determined
7 to be needed under the applicable Continuum of Care and
8 meets appropriate program requirements, performance
9 measures, and financial standards, as determined by the
10 Secretary: Provided further, That all awards of assistance
11 under this heading shall be required to coordinate and inte-
12 grate homeless programs with other mainstream health, so-
13 cial services, and employment programs for which homeless
14 populations may be eligible: Provided further, That with
15 respect to funds provided under this heading for the Con-
16 tinuum of Care program for fiscal years 2016 and 2017,
17 permanent housing rental assistance may be administered
18 by private nonprofit organizations: Provided further, That
19 youth aged 24 and under seeking assistance under this
20 heading shall not be required to provide third party docu-
21 mentation to establish their eligibility under 42 U.S.C.
22 11302(a) or (b) to receive services: Provided further, That
23 unaccompanied youth aged 24 and under or families head-
24 ed by youth aged 24 and under who are living in unsafe
25 situations may be served by youth-serving providers funded

1 under this heading: Provided further, That in awarding
2 grants with funds appropriated under this heading, the Sec-
3 retary shall ensure that incentives created through the ap-
4 plication process fairly balance priorities for different pop-
5 ulations, including youth, families, veterans, and people ex-
6 periencing chronic homelessness: Provided further, That
7 any unobligated amounts remaining from funds appro-
8 priated under this heading in fiscal year 2012 and prior
9 years for project-based rental assistance for rehabilitation
10 projects with 10-year grant terms may be used for purposes
11 under this heading, notwithstanding the purposes for which
12 such funds were appropriated: Provided further, That all
13 balances for Shelter Plus Care renewals previously funded
14 from the Shelter Plus Care Renewal account and trans-
15 ferred to this account shall be available, if recaptured, for
16 Continuum of Care renewals in fiscal year 2016: Provided
17 further, That the Department shall notify grantees of their
18 formula allocation from amounts allocated (which may rep-
19 resent initial or final amounts allocated) for the Emergency
20 Solutions Grant program within 60 days of enactment of
21 this Act.

22 *HOUSING PROGRAMS*

23 *PROJECT-BASED RENTAL ASSISTANCE*

24 For activities and assistance for the provision of
25 project-based subsidy contracts under the United States

1 *Housing Act of 1937* (42 U.S.C. 1437 et seq.) ("the Act"),
2 *not otherwise provided for*, \$10,426,000,000, to remain
3 *available until expended*, shall be available on October 1,
4 2015 (in addition to the \$400,000,000 previously appro-
5 priated under this heading that became available October
6 1, 2015), and \$400,000,000, to remain available until ex-
7 pended, shall be available on October 1, 2016: Provided,
8 *That the amounts made available under this heading shall*
9 *be available for expiring or terminating section 8 project-*
10 *based subsidy contracts (including section 8 moderate reha-*
11 *bilitation contracts), for amendments to section 8 project-*
12 *based subsidy contracts (including section 8 moderate reha-*
13 *bilitation contracts), for contracts entered into pursuant to*
14 *section 441 of the McKinney-Vento Homeless Assistance Act*
15 *(42 U.S.C. 11401), for renewal of section 8 contracts for*
16 *units in projects that are subject to approved plans of action*
17 *under the Emergency Low Income Housing Preservation*
18 *Act of 1987 or the Low-Income Housing Preservation and*
19 *Resident Homeownership Act of 1990, and for administra-*
20 *tive and other expenses associated with project-based activi-*
21 *ties and assistance funded under this paragraph: Provided*
22 *further, That of the total amounts provided under this head-*
23 *ing, not to exceed \$215,000,000 shall be available for per-*
24 *formance-based contract administrators for section 8*
25 *project-based assistance, for carrying out 42 U.S.C. 1437(f):*

1 *Provided further, That the Secretary of Housing and Urban*
2 *Development may also use such amounts in the previous*
3 *proviso for performance-based contract administrators for*
4 *the administration of: interest reduction payments pursu-*
5 *ant to section 236(a) of the National Housing Act (12*
6 *U.S.C. 1715z-1(a)); rent supplement payments pursuant to*
7 *section 101 of the Housing and Urban Development Act of*
8 *1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance*
9 *payments (12 U.S.C. 1715z-1(f)(2)); project rental assist-*
10 *ance contracts for the elderly under section 202(c)(2) of the*
11 *Housing Act of 1959 (12 U.S.C. 1701q); project rental as-*
12 *sistance contracts for supportive housing for persons with*
13 *disabilities under section 811(d)(2) of the Cranston-Gon-*
14 *zalez National Affordable Housing Act (42 U.S.C.*
15 *8013(d)(2)); project assistance contracts pursuant to section*
16 *202(h) of the Housing Act of 1959 (Public Law 86-372;*
17 *73 Stat. 667); and loans under section 202 of the Housing*
18 *Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided*
19 *further, That amounts recaptured under this heading, the*
20 *heading “Annual Contributions for Assisted Housing”, or*
21 *the heading “Housing Certificate Fund”, may be used for*
22 *renewals of or amendments to section 8 project-based con-*
23 *tracts or for performance-based contract administrators,*
24 *notwithstanding the purposes for which such amounts were*
25 *appropriated: Provided further, That, notwithstanding any*

1 other provision of law, upon the request of the Secretary
2 of Housing and Urban Development, project funds that are
3 held in residual receipts accounts for any project subject
4 to a section 8 project-based Housing Assistance Payments
5 contract that authorizes HUD or a Housing Finance Agen-
6 cy to require that surplus project funds be deposited in an
7 interest-bearing residual receipts account and that are in
8 excess of an amount to be determined by the Secretary, shall
9 be remitted to the Department and deposited in this ac-
10 count, to be available until expended: Provided further,
11 That amounts deposited pursuant to the previous proviso
12 shall be available in addition to the amount otherwise pro-
13 vided by this heading for uses authorized under this head-
14 ing.

15 HOUSING FOR THE ELDERLY

16 *For amendments to capital advance contracts for hous-*
17 *ing for the elderly, as authorized by section 202 of the Hous-*
18 *ing Act of 1959, as amended, and for project rental assist-*
19 *ance for the elderly under section 202(c)(2) of such Act, in-*
20 *cluding amendments to contracts for such assistance and*
21 *renewal of expiring contracts for such assistance for up to*
22 *a 1-year term, and for senior preservation rental assistance*
23 *contracts, including renewals, as authorized by section*
24 *811(e) of the American Housing and Economic Oppor-*
25 *tunity Act of 2000, as amended, and for supportive services*

1 associated with the housing, \$420,000,000 to remain avail-
2 able until September 30, 2019: Provided, That of the
3 amount provided under this heading, up to \$77,000,000
4 shall be for service coordinators and the continuation of ex-
5 isting congregate service grants for residents of assisted
6 housing projects: Provided further, That amounts under this
7 heading shall be available for Real Estate Assessment Cen-
8 ter inspections and inspection-related activities associated
9 with section 202 projects: Provided further, That the Sec-
10 retary may waive the provisions of section 202 governing
11 the terms and conditions of project rental assistance, except
12 that the initial contract term for such assistance shall not
13 exceed 5 years in duration: Provided further, That upon
14 request of the Secretary of Housing and Urban Develop-
15 ment, project funds that are held in residual receipts ac-
16 counts for any project subject to a section 202 project rental
17 assistance contract, and that upon termination of such con-
18 tract are in excess of an amount to be determined by the
19 Secretary, shall be remitted to the Department and depos-
20 ited in this account, to be available until September 30,
21 2019: Provided further, That amounts deposited in this ac-
22 count pursuant to the previous proviso shall be available,
23 in addition to the amounts otherwise provided by this head-
24 ing, for the purposes funded under this heading, and if such
25 purposes have been fully funded, may be used by the Sec-

1 *retary to support demonstration programs to test housing*
2 *with services models for the elderly: Provided further, That*
3 *unobligated balances, including recaptures and carryover,*
4 *remaining from funds transferred to or appropriated under*
5 *this heading may be used for the current purposes author-*
6 *ized under this heading notwithstanding the purposes for*
7 *which such funds originally were appropriated.*

8 ***HOUSING FOR PERSONS WITH DISABILITIES***

9 *For amendments to capital advance contracts for sup-*
10 *portive housing for persons with disabilities, as authorized*
11 *by section 811 of the Cranston-Gonzalez National Affordable*
12 *Housing Act (42 U.S.C. 8013), for project rental assistance*
13 *for supportive housing for persons with disabilities under*
14 *section 811(d)(2) of such Act and for project assistance con-*
15 *tracts pursuant to section 202(h) of the Housing Act of 1959*
16 *(Public Law 86-372; 73 Stat. 667), including amendments*
17 *to contracts for such assistance and renewal of expiring con-*
18 *tracts for such assistance for up to a 1-year term, for project*
19 *rental assistance to State housing finance agencies and*
20 *other appropriate entities as authorized under section*
21 *811(b)(3) of the Cranston-Gonzalez National Housing Act,*
22 *and for supportive services associated with the housing for*
23 *persons with disabilities as authorized by section 811(b)(1)*
24 *of such Act, \$137,000,000, to remain available until Sep-*
25 *tember 30, 2019: Provided, That amounts made available*

1 under this heading shall be available for Real Estate Assess-
2 ment Center inspections and inspection-related activities
3 associated with section 811 projects: Provided further, That,
4 in this fiscal year, upon the request of the Secretary of
5 Housing and Urban Development, project funds that are
6 held in residual receipts accounts for any project subject
7 to a section 811 project rental assistance contract and that
8 upon termination of such contract are in excess of an
9 amount to be determined by the Secretary shall be remitted
10 to the Department and deposited in this account, to be
11 available until September 30, 2019: Provided further, That
12 amounts deposited in this account pursuant to the previous
13 proviso shall be available in addition to the amounts other-
14 wise provided by this heading for the purposes authorized
15 under this heading: Provided further, That unobligated bal-
16 ances, including recaptures and carryover, remaining from
17 funds transferred to or appropriated under this heading
18 may be used for the current purposes authorized under this
19 heading notwithstanding the purposes for which such funds
20 originally were appropriated.

21 **HOUSING COUNSELING ASSISTANCE**

22 For contracts, grants, and other assistance excluding
23 loans, as authorized under section 106 of the Housing and
24 Urban Development Act of 1968, as amended, \$47,000,000,
25 to remain available until September 30, 2017, including

1 up to \$4,500,000 for administrative contract services: Pro-
2 vided, That grants made available from amounts provided
3 under this heading shall be awarded within 180 days of
4 enactment of this Act: Provided further, That funds shall
5 be used for providing counseling and advice to tenants and
6 homeowners, both current and prospective, with respect to
7 property maintenance, financial management/literacy, and
8 such other matters as may be appropriate to assist them
9 in improving their housing conditions, meeting their finan-
10 cial needs, and fulfilling the responsibilities of tenancy or
11 homeownership; for program administration; and for hous-
12 ing counselor training: Provided further, That for purposes
13 of providing such grants from amounts provided under this
14 heading, the Secretary may enter into multiyear agree-
15 ments as appropriate, subject to the availability of annual
16 appropriations.

17 **RENTAL HOUSING ASSISTANCE**

18 For amendments to contracts under section 101 of the
19 Housing and Urban Development Act of 1965 (12 U.S.C.
20 1701s) and section 236(f)(2) of the National Housing Act
21 (12 U.S.C. 1715z-1) in State-aided, noninsured rental
22 housing projects, \$30,000,000, to remain available until ex-
23 pended: Provided, That such amount, together with unobli-
24 gated balances from recaptured amounts appropriated
25 prior to fiscal year 2006 from terminated contracts under

1 such sections of law, and any unobligated balances, includ-
2 ing recaptures and carryover, remaining from funds appro-
3 priated under this heading after fiscal year 2005, shall also
4 be available for extensions of up to one year for expiring
5 contracts under such sections of law.

6 **MANUFACTURED HOUSING STANDARDS PROGRAM**

7 **PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND**

8 For necessary expenses as authorized by the National
9 Manufactured Housing Construction and Safety Standards
10 Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000,
11 to remain available until expended, of which \$10,000,000
12 is to be derived from the Manufactured Housing Fees Trust
13 Fund: Provided, That not to exceed the total amount appro-
14 priated under this heading shall be available from the gen-
15 eral fund of the Treasury to the extent necessary to incur
16 obligations and make expenditures pending the receipt of
17 collections to the Fund pursuant to section 620 of such Act:
18 Provided further, That the amount made available under
19 this heading from the general fund shall be reduced as such
20 collections are received during fiscal year 2016 so as to re-
21 sult in a final fiscal year 2016 appropriation from the gen-
22 eral fund estimated at zero, and fees pursuant to such sec-
23 tion 620 shall be modified as necessary to ensure such a
24 final fiscal year 2016 appropriation: Provided further,
25 That for the dispute resolution and installation programs,

1 *the Secretary of Housing and Urban Development may as-*
2 *sess and collect fees from any program participant: Pro-*
3 *vided further, That such collections shall be deposited into*
4 *the Fund, and the Secretary, as provided herein, may use*
5 *such collections, as well as fees collected under section 620,*
6 *for necessary expenses of such Act: Provided further, That,*
7 *notwithstanding the requirements of section 620 of such Act,*
8 *the Secretary may carry out responsibilities of the Sec-*
9 *retary under such Act through the use of approved service*
10 *providers that are paid directly by the recipients of their*
11 *services.*

12 ***FEDERAL HOUSING ADMINISTRATION***

13 ***MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT***

14 *New commitments to guarantee single family loans in-*
15 *sured under the Mutual Mortgage Insurance Fund shall not*
16 *exceed \$400,000,000,000, to remain available until Sep-*
17 *tember 30, 2017: Provided, That during fiscal year 2016,*
18 *obligations to make direct loans to carry out the purposes*
19 *of section 204(g) of the National Housing Act, as amended,*
20 *shall not exceed \$5,000,000: Provided further, That the fore-*
21 *going amount in the previous proviso shall be for loans to*
22 *nonprofit and governmental entities in connection with*
23 *sales of single family real properties owned by the Secretary*
24 *and formerly insured under the Mutual Mortgage Insurance*
25 *Fund: Provided further, That for administrative contract*

1 expenses of the Federal Housing Administration,
2 \$130,000,000, to remain available until September 30,
3 2017: Provided further, That to the extent guaranteed loan
4 commitments exceed \$200,000,000,000 on or before April 1,
5 2016, an additional \$1,400 for administrative contract ex-
6 penses shall be available for each \$1,000,000 in additional
7 guaranteed loan commitments (including a pro rata
8 amount for any amount below \$1,000,000), but in no case
9 shall funds made available by this proviso exceed
10 \$30,000,000.

11 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

12 New commitments to guarantee loans insured under
13 the General and Special Risk Insurance Funds, as author-
14 ized by sections 238 and 519 of the National Housing Act
15 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
16 \$30,000,000,000 in total loan principal, any part of which
17 is to be guaranteed, to remain available until September
18 30, 2017: Provided, That during fiscal year 2016, gross ob-
19 ligations for the principal amount of direct loans, as au-
20 thorized by sections 204(g), 207(l), 238, and 519(a) of the
21 National Housing Act, shall not exceed \$5,000,000, which
22 shall be for loans to nonprofit and governmental entities
23 in connection with the sale of single family real properties
24 owned by the Secretary and formerly insured under such
25 Act.

1 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*

2 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*

3 *GUARANTEE PROGRAM ACCOUNT*

4 *New commitments to issue guarantees to carry out the*
5 *purposes of section 306 of the National Housing Act, as*
6 *amended (12 U.S.C. 1721(g)), shall not exceed*
7 *\$500,000,000,000, to remain available until September 30,*
8 *2017: Provided, That \$23,000,000 shall be available for nec-*
9 *essary salaries and expenses of the Office of Government*
10 *National Mortgage Association: Provided further, That to*
11 *the extent that guaranteed loan commitments exceed*
12 *\$155,000,000,000 on or before April 1, 2016, an additional*
13 *\$100 for necessary salaries and expenses shall be available*
14 *until expended for each \$1,000,000 in additional guaran-*
15 *teed loan commitments (including a pro rata amount for*
16 *any amount below \$1,000,000), but in no case shall funds*
17 *made available by this proviso exceed \$3,000,000: Provided*
18 *further, That receipts from Commitment and Multiclass fees*
19 *collected pursuant to title III of the National Housing Act,*
20 *as amended, shall be credited as offsetting collections to this*
21 *account.*

1 *POLICY DEVELOPMENT AND RESEARCH*2 *RESEARCH AND TECHNOLOGY*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For contracts, grants, and necessary expenses of pro-*
5 *grams of research and studies relating to housing and*
6 *urban problems, not otherwise provided for, as authorized*
7 *by title V of the Housing and Urban Development Act of*
8 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*
9 *the functions of the Secretary of Housing and Urban Devel-*
10 *opment under section 1(a)(1)(i) of Reorganization Plan No.*
11 *2 of 1968, \$50,000,000, to remain available until September*
12 *30, 2017.*

13 *Of the amounts made available in this title under each*
14 *of the headings specified in the report accompanying this*
15 *Act, the Secretary may transfer to this account up to 0.1*
16 *percent from each such account, and such transferred*
17 *amounts shall be available until September 30, 2017, for*
18 *(1) technical assistance and capacity building; and (2) re-*
19 *search, evaluation, and program metrics: Provided, That*
20 *the Secretary may not transfer more than \$40,000,000 to*
21 *this account.*

22 *With respect to amounts made available under this*
23 *heading, notwithstanding section 204 of this title, the Sec-*
24 *retary may enter into cooperative agreements funded with*
25 *philanthropic entities, other Federal agencies, or State or*

1 local governments and their agencies for research projects:
2 Provided, That any such partners to any such cooperative
3 agreements must contribute at least 50 percent of the cost
4 of the project: Provided further, That for any such coopera-
5 tive agreements, the Secretary of Housing and Urban Devel-
6 opment shall comply with section 2(b) of the Federal Fund-
7 ing Accountability and Transparency Act of 2006 (Public
8 Law 109–282, 31 U.S.C. note) in lieu of compliance with
9 section 102(a)(4)(C) with respect to documentation of
10 award decisions.

11 FAIR HOUSING AND EQUAL OPPORTUNITY

12 FAIR HOUSING ACTIVITIES

13 For contracts, grants, and other assistance, not other-
14 wise provided for, as authorized by title VIII of the Civil
15 Rights Act of 1968, as amended by the Fair Housing
16 Amendments Act of 1988, and section 561 of the Housing
17 and Community Development Act of 1987, as amended,
18 \$65,300,000, to remain available until September 30, 2017,
19 of which \$38,600,000 shall be to carry out activities pursu-
20 ant to such section 561: Provided, That notwithstanding 31
21 U.S.C. 3302, the Secretary may assess and collect fees to
22 cover the costs of the Fair Housing Training Academy, and
23 may use such funds to provide such training: Provided fur-
24 ther, That no funds made available under this heading shall
25 be used to lobby the executive or legislative branches of the

1 Federal Government in connection with a specific contract,
2 grant, or loan: Provided further, That of the funds made
3 available under this heading, \$300,000 shall be available
4 to the Secretary of Housing and Urban Development for
5 the creation and promotion of translated materials and
6 other programs that support the assistance of persons with
7 limited English proficiency in utilizing the services pro-
8 vided by the Department of Housing and Urban Develop-
9 ment.

12 *LEAD HAZARD REDUCTION*

13 *For the Lead Hazard Reduction Program, as author-*
14 *ized by section 1011 of the Residential Lead-Based Paint*
15 *Hazard Reduction Act of 1992, \$110,000,000, to remain*
16 *available until September 30, 2017, of which \$25,000,000*
17 *shall be for the Healthy Homes Initiative, pursuant to sec-*
18 *tions 501 and 502 of the Housing and Urban Development*
19 *Act of 1970 that shall include research, studies, testing, and*
20 *demonstration efforts, including education and outreach*
21 *concerning lead-based paint poisoning and other housing-*
22 *related diseases and hazards: Provided, That for purposes*
23 *of environmental review, pursuant to the National Environ-*
24 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and*
25 *other provisions of the law that further the purposes of such*

1 *Act, a grant under the Healthy Homes Initiative, or the*
2 *Lead Technical Studies program under this heading or*
3 *under prior appropriations Acts for such purposes under*
4 *this heading, shall be considered to be funds for a special*
5 *project for purposes of section 305(c) of the Multifamily*
6 *Housing Property Disposition Reform Act of 1994: Pro-*
7 *vided further, That of the total amount made available*
8 *under this heading, \$45,000,000 shall be made available on*
9 *a competitive basis for areas with the highest lead paint*
10 *abatement needs: Provided further, That each recipient of*
11 *funds provided under the previous proviso shall contribute*
12 *an amount not less than 25 percent of the total: Provided*
13 *further, That each applicant shall certify adequate capacity*
14 *that is acceptable to the Secretary to carry out the proposed*
15 *use of funds pursuant to a notice of funding availability:*
16 *Provided further, That amounts made available under this*
17 *heading in this or prior appropriations Acts, and that still*
18 *remain available, may be used for any purpose under this*
19 *heading notwithstanding the purpose for which such*
20 *amounts were appropriated if a program competition is*
21 *undersubscribed and there are other program competitions*
22 *under this heading that are oversubscribed.*

23 **INFORMATION TECHNOLOGY FUND**

24 *For the development of, modifications to, and infra-*
25 *structure for Department-wide and program-specific infor-*

1 mation technology systems, for the continuing operation
2 and maintenance of both Department-wide and program-
3 specific information systems, and for program-related
4 maintenance activities, \$250,000,000, shall remain avail-
5 able until September 30, 2017: Provided, That any amounts
6 transferred to this Fund under this Act shall remain avail-
7 able until expended: Provided further, That any amounts
8 transferred to this Fund from amounts appropriated by
9 previously enacted appropriations Acts may be used for the
10 purposes specified under this Fund, in addition to any
11 other information technology purposes for which such
12 amounts were appropriated.

13 ***OFFICE OF INSPECTOR GENERAL***

14 *For necessary salaries and expenses of the Office of In-*
15 *spector General in carrying out the Inspector General Act*
16 *of 1978, as amended, \$126,000,000: Provided, That the In-*
17 *spector General shall have independent authority over all*
18 *personnel issues within this office.*

19 ***GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND***

20 ***URBAN DEVELOPMENT***

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *(INCLUDING RESCISSIONS)*

23 *SEC. 201. Fifty percent of the amounts of budget au-*
24 *thority, or in lieu thereof 50 percent of the cash amounts*
25 *associated with such budget authority, that are recaptured*

1 from projects described in section 1012(a) of the Stewart
2 B. McKinney Homeless Assistance Amendments Act of 1988
3 (42 U.S.C. 1437 note) shall be rescinded or in the case of
4 cash, shall be remitted to the Treasury, and such amounts
5 of budget authority or cash recaptured and not rescinded
6 or remitted to the Treasury shall be used by State housing
7 finance agencies or local governments or local housing agen-
8 cies with projects approved by the Secretary of Housing and
9 Urban Development for which settlement occurred after
10 January 1, 1992, in accordance with such section. Notwith-
11 standing the previous sentence, the Secretary may award
12 up to 15 percent of the budget authority or cash recaptured
13 and not rescinded or remitted to the Treasury to provide
14 project owners with incentives to refinance their project at
15 a lower interest rate.

16 SEC. 202. None of the funds made available under this
17 title may be used during fiscal year 2016 to investigate or
18 prosecute under the Fair Housing Act any otherwise lawful
19 activity engaged in by one or more persons, including the
20 filing or maintaining of a nonfrivolous legal action, that
21 is engaged in solely for the purpose of achieving or pre-
22 venting action by a Government official or entity, or a
23 court of competent jurisdiction.

24 SEC. 203. (a) Notwithstanding any other provision of
25 law, the amount allocated for fiscal year 2016 under section

1 *854(c) of the AIDS Housing Opportunity Act (42 U.S.C.*
2 *12903(c)), to the city of New York, New York, on behalf*
3 *of the New York–Wayne–White Plains, New York–New Jer-*
4 *sey Metropolitan Division (hereafter “metropolitan divi-*
5 *sion”) of the New York–Newark–Edison, NY–NJ–PA Metro-*
6 *politan Statistical Area, shall be adjusted by the Secretary*
7 *of Housing and Urban Development by:*

8 *(1) allocating to the city of Jersey City, New*
9 *Jersey, the proportion of the metropolitan area’s or*
10 *division’s amount that is based on the number of per-*
11 *sons living with HIV, poverty and fair market rents,*
12 *in the portion of the metropolitan area or division*
13 *that is located in Hudson County, New Jersey; and*
14 *(2) allocating to the city of Paterson, New Jer-*
15 *sey, the proportion of the metropolitan area’s or divi-*
16 *ision’s amount that is based on the number of persons*
17 *living with HIV, poverty and fair market rents, in*
18 *the portion of the metropolitan area or division that*
19 *is located in Bergen County and Passaic County,*
20 *New Jersey. The recipient cities shall use amounts al-*
21 *located under this subsection to carry out eligible ac-*
22 *tivities under section 855 of the AIDS Housing Op-*
23 *portunity Act (42 U.S.C. 12904) in their respective*
24 *portions of the metropolitan division that is located*
25 *in New Jersey.*

1 (b) Notwithstanding any other provision of law, the
2 amount allocated for fiscal year 2016 under section 854(c)
3 of the AIDS Housing Opportunity Act (42 U.S.C.
4 12903(c)), to the city of Wilmington, Delaware, on behalf
5 of the Wilmington, Delaware–Maryland–New Jersey Metro-
6 politan Division (hereafter “metropolitan division”), shall
7 be adjusted by the Secretary of Housing and Urban Devel-
8 opment by allocating to the State of New Jersey the propor-
9 tion of the metropolitan division’s amount that is based on
10 the number of persons living with HIV, poverty and fair
11 market rents, in the portion of the metropolitan division
12 that is located in New Jersey. The State of New Jersey shall
13 use amounts allocated to the State under this subsection to
14 carry out eligible activities under section 855 of the AIDS
15 Housing Opportunity Act (42 U.S.C. 12904) in the portion
16 of the metropolitan division that is located in New Jersey.

17 (c) Notwithstanding any other provision of law, the
18 Secretary of Housing and Urban Development shall allocate
19 to Wake County, North Carolina, the amounts that other-
20 wise would be allocated for fiscal year 2016 under section
21 854(c) of the AIDS Housing Opportunity Act (42 U.S.C.
22 12903(c)) to the city of Raleigh, North Carolina, on behalf
23 of the Raleigh-Cary North Carolina Metropolitan Statis-
24 tical Area. Any amounts allocated to Wake County shall
25 be used to carry out eligible activities under section 855

1 of such Act (42 U.S.C. 12904) within such metropolitan sta-
2 tistical area.

3 (d) Notwithstanding section 854(c) of the AIDS Hous-
4 ing Opportunity Act (42 U.S.C. 12903(c)), the Secretary
5 of Housing and Urban Development may adjust the alloca-
6 tion of the amounts that otherwise would be allocated for
7 fiscal year 2016 under section 854(c) of such Act, upon the
8 written request of an applicant, in conjunction with the
9 State(s), for a formula allocation on behalf of a metropoli-
10 tan statistical area, to designate the State or States in
11 which the metropolitan statistical area is located as the eli-
12 gible grantee(s) of the allocation. In the case that a metro-
13 politan statistical area involves more than one State, such
14 amounts allocated to each State shall be based on the pro-
15 portion of the metropolitan statistical area's amount that
16 is based on the number of persons living with HIV, poverty
17 and fair market rents, in the portion of the metropolitan
18 statistical area that is located in that State. Any amounts
19 allocated to a State under this section shall be used to carry
20 out eligible activities within the portion of the metropolitan
21 statistical area located in that State.

22 SEC. 204. Except as explicitly provided in law, any
23 grant, cooperative agreement or other assistance made pur-
24 suant to title II of this Act shall be made on a competitive
25 basis and in accordance with section 102 of the Department

1 of Housing and Urban Development Reform Act of 1989
2 (42 U.S.C. 3545).

3 SEC. 205. Funds of the Department of Housing and
4 Urban Development subject to the Government Corporation
5 Control Act or section 402 of the Housing Act of 1950 shall
6 be available, without regard to the limitations on adminis-
7 trative expenses, for legal services on a contract or fee basis,
8 and for utilizing and making payment for services and fa-
9 cilities of the Federal National Mortgage Association, Gov-
10 ernment National Mortgage Association, Federal Home
11 Loan Mortgage Corporation, Federal Financing Bank, Fed-
12 eral Reserve banks or any member thereof, Federal Home
13 Loan banks, and any insured bank within the meaning of
14 the Federal Deposit Insurance Corporation Act, as amended
15 (12 U.S.C. 1811–1).

16 SEC. 206. Unless otherwise provided for in this title
17 or through a reprogramming of funds, no part of any ap-
18 propriation for the Department of Housing and Urban De-
19 velopment shall be available for any program, project or
20 activity in excess of amounts set forth in the budget esti-
21 mates submitted to Congress.

22 SEC. 207. Corporations and agencies of the Depart-
23 ment of Housing and Urban Development which are subject
24 to the Government Corporation Control Act are hereby au-
25 thorized to make such expenditures, within the limits of

1 funds and borrowing authority available to each such cor-
2 poration or agency and in accordance with law, and to
3 make such contracts and commitments without regard to
4 fiscal year limitations as provided by section 104 of such
5 Act as may be necessary in carrying out the programs set
6 forth in the budget for fiscal year 2016 for such corporation
7 or agency except as hereinafter provided: Provided, That
8 collections of these corporations and agencies may be used
9 for new loan or mortgage purchase commitments only to
10 the extent expressly provided for in this Act (unless such
11 loans are in support of other forms of assistance provided
12 for in this or prior appropriations Acts), except that this
13 proviso shall not apply to the mortgage insurance or guar-
14 anty operations of these corporations, or where loans or
15 mortgage purchases are necessary to protect the financial
16 interest of the United States Government.

17 SEC. 208. The Secretary of Housing and Urban Devel-
18 opment shall provide quarterly reports to the House and
19 Senate Committees on Appropriations regarding all uncom-
20 mitted, unobligated, recaptured and excess funds in each
21 program and activity within the jurisdiction of the Depart-
22 ment and shall submit additional, updated budget informa-
23 tion to these Committees upon request.

24 SEC. 209. A public housing agency or such other entity
25 that administers Federal housing assistance for the Housing

1 *Authority of the county of Los Angeles, California, and the*
2 *States of Alaska, Iowa, and Mississippi shall not be re-*
3 *quired to include a resident of public housing or a recipient*
4 *of assistance provided under section 8 of the United States*
5 *Housing Act of 1937 on the board of directors or a similar*
6 *governing board of such agency or entity as required under*
7 *section (2)(b) of such Act. Each public housing agency or*
8 *other entity that administers Federal housing assistance*
9 *under section 8 for the Housing Authority of the county*
10 *of Los Angeles, California and the States of Alaska, Iowa*
11 *and Mississippi that chooses not to include a resident of*
12 *public housing or a recipient of section 8 assistance on the*
13 *board of directors or a similar governing board shall estab-*
14 *lish an advisory board of not less than six residents of pub-*
15 *lic housing or recipients of section 8 assistance to provide*
16 *advice and comment to the public housing agency or other*
17 *administering entity on issues related to public housing and*
18 *section 8. Such advisory board shall meet not less than*
19 *quarterly.*

20 *SEC. 210. No funds provided under this title may be*
21 *used for an audit of the Government National Mortgage As-*
22 *sociation that makes applicable requirements under the*
23 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

24 *SEC. 211. (a) Notwithstanding any other provision of*
25 *law, subject to the conditions listed under this section, for*

1 fiscal years 2016 and 2017, the Secretary of Housing and
2 Urban Development may authorize the transfer of some or
3 all project-based assistance, debt held or insured by the Sec-
4 retary and statutorily required low-income and very low-
5 income use restrictions if any, associated with one or more
6 multifamily housing project or projects to another multi-
7 family housing project or projects.

8 (b) PHASED TRANSFERS.—Transfers of project-based
9 assistance under this section may be done in phases to ac-
10 commodate the financing and other requirements related to
11 rehabilitating or constructing the project or projects to
12 which the assistance is transferred, to ensure that such
13 project or projects meet the standards under subsection (c).

14 (c) The transfer authorized in subsection (a) is subject
15 to the following conditions:

16 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

17 (A) For occupied units in the transferring
18 project: The number of low-income and very low-
19 income units and the configuration (i.e., bed-
20 room size) provided by the transferring project
21 shall be no less than when transferred to the re-
22 ceiving project or projects and the net dollar
23 amount of Federal assistance provided to the
24 transferring project shall remain the same in the
25 receiving project or projects.

1 (B) For unoccupied units in the transfer-
2 ring project: The Secretary may authorize a re-
3 duction in the number of dwelling units in the
4 receiving project or projects to allow for a recon-
5 figuration of bedroom sizes to meet current mar-
6 ket demands, as determined by the Secretary and
7 provided there is no increase in the project-based
8 assistance budget authority.

9 (2) The transferring project shall, as determined
10 by the Secretary, be either physically obsolete or eco-
11 nomically nonviable.

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

15 (4) The owner or mortgagor of the transferring
16 project shall notify and consult with the tenants re-
17 siding in the transferring project and provide a cer-
18 tification of approval by all appropriate local govern-
19 mental officials.

20 (5) The tenants of the transferring project who
21 remain eligible for assistance to be provided by the re-
22 ceiving project or projects shall not be required to va-
23 cate their units in the transferring project or projects
24 until new units in the receiving project are available
25 for occupancy.

1 (6) *The Secretary determines that this transfer is
2 in the best interest of the tenants.*

3 (7) *If either the transferring project or the re-
4 ceiving project or projects meets the condition speci-
5 fied in subsection (d)(2)(A), any lien on the receiving
6 project resulting from additional financing obtained
7 by the owner shall be subordinate to any FHA-in-
8 sured mortgage lien transferred to, or placed on, such
9 project by the Secretary, except that the Secretary
10 may waive this requirement upon determination that
11 such a waiver is necessary to facilitate the financing
12 of acquisition, construction, and/or rehabilitation of
13 the receiving project or projects.*

14 (8) *If the transferring project meets the require-
15 ments of subsection (d)(2), the owner or mortgagor of
16 the receiving project or projects shall execute and
17 record either a continuation of the existing use agree-
18 ment or a new use agreement for the project where,
19 in either case, any use restrictions in such agreement
20 are of no lesser duration than the existing use restric-
21 tions.*

22 (9) *The transfer does not increase the cost (as de-
23 fined in section 502 of the Congressional Budget Act
24 of 1974, as amended) of any FHA-insured mortgage,*

1 *except to the extent that appropriations are provided
2 in advance for the amount of any such increased cost.*

3 *(d) For purposes of this section—*

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

8 *(2) the term “multifamily housing project”
9 means housing that meets one of the following condi-
10 tions—*

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

13 *(B) housing that has project-based assist-
14 ance attached to the structure including projects
15 undergoing mark to market debt restructuring
16 under the Multifamily Assisted Housing Reform
17 and Affordability Housing Act;*

18 *(C) housing that is assisted under section
19 202 of the Housing Act of 1959, as amended by
20 section 801 of the Cranston-Gonzales National
21 Affordable Housing Act;*

22 *(D) housing that is assisted under section
23 202 of the Housing Act of 1959, as such section
24 existed before the enactment of the Cranston-
25 Gonzales National Affordable Housing Act;*

1 (E) housing that is assisted under section
2 811 of the Cranston-Gonzales National Affordable
3 Housing Act; or

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

6 (3) the term “project-based assistance” means—

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

9 (B) assistance for housing constructed or
10 substantially rehabilitated pursuant to assistance
11 provided under section 8(b)(2) of such Act (as
12 such section existed immediately before October
13 1, 1983);

14 (C) rent supplement payments under section
15 101 of the Housing and Urban Development
16 Act of 1965;

17 (D) interest reduction payments under section
18 236 and/or additional assistance payments
19 under section 236(f)(2) of the National Housing
20 Act;

21 (E) assistance payments made under section
22 202(c)(2) of the Housing Act of 1959; and

23 (F) assistance payments made under section
24 811(d)(2) of the Cranston-Gonzalez National Affordable
25 Housing Act;

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

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

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

14 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

20 (2) The Secretary shall conduct an evaluation of
21 the transfer authority under this section, including
22 the effect of such transfers on the operational effi-
23 ciency, contract rents, physical and financial condi-
24 tions, and long-term preservation of the affected prop-
25 erties.

1 SEC. 212. (a) No assistance shall be provided under
2 section 8 of the United States Housing Act of 1937 (42
3 U.S.C. 1437f) to any individual who—

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

7 (2) is under 24 years of age;

8 (3) is not a veteran;

9 (4) is unmarried;

10 (5) does not have a dependent child;

11 (6) is not a person with disabilities, as such
12 term is defined in section 3(b)(3)(E) of the United
13 States Housing Act of 1937 (42 U.S.C.
14 1437a(b)(3)(E)) and was not receiving assistance
15 under such section 8 as of November 30, 2005; and

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

20 (b) For purposes of determining the eligibility of a per-
21 son to receive assistance under section 8 of the United States
22 Housing Act of 1937 (42 U.S.C. 1437f), any financial as-
23 sistance (in excess of amounts received for tuition and any
24 other required fees and charges) that an individual receives
25 under the Higher Education Act of 1965 (20 U.S.C. 1001

1 *et seq.*), from private sources, or an institution of higher
2 education (as defined under the Higher Education Act of
3 1965 (20 U.S.C. 1002)), shall be considered income to that
4 individual, except for a person over the age of 23 with de-
5 pendent children.

6 SEC. 213. *The funds made available under NAHASDA*
7 *for Native Alaskans under the heading “Indian Block*
8 *Grants” in title II of this Act shall be allocated to the same*
9 *Native Alaskan housing block grant recipients that received*
10 *funds in fiscal year 2005.*

11 SEC. 214. *Notwithstanding the limitation in the first*
12 *sentence of section 255(g) of the National Housing Act (12*
13 *U.S.C. 1715z–20(g)), the Secretary of Housing and Urban*
14 *Development may, until September 30, 2016, insure and*
15 *enter into commitments to insure mortgages under such sec-*
16 *tion 255.*

17 SEC. 215. *Notwithstanding any other provision of law,*
18 *in fiscal year 2016, in managing and disposing of any mul-*
19 *tifamily property that is owned or has a mortgage held by*
20 *the Secretary of Housing and Urban Development, and dur-*
21 *ing the process of foreclosure on any property with a con-*
22 *tract for rental assistance payments under section 8 of the*
23 *United States Housing Act of 1937 or other Federal pro-*
24 *grams, the Secretary shall maintain any rental assistance*
25 *payments under section 8 of the United States Housing Act*

1 of 1937 and other programs that are attached to any dwell-
2 ing units in the property. To the extent the Secretary deter-
3 mines, in consultation with the tenants and the local gov-
4 ernment, that such a multifamily property owned or held
5 by the Secretary is not feasible for continued rental assist-
6 ance payments under such section 8 or other programs,
7 based on consideration of (1) the costs of rehabilitating and
8 operating the property and all available Federal, State, and
9 local resources, including rent adjustments under section
10 524 of the Multifamily Assisted Housing Reform and Af-
11 fordability Act of 1997 (“MAHRAA”) and (2) environ-
12 mental conditions that cannot be remedied in a cost-effic-
13 tive fashion, the Secretary may, in consultation with the
14 tenants of that property, contract for project-based rental
15 assistance payments with an owner or owners of other exist-
16 ing housing properties, or provide other rental assistance.
17 The Secretary shall also take appropriate steps to ensure
18 that project-based contracts remain in effect prior to fore-
19 closure, subject to the exercise of contractual abatement rem-
20 edies to assist relocation of tenants for imminent major
21 threats to health and safety after written notice to and in-
22 formed consent of the affected tenants and use of other avail-
23 able remedies, such as partial abatements or receivership.
24 After disposition of any multifamily property described
25 under this section, the contract and allowable rent levels

1 *on such properties shall be subject to the requirements under*
2 *section 524 of MAHRAA.*

3 *SEC. 216. The commitment authority funded by fees*
4 *as provided under the heading “Community Development*
5 *Loan Guarantees Program Account” may be used to guar-*
6 *antee, or make commitments to guarantee, notes, or other*
7 *obligations issued by any State on behalf of non-entitlement*
8 *communities in the State in accordance with the require-*
9 *ments of section 108 of the Housing and Community Devel-*
10 *opment Act of 1974: Provided, That any State receiving*
11 *such a guarantee or commitment shall distribute all funds*
12 *subject to such guarantee to the units of general local gov-*
13 *ernment in non-entitlement areas that received the commit-*
14 *ment.*

15 *SEC. 217. Public housing agencies that own and oper-*
16 *ate 400 or fewer public housing units may elect to be exempt*
17 *from any asset management requirement imposed by the*
18 *Secretary of Housing and Urban Development in connec-*
19 *tion with the operating fund rule: Provided, That an agency*
20 *seeking a discontinuance of a reduction of subsidy under*
21 *the operating fund formula shall not be exempt from asset*
22 *management requirements.*

23 *SEC. 218. With respect to the use of amounts provided*
24 *in this Act and in future Acts for the operation, capital*
25 *improvement and management of public housing as author-*

1 ized by sections 9(d) and 9(e) of the United States Housing
2 Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary
3 shall not impose any requirement or guideline relating to
4 asset management that restricts or limits in any way the
5 use of capital funds for central office costs pursuant to sec-
6 tion 9(g)(1) or 9(g)(2) of the United States Housing Act
7 of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-
8 lic housing agency may not use capital funds authorized
9 under section 9(d) for activities that are eligible under sec-
10 tion 9(e) for assistance with amounts from the operating
11 fund in excess of the amounts permitted under section
12 9(g)(1) or 9(g)(2).

13 SEC. 219. No official or employee of the Department
14 of Housing and Urban Development shall be designated as
15 an allotment holder unless the Office of the Chief Financial
16 Officer has determined that such allotment holder has im-
17 plemented an adequate system of funds control and has re-
18 ceived training in funds control procedures and directives.
19 The Chief Financial Officer shall ensure that there is a
20 trained allotment holder for each HUD sub-office under the
21 accounts “Executive Offices” and “Administrative Support
22 Offices,” as well as each account receiving appropriations
23 for “Program Office Salaries and Expenses”, “Government
24 National Mortgage Association—Guarantees of Mortgage-
25 Backed Securities Loan Guarantee Program Account”, and

1 “*Office of Inspector General*” within the Department of
2 *Housing and Urban Development*.

3 *SEC. 220. The Secretary of the Department of Housing*
4 *and Urban Development shall, for fiscal year 2016 and sub-*
5 *sequent fiscal years, notify the public through the Federal*
6 *Register and other means, as determined appropriate, of*
7 *the issuance of a notice of the availability of assistance or*
8 *notice of funding availability (NOFA) for any program or*
9 *discretionary fund administered by the Secretary that is*
10 *to be competitively awarded. Notwithstanding any other*
11 *provision of law, for fiscal year 2016 and subsequent fiscal*
12 *years, the Secretary may make the NOFA available only*
13 *on the Internet at the appropriate Government Web site or*
14 *through other electronic media, as determined by the Sec-*
15 *retary.*

16 *SEC. 221. Payment of attorney fees in program-related*
17 *litigation shall be paid from the individual program office*
18 *and Office of General Counsel salaries and expenses appro-*
19 *priations. The annual budget submission for the program*
20 *offices and the Office of General Counsel shall include any*
21 *such projected litigation costs for attorney fees as a separate*
22 *line item request. No funds provided in this title may be*
23 *used to pay any such litigation costs for attorney fees until*
24 *the Department submits for review and approval a spend-*

1 *ing plan for such costs to the House and Senate Committees*
2 *on Appropriations.*

3 *SEC. 222. The Secretary of the Department of Housing*
4 *and Urban Development is authorized to transfer up to 5*
5 *percent or \$5,000,000, whichever is less, of the funds appro-*
6 *priated for any office funded under the heading “Adminis-*
7 *trative Support Offices” to any other office funded under*
8 *such heading: Provided, That no appropriation for any of-*
9 *fice funded under the heading “Administrative Support Of-*
10 *fices” shall be increased or decreased by more than 5 percent*
11 *or \$5,000,000, whichever is less, without prior written ap-*
12 *proval of the House and Senate Committees on Appropria-*
13 *tions: Provided further, That the Secretary is authorized to*
14 *transfer up to 5 percent or \$5,000,000, whichever is less,*
15 *of the funds appropriated for any account funded under the*
16 *general heading “Program Office Salaries and Expenses”*
17 *to any other account funded under such heading: Provided*
18 *further, That no appropriation for any account funded*
19 *under the general heading “Program Office Salaries and*
20 *Expenses” shall be increased or decreased by more than 5*
21 *percent or \$5,000,000, whichever is less, without prior writ-*
22 *ten approval of the House and Senate Committees on Ap-*
23 *propriations: Provided further, That the Secretary may*
24 *transfer funds made available for salaries and expenses be-*
25 *tween any office funded under the heading “Administrative*

1 *Support Offices” and any account funded under the general*
2 *heading “Program Office Salaries and Expenses”, but only*
3 *with the prior written approval of the House and Senate*
4 *Committees on Appropriations.*

5 *SEC. 223. The Disaster Housing Assistance Programs,*
6 *administered by the Department of Housing and Urban De-*
7 *velopment, shall be considered a “program of the Depart-*
8 *ment of Housing and Urban Development” under section*
9 *904 of the McKinney Act for the purpose of income*
10 *verifications and matching.*

11 *SEC. 224. (a) The Secretary of Housing and Urban*
12 *Development shall take the required actions under sub-*
13 *section (b) when a multifamily housing project with a sec-*
14 *tion 8 contract or contract for similar project-based assist-*
15 *ance:*

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

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

20 *(A) fails to certify in writing to HUD with-*
21 *in 60 days that all deficiencies have been cor-*
22 *rected; or*

23 *(B) receives consecutive scores of less than*
24 *60 on REAC inspections.*

1 Such requirements shall apply to insured and noninsured
2 projects with assistance attached to the units under section
3 8 of the United States Housing Act of 1937 (42 U.S.C.
4 1437f), but do not apply to such units assisted under section
5 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units
6 assisted with capital or operating funds under section 9 of
7 the United States Housing Act of 1937 (42 U.S.C. 1437g).

8 (b) The Secretary shall take the following required ac-
9 tions as authorized under subsection (a)—

10 (1) The Secretary shall notify the owner and
11 provide an opportunity for response within 30 days.
12 If the violations remain, the Secretary shall develop
13 a Compliance, Disposition and Enforcement Plan
14 within 60 days, with a specified timetable for cor-
15 recting all deficiencies. The Secretary shall provide
16 notice of the Plan to the owner, tenants, the local gov-
17 ernment, any mortgagees, and any contract adminis-
18 trator.

19 (2) At the end of the term of the Compliance,
20 Disposition and Enforcement Plan, if the owner fails
21 to fully comply with such plan, the Secretary may re-
22 quire immediate replacement of project management
23 with a management agent approved by the Secretary,
24 and shall take one or more of the following actions,

1 *and provide additional notice of those actions to the*
2 *owner and the parties specified above:*

3 *(A) impose civil money penalties;*
4 *(B) abate the section 8 contract, including*
5 *partial abatement, as determined by the Sec-*
6 *retary, until all deficiencies have been corrected;*

7 *(C) pursue transfer of the project to an*
8 *owner, approved by the Secretary under estab-*
9 *lished procedures, which will be obligated to*
10 *promptly make all required repairs and to ac-*
11 *cept renewal of the assistance contract as long as*
12 *such renewal is offered; or*

13 *(D) seek judicial appointment of a receiver*
14 *to manage the property and cure all project defi-*
15 *ciencies or seek a judicial order of specific per-*
16 *formance requiring the owner to cure all project*
17 *deficiencies.*

18 *(c) The Secretary shall also take appropriate steps to*
19 *ensure that project-based contracts remain in effect, subject*
20 *to the exercise of contractual abatement remedies to assist*
21 *relocation of tenants for imminent major threats to health*
22 *and safety after written notice to and informed consent of*
23 *the affected tenants and use of other remedies set forth*
24 *above. To the extent the Secretary determines, in consulta-*
25 *tion with the tenants and the local government, that the*

1 property is not feasible for continued rental assistance pay-
2 ments under such section 8 or other programs, based on con-
3 sideration of (1) the costs of rehabilitating and operating
4 the property and all available Federal, State, and local re-
5 sources, including rent adjustments under section 524 of the
6 Multifamily Assisted Housing Reform and Affordability
7 Act of 1997 (“MAHRAA”) and (2) environmental condi-
8 tions that cannot be remedied in a cost-effective fashion, the
9 Secretary may, in consultation with the tenants of that
10 property, contract for project-based rental assistance pay-
11 ments with an owner or owners of other existing housing
12 properties, or provide other rental assistance. The Secretary
13 shall report semi-annually on all properties covered by this
14 section that are assessed through the Real Estate Assessment
15 Center and have physical inspection scores of less than 30
16 or have consecutive physical inspection scores of less than
17 60. The report shall include:

18 (1) The enforcement actions being taken to ad-
19 dress such conditions, including imposition of civil
20 money penalties and termination of subsidies, and
21 identify properties that have such conditions multiple
22 times; and
23 (2) Actions that the Department of Housing and
24 Urban Development is taking to protect tenants of
25 such identified properties.

1 *SEC. 225. None of the funds made available by this*
2 *Act, or any other Act, for purposes authorized under section*
3 *8 (only with respect to the tenant-based rental assistance*
4 *program) and section 9 of the United States Housing Act*
5 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*
6 *housing agency for any amount of salary, including bo-*
7 *nuses, for the chief executive officer of which, or any other*
8 *official or employee of which, that exceeds the annual rate*
9 *of basic pay payable for a position at level IV of the Execu-*
10 *tive Schedule at any time during any public housing agen-*
11 *cy fiscal year 2016.*

12 *SEC. 226. None of the funds in this Act may be avail-*
13 *able for the doctoral dissertation research grant program*
14 *at the Department of Housing and Urban Development.*

15 *SEC. 227. Section 24 of the United States Housing Act*
16 *of 1937 (42 U.S.C. 1437v) is amended—*

17 *(1) in subsection (m)(1), by striking “fiscal*
18 *year” and all that follows through the period at the*
19 *end and inserting “fiscal year 2016.”; and*

20 *(2) in subsection (o), by striking “September”*
21 *and all that follows through the period at the end and*
22 *inserting “September 30, 2016.”.*

23 *SEC. 228. None of the funds in this Act provided to*
24 *the Department of Housing and Urban Development may*
25 *be used to make a grant award unless the Secretary notifies*

1 *the House and Senate Committees on Appropriations not*
2 *less than 3 full business days before any project, State, lo-*
3 *cality, housing authority, tribe, nonprofit organization, or*
4 *other entity selected to receive a grant award is announced*
5 *by the Department or its offices.*

6 *SEC. 229. Of the amounts made available for salaries*
7 *and expenses under all accounts under this title (except for*
8 *the Office of Inspector General account), a total of up to*
9 *\$5,000,000 may be transferred to and merged with amounts*
10 *made available in the “Information Technology Fund” ac-*
11 *count under this title.*

12 *SEC. 230. None of the funds made available by this*
13 *Act nor any receipts or amounts collected under any Fed-*
14 *eral Housing Administration program may be used to im-*
15 *plement the Homeowners Armed with Knowledge (HAWK)*
16 *program.*

17 *SEC. 231. None of the funds made available in this*
18 *Act shall be used by the Federal Housing Administration,*
19 *the Government National Mortgage Administration, or the*
20 *Department of Housing and Urban Development to insure,*
21 *securitize, or establish a Federal guarantee of any mortgage*
22 *or mortgage backed security that refinances or otherwise re-*
23 *places a mortgage that has been subject to eminent domain*
24 *condemnation or seizure, by a State, municipality, or any*
25 *other political subdivision of a State.*

1 *SEC. 232. None of the funds made available by this*
2 *Act may be used to terminate the status of a unit of general*
3 *local government as a metropolitan city (as defined in sec-*
4 *tion 102 of the Housing and Community Development Act*
5 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*
6 *tion 106 of such Act (42 U.S.C. 5306).*

7 *SEC. 233. Subsection (b) of section 225 of the Cran-*
8 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*
9 *12755) is amended by adding at the end the following new*
10 *sentence: “Such 30-day waiting period is not required if*
11 *the grounds for the termination or refusal to renew involve*
12 *a direct threat to the safety of the tenants or employees of*
13 *the housing, or an imminent and serious threat to the prop-*
14 *erty (and the termination or refusal to renew is in accord-*
15 *ance with the requirements of State or local law).”.*

16 *SEC. 234. None of the funds under this title may be*
17 *used for awards, including performance, special act, or*
18 *spot, for any employee of the Department of Housing and*
19 *Urban Development who is subject to administrative dis-*
20 *cipline in fiscal year 2016, including suspension from work.*

21 *SEC. 235. The language under the heading “Rental As-*
22 *sistance Demonstration” in the Department of Housing and*
23 *Urban Development Appropriations Act, 2012 (Public Law*
24 *112–55) is amended:*

1 (1) in proviso four, by striking “185,000” and
2 inserting “200,000”;

3 (2) in proviso eighteen, by inserting “for fiscal
4 year 2012 and hereafter,” after “Provided further,
5 That”; and

6 (3) In proviso nineteen, by striking “, which
7 may extend beyond fiscal year 2016 as necessary to
8 allow processing of all timely applications.”.

9 SEC. 236. Section 9 of the United States Housing Act
10 of 1937 (42 U.S.C. 1437g) is amended by—

11 (1) inserting at the end of subsection (j)—

12 “(7) TREATMENT OF REPLACEMENT RESERVE.—
13 The requirements of this subsection shall not apply to
14 funds held in replacement reserves established in sub-
15 section (9)(n).”; and

16 (2) inserting at the end of subsection (m)—

17 “(n) ESTABLISHMENT OF REPLACEMENT RE-
18 SERVES.—

19 “(1) IN GENERAL.—Public Housing authorities
20 shall be permitted to establish a Replacement Reserve
21 to fund any of the capital activities listed in subpara-
22 graph (d)(1).

23 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-
24 PLACEMENT RESERVE.—At any time, a public hous-
25 ing authority may deposit funds from that agency’s

1 *Capital Fund into a replacement reserve subject to the*
2 *following:*

3 “(A) At the discretion of the Secretary, pub-
4 lic housing agencies may transfer and hold in a
5 Replacement Reserve, funds originating from ad-
6 ditional sources.

7 “(B) No minimum transfer of funds to a re-
8 placement reserve shall be required.

9 “(C) At any time, a public housing author-
10 ity may not hold in a replacement reserve more
11 than the amount the public housing authority
12 has determined necessary to satisfy the antici-
13 pated capital needs of properties in its portfolio
14 assisted under 42 U.S.C. 1437g as outlined in its
15 Capital Fund 5 Year Action Plan, or a com-
16 parable plan, as determined by the Secretary.

17 “(D) The Secretary may establish by regu-
18 lation a maximum replacement reserve level or
19 levels that are below amounts determined under
20 subparagraph (C), which may be based upon the
21 size of the portfolio assisted under 42 U.S.C.
22 1437g or other factors.

23 “(3) In first establishing a replacement reserve,
24 the Secretary may allow public housing agencies to

1 *transfer more than 20 percent of its operating funds*
2 *into its replacement reserve.*

3 “(4) EXPENDITURE.—*Funds in a replacement*
4 *reserve may be used for purposes authorized by sub-*
5 *paragraph (d)(1) and contained in its Capital Fund*
6 *5 Year Action Plan.*

7 “(5) MANAGEMENT AND REPORT.—*The Secretary*
8 *shall establish appropriate accounting and reporting*
9 *requirements to ensure that public housing agencies*
10 *are spending funds on eligible projects and that funds*
11 *in the replacement reserve are connected to capital*
12 *needs.”.*

13 *SEC. 237. Section 9(g)(1) of the United States Housing*
14 *Act of 1937 (42 U.S.C. 1437g(g)) is amended by—*

15 *(1) inserting “(A)” immediately after the para-*
16 *graph designation;*

17 *(2) by striking the period and inserting the fol-*
18 *lowing at the end: “; and”; and*

19 *(3) inserting the following new paragraph:*

20 **“(B) FLEXIBILITY FOR OPERATING FUND**
21 *AMOUNTS.—Of any amounts appropriated for*
22 *fiscal year 2016 or any fiscal year thereafter*
23 *that are allocated for fiscal year 2016 or any fis-*
24 *cal year thereafter from the Operating Fund for*
25 *any public housing agency, the agency may use*

1 *not more than 20 percent for activities that are*
2 *eligible under subsection (d) for assistance with*
3 *amounts from the Capital Fund, but only if the*
4 *public housing plan for the agency provides for*
5 *such use.”.*

6 SEC. 238. *Section 526 (12 U.S.C. 1735f-4) of the Na-*
7 *tional Housing Act is amended by inserting at the end of*
8 *subsection (b)—*

9 “(c) *The Secretary may establish an exception to any*
10 *minimum property standard established under this section*
11 *in order to address alternative water systems, including cis-*
12 *terns, which meet requirements of State and local building*
13 *codes that ensure health and safety standards.”.*

14 SEC. 239. *The Secretary of Housing and Urban Devel-*
15 *opment shall increase, pursuant to this section, the number*
16 *of Moving-to-Work agencies authorized under section 204,*
17 *title II, of the Departments of Veterans Affairs and Housing*
18 *and Urban Development and Independent Agencies Appor-*
19 *priations Act, 1996 (Public Law 104-134; 110 Stat. 1321)*
20 *by adding to the program 300 public housing agencies that*
21 *are designated as high performing agencies under the Public*
22 *Housing Assessment System (PHAS). No public housing*
23 *agency shall be granted this designation through this section*
24 *that administers in excess of 22,000 aggregate housing*
25 *vouchers and public housing units. Of the agencies selected*

1 under this section, no less than 150 shall administer 600
2 or fewer aggregate housing voucher and public housing
3 units, no less than 125 shall administer 601–5,000 aggregate
4 housing voucher and public housing units, and no more
5 than 20 shall administer 5,001–22,000 aggregate housing
6 voucher and public housing units. Of the 300 agencies se-
7 lected under this section, five shall be agencies with portfolio
8 awards under the Rental Assistance Demonstration that
9 meet the other requirements of this section. Selection of
10 agencies under this section shall be based on ensuring the
11 geographic diversity of Moving-to-Work agencies. The Sec-
12 retary may, at the request of a Moving-to-Work agency and
13 one or more adjacent public housing agencies in the same
14 area, designate that Moving-to-Work agency as a regional
15 agency. A regional Moving-to-Work agency may administer
16 the assistance under sections 8 and 9 of the United States
17 Housing Act of 1937 (42 U.S.C. 1437f and g) for the par-
18 ticipating agencies within its region pursuant to the terms
19 of its Moving-to-Work agreement with the Secretary. The
20 Secretary may agree to extend the term of the agreement
21 and to make any necessary changes to accommodate region-
22 alization. A Moving-to-Work agency may be selected as a
23 regional agency if the Secretary determines that unified ad-
24 ministration of assistance under sections 8 and 9 by that
25 agency across multiple jurisdictions will lead to efficiencies

1 and to greater housing choice for low-income persons in the
2 region. For purposes of this expansion, in addition to the
3 provisions of the Act retained in section 204, section 8(r)(1)
4 of the Act shall continue to apply unless the Secretary deter-
5 mines that waiver of this section is necessary to implement
6 comprehensive rent reform and occupancy policies subject
7 to evaluation by the Secretary, and the waiver contains,
8 at a minimum, exceptions for requests to port due to em-
9 ployment, education, health and safety. No public housing
10 agency granted this designation through this section shall
11 receive more funding under sections 8 or 9 of the United
12 States Housing Act of 1937 than it otherwise would have
13 received absent this designation. The Secretary shall extend
14 the current Moving-to-Work agreements of previously des-
15 ignated participating agencies until the end of each such
16 agency's fiscal year 2028 under the same terms and condi-
17 tions of such current agreements, except for any changes
18 to such terms or conditions otherwise mutually agreed upon
19 by the Secretary and any such agency and such extension
20 agreements shall prohibit any statutory offset of any reserve
21 balances equal to four months of operating expenses. Any
22 such reserve balances that exceed such amount shall remain
23 available to any such agency for all permissible purposes
24 under such agreement unless subject to a statutory offset.
25 In addition to other reporting requirements, all Moving-to-

1 Work agencies shall report financial data to the Department
2 of Housing and Urban Development as specified by
3 the Secretary, so that the effect of Moving-to-Work policy
4 changes can be measured.

5 SEC. 240. Section 3(a) of the United States Housing
6 Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding
7 at the end the following new paragraph:

8 “(6) REVIEWS OF FAMILY INCOME.—

9 “(A) FREQUENCY.—Reviews of family in-
10 come for purposes of this section shall be made—
11 “(i) in the case of all families, upon
12 the initial provision of housing assistance
13 for the family; and

14 “(ii) no less than annually thereafter,
15 except as provided in subparagraph (B)(i);

16 “(B) FIXED-INCOME FAMILIES.—

17 “(i) SELF CERTIFICATION AND 3-YEAR
18 REVIEW.—In the case of any family de-
19 scribed in clause (ii), after the initial re-
20 view of the family’s income pursuant to
21 subparagraph (A)(i), the public housing
22 agency or owner shall not be required to
23 conduct a review of the family’s income
24 pursuant to subparagraph (A)(ii) for any
25 year for which such family certifies, in ac-

1 *cordance with such requirements as the Sec-*
2 *retary shall establish, that the income of the*
3 *family meets the requirements of clause (ii)*
4 *of this subparagraph and that the sources of*
5 *such income have not changed since the pre-*
6 *vious year, except that the public housing*
7 *agency or owner shall conduct a review of*
8 *each such family's income not less than once*
9 *every 3 years.*

10 “*(ii) ELIGIBLE FAMILIES.—A family*
11 *described in this clause is a family who has*
12 *an income, as of the most recent review pur-*
13 *suant to subparagraph (A) or clause (i) of*
14 *this subparagraph, of which 90 percent or*
15 *more consists of fixed income, as such term*
16 *is defined in clause (iii).*”

17 “*(iii) FIXED INCOME.—For purposes of*
18 *this subparagraph, the term ‘fixed income’*
19 *includes income from—*

20 “*(I) the supplemental security in-*
21 *come program under title XVI of the*
22 *Social Security Act, including supple-*
23 *mentary payments pursuant to an*
24 *agreement for Federal administration*
25 *under section 1616(a) of the Social Se-*

1 *curity Act and payments pursuant to*
2 *an agreement entered into under sec-*
3 *tion 212(b) of Public Law 93–66;*
4 “*(II) Social Security payments;*
5 “*(III) Federal, State, local and*
6 *private pension plans; and*
7 “*(IV) other periodic payments re-*
8 *ceived from annuities, insurance poli-*
9 *cies, retirement funds, disability or*
10 *death benefits, and other similar types*
11 *of periodic receipts that are of substan-*
12 *tially the same amounts from year to*
13 *year.*

14 “(C) *INFLATIONARY ADJUSTMENT FOR*
15 *FIXED INCOME FAMILIES.—*

16 “(i) *IN GENERAL.—In any year in*
17 *which a public housing agency or owner*
18 *does not conduct a review of income for any*
19 *family described in clause (ii) of subparagraph (B) pursuant to the authority under*
20 *clause (i) of such paragraph to waive such*
21 *a review, such family’s prior year’s income*
22 *determination shall, subject to clauses (ii)*
23 *and (iii), be adjusted by applying an infla-*

1 *tional factor as the Secretary shall, by reg-*
2 *ulation or notice, establish.*

3 “(ii) EXEMPTION FROM ADJUST-
4 MENT.—A public housing agency or owner
5 may exempt from an adjustment pursuant
6 to clause (i) any income source for which
7 income does not increase from year to
8 year.”.

9 SEC. 241. Section 8(x)(2) of the United States Housing
10 Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking
11 “18 months” and inserting “36 months”.

12 SEC. 242. (a) ESTABLISHMENT.—The Secretary of
13 Housing and Urban Development shall establish a dem-
14 onstration program during the period beginning on the date
15 of enactment of this Act, and ending on September 30, 2020,
16 entering into budget-neutral, performance-based agreements
17 that result in a reduction in energy or water costs with
18 such entities as the Secretary determines to be appropriate
19 under which the entities shall carry out projects for energy
20 or water conservation improvements at not more than
21 150,000 residential units in multifamily buildings partici-
22 pating in—

23 (1) the Project-Based Rental Assistance program
24 under section 8 of the United States Housing Act of

1 1937 (42 U.S.C. 1437f), other than assistance pro-
2 vided under section 8(o) of that Act;

3 (2) the supportive Housing for the Elderly pro-
4 gram under section 202 of the Housing Act of 1959
5 (12 U.S.C. 1701q); or

6 (3) the supportive Housing for Persons with Dis-
7 abilities program under section 811(d)(2) of the
8 Cranston-Gonzalez National Affordable Housing Act
9 (42 U.S.C. 8013(d)(2)).

10 (b) REQUIREMENTS.—

11 (1) PAYMENTS CONTINGENT ON SAVINGS.—

12 (A) IN GENERAL.—The Secretary shall pro-
13 vide to an entity a payment under an agreement
14 under this section only during applicable years
15 for which an energy or water cost savings is
16 achieved with respect to the applicable multi-
17 family portfolio of properties, as determined by
18 the Secretary, in accordance with subparagraph
19 (B).

20 (B) PAYMENT METHODOLOGY.—

21 (i) IN GENERAL.—Each agreement
22 under this section shall include a pay-for-
23 success provision—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination
of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—
(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

1 (ii) oversight of energy and water con-
2 servation programs, including oversight of
3 contractors; and

4 (iii) raising capital for energy and
5 water conservation improvements from
6 charitable organizations or private inves-
7 tors.

8 (4) *GEOGRAPHICAL DIVERSITY.*—Each agreement
9 entered into under this section shall provide for the
10 inclusion of properties with the greatest feasible re-
11 gional and State variance.

12 (c) *PLAN AND REPORTS.*—

13 (1) *PLAN.*—Not later than 90 days after the date
14 of enactment of this Act, the Secretary shall submit
15 to the House and Senate Committees on Appropriations
16 a detailed plan for the implementation of this
17 section.

18 (2) *REPORTS.*—Not later than 1 year after the
19 date of enactment of this Act, and annually there-
20 after, the Secretary shall—

21 (A) conduct an evaluation of the program
22 under this section; and

23 (B) submit to the House and Senate Com-
24 mittees on Appropriations a report describing

1 *each evaluation conducted under subparagraph
2 (A).*

3 *(d) FUNDING.—For each fiscal year during which an
4 agreement under this section is in effect, the Secretary may
5 use to carry out this section any funds appropriated for
6 the renewal of contracts under a program described in sub-
7 section (a).*

8 *SEC. 243. (a) ESTABLISHMENT.—The Secretary of
9 Housing and Urban Development may establish, through
10 notice in the Federal Register, a demonstration program
11 to incent public housing agencies, as defined in section
12 3(b)(6) of the United States Housing Act of 1937 (in this
13 section referred to as “the Act”), to implement measures to
14 reduce their energy and water consumption.*

15 *(b) ELIGIBILITY.—Public housing agencies that oper-
16 ate public housing programs that meet the demonstration
17 requirements, as determined by the Secretary, shall be eligi-
18 ble for participation in the demonstration.*

19 *(c) INCENTIVE.—The Secretary may provide an incen-
20 tive to an eligible public housing agency that uses capital
21 funds, operating funds, grants, utility rebates, and other re-
22 sources to reduce its energy and/or water consumption in
23 accordance with a plan approved by the Secretary.*

24 *(1) BASE UTILITY CONSUMPTION LEVEL.—The
25 initial base utility consumption level under the ap-*

1 *proved plan shall be set at the public housing agency's*
2 *rolling base consumption level immediately prior to*
3 *the installation of energy conservation measures.*

4 (2) *FIRST YEAR UTILITY COST SAVINGS.—For the*
5 *first year that an approved plan is in effect, the Sec-*
6 *retary shall allocate the utility consumption level in*
7 *the public housing operating fund using the base util-*
8 *ity consumption level.*

9 (3) *SUBSEQUENT YEAR SAVINGS.—For each sub-*
10 *sequent year that the plan is in effect, the Secretary*
11 *shall decrease the utility consumption level by one*
12 *percent of the initial base utility consumption level*
13 *per year until the utility consumption level equals the*
14 *public housing agency's actual consumption level that*
15 *followed the installation of energy conservation meas-*
16 *ures, at which time the plan will terminate.*

17 (4) *USE OF UTILITY COST SAVINGS.—The public*
18 *housing agency may use the funds resulting from the*
19 *energy conservation measures, in accordance with*
20 *paragraphs (2) and (3), for either operating expenses,*
21 *as defined by section 9(e)(1) of the Act, or capital im-*
22 *provements, as defined by section 9(d)(1) of the Act.*

23 (5) *DURATION OF PLAN.—The length in years of*
24 *the utility conservation plan shall not exceed the*
25 *number of percentage points in utility consumption*

1 *reduction a public housing agency achieves through*
2 *the energy conservation measures implemented under*
3 *this demonstration, but in no case shall it exceed 20*
4 *years.*

5 (6) *OTHER REQUIREMENTS.*—*The Secretary may*
6 *establish such other requirements as necessary to fur-*
7 *ther the purposes of this demonstration.*

8 (7) *EVALUATION.*—*Each public housing agency*
9 *participating in the demonstration shall submit to*
10 *the Secretary such performance and evaluation re-*
11 *ports concerning the reduction in energy consumption*
12 *and compliance with the requirements of this section*
13 *as the Secretary may require.*

14 (d) *TERMINATION.*—*Public housing agencies may*
15 *enter into this demonstration for 5 years after the date on*
16 *which the demonstration program is commenced.*

17 SEC. 244. (a) *AUTHORITY.*—*Subject to the conditions*
18 *in subsection (d), the Secretary of Housing and Urban De-*
19 *velopment may authorize, in response to requests received*
20 *in fiscal years 2016 through 2020, the transfer of some or*
21 *all project-based assistance, tenant-based assistance, capital*
22 *advances, debt, and statutorily required use restrictions*
23 *from housing assisted under section 811 of the Cranston-*
24 *Gonzalez National Affordable Housing Act (42 U.S.C. 8013)*
25 *to other new or existing housing, which may include*

1 projects, units, and other types of housing, as permitted by
2 the Secretary.

3 (b) CAPITAL ADVANCES.—Interest shall not be due and
4 repayment of a capital advance shall not be triggered by
5 a transfer pursuant to this section.

6 (c) PHASED AND PROPORTIONAL TRANSFERS.—

7 (1) Transfers under this section may be done in
8 phases to accommodate the financing and other re-
9 quirements related to rehabilitating or constructing
10 the housing to which the assistance is transferred, to
11 ensure that such housing meets the conditions under
12 subsection (d).

13 (2) The capital advance repayment require-
14 ments, use restrictions, rental assistance, and debt
15 shall transfer proportionally from the transferring
16 housing to the receiving housing.

17 (d) CONDITIONS.—The transfers authorized by this sec-
18 tion shall be subject to the following conditions:

19 (1) the owner of the transferring housing shall
20 demonstrate that the transfer is in compliance with
21 applicable Federal, State, and local requirements re-
22 garding Housing for Persons with Disabilities and
23 shall provide the Secretary with evidence of obtaining
24 any approvals related to housing disabled persons

1 *that are necessary under Federal, State, and local*
2 *government requirements;*

3 *(2) the owner of the transferring housing shall*
4 *demonstrate to the Secretary that any transfer is in*
5 *the best interest of the disabled residents by offering*
6 *opportunities for increased integration or less con-*
7 *centration of individuals with disabilities;*

8 *(3) the owner of the transferring housing shall*
9 *continue to provide the same number of units as ap-*
10 *proved for rental assistance by the Secretary in the*
11 *receiving housing;*

12 *(4) the owner of the transferring housing shall*
13 *consult with the disabled residents in the transferring*
14 *housing about any proposed transfer under this sec-*
15 *tion and shall notify the residents of the transferring*
16 *housing who are eligible for assistance to be provided*
17 *in the receiving housing that they shall not be re-*
18 *quired to vacate the transferring housing until the re-*
19 *ceiving housing is available for occupancy;*

20 *(5) the receiving housing shall meet or exceed ap-*
21 *plicable physical standards established or adopted by*
22 *the Secretary; and*

23 *(6) if the receiving housing has a mortgage in-*
24 *sured under title II of the National Housing Act, any*
25 *lien on the receiving housing resulting from addi-*

1 *tional financing shall be subordinate to any federally*
2 *insured mortgage lien transferred to, or placed on,*
3 *such housing, except that the Secretary may waive*
4 *this requirement upon determination that such a*
5 *waiver is necessary to facilitate the financing of ac-*
6 *quisition, construction, or rehabilitation of the receiv-*
7 *ing housing.*

8 (e) *PUBLIC NOTICE.—The Secretary shall publish a*
9 *notice in the Federal Register of the terms and conditions,*
10 *including criteria for the Department's approval of trans-*
11 *fers pursuant to this section no later than 30 days before*
12 *the effective date of such notice.*

13 SEC. 245. (a) *Of the unobligated balances, including*
14 *recaptures and carryover, remaining from funds appro-*
15 *priated to the Department of Housing and Urban Develop-*
16 *ment under the heading “General and Special Risk Pro-*
17 *gram Account”, and for the cost of guaranteed notes and*
18 *other obligations under the heading “Native American*
19 *Housing Block Grants”, \$12,000,000 is hereby rescinded.*

20 (b) *All unobligated balances, including recaptures and*
21 *carryover, remaining from funds appropriated to the De-*
22 *partment of Housing and Urban Development under the*
23 *headings “Rural Housing and Economic Development”,*
24 *and “Homeownership and Opportunity for People Every-*
25 *where Grants” are hereby rescinded.*

1 *SEC. 246. Funds made available in this title under*
2 *the heading “Homeless Assistance Grants” may be used to*
3 *participate in Performance Partnership Pilots authorized*
4 *under section 526 of division H of Public Law 113–76, sec-*
5 *tion 524 of division G of Public Law 113–235, and such*
6 *authorities enacted for Performance Partnership Pilots in*
7 *an appropriations Act for fiscal year 2016. Such participa-*
8 *tion shall be targeted to improving the housing situation*
9 *of disconnected youth.*

10 *SEC. 247. Unobligated balances, including recaptures*
11 *and carryover, remaining from funds appropriated to the*
12 *Department of Housing and Urban Development for ad-*
13 *ministrative costs associated with funds appropriated to the*
14 *Department for specific disaster relief and related purposes*
15 *and designated by Congress as an emergency requirement*
16 *pursuant to a Concurrent Resolution on the Budget or the*
17 *Balanced Budget and Emergency Deficit Control Act, in-*
18 *cluding information technology costs and costs for admin-*
19 *istering and overseeing such specific disaster related funds,*
20 *shall be transferred to the Program Office Salaries and Ex-*
21 *penses, Community Planning and Development account for*
22 *the Department, shall remain available until expended, and*
23 *may be used for such administrative costs for administering*
24 *any funds appropriated to the Department for any disaster*
25 *relief and related purposes in any prior or future act, not-*

1 *withstanding the purposes for which such funds were appro-*
2 *priated: Provided, That amounts transferred pursuant to*
3 *this section that were previously designated by the Congress*
4 *as an emergency requirement pursuant to a Concurrent*
5 *Resolution on the Budget or the Balanced Budget and*
6 *Emergency Deficit Control Act are designated by the Con-*
7 *gress as an emergency requirement pursuant to section*
8 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985 and shall be transferred only*
10 *if the President subsequently so designates the entire trans-*
11 *fer and transmits such designation to the Congress.*

12 *SEC. 248. None of the funds made available under this*
13 *title shall be used to enforce compliance with the Green*
14 *Physical Needs Assessment for public housing agencies with*
15 *250 housing units or less.*

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

1 *TITLE III*2 *RELATED AGENCIES*3 *ACCESS BOARD*4 *SALARIES AND EXPENSES*

5 *For expenses necessary for the Access Board, as author-*
6 *ized by section 502 of the Rehabilitation Act of 1973, as*
7 *amended, \$8,023,000: Provided, That, notwithstanding any*
8 *other provision of law, there may be credited to this approp-*
9 *priation funds received for publications and training ex-*
10 *penses.*

11 *FEDERAL MARITIME COMMISSION*12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Federal Maritime Com-*
14 *mission as authorized by section 201(d) of the Merchant*
15 *Marine Act, 1936, as amended (46 U.S.C. 307), including*
16 *services as authorized by 5 U.S.C. 3109; hire of passenger*
17 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*
18 *forms or allowances therefor, as authorized by 5 U.S.C.*
19 *5901–5902, \$25,660,000: Provided, That not to exceed*
20 *\$2,000 shall be available for official reception and represen-*
21 *tation expenses.*

1 *NATIONAL RAILROAD PASSENGER CORPORATION*2 *OFFICE OF INSPECTOR GENERAL*3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral for the National Railroad Passenger Corporation to*
6 *carry out the provisions of the Inspector General Act of*
7 *1978, as amended, \$23,999,000: Provided, That the Inspec-*
8 *tor General shall have all necessary authority, in carrying*
9 *out the duties specified in the Inspector General Act, as*
10 *amended (5 U.S.C. App. 3), to investigate allegations of*
11 *fraud, including false statements to the government (18*
12 *U.S.C. 1001), by any person or entity that is subject to*
13 *regulation by the National Railroad Passenger Corpora-*
14 *tion: Provided further, That the Inspector General may*
15 *enter into contracts and other arrangements for audits,*
16 *studies, analyses, and other services with public agencies*
17 *and with private persons, subject to the applicable laws and*
18 *regulations that govern the obtaining of such services within*
19 *the National Railroad Passenger Corporation: Provided*
20 *further, That the Inspector General may select, appoint,*
21 *and employ such officers and employees as may be nec-*
22 *essary for carrying out the functions, powers, and duties*
23 *of the Office of Inspector General, subject to the applicable*
24 *laws and regulations that govern such selections, appoint-*
25 *ments, and employment within the Corporation: Provided*

1 further, That concurrent with the President's budget request
2 for fiscal year 2017, the Inspector General shall submit to
3 the House and Senate Committees on Appropriations a
4 budget request for fiscal year 2017 in similar format and
5 substance to those submitted by executive agencies of the
6 Federal Government.

7 *NATIONAL TRANSPORTATION SAFETY BOARD*

8 *SALARIES AND EXPENSES*

9 For necessary expenses of the National Transportation
10 Safety Board, including hire of passenger motor vehicles
11 and aircraft; services as authorized by 5 U.S.C. 3109, but
12 at rates for individuals not to exceed the per diem rate
13 equivalent to the rate for a GS-15; uniforms, or allowances
14 therefor, as authorized by law (5 U.S.C. 5901-5902),
15 \$105,170,000, of which not to exceed \$2,000 may be used
16 for official reception and representation expenses. The
17 amounts made available to the National Transportation
18 Safety Board in this Act include amounts necessary to
19 make lease payments on an obligation incurred in fiscal
20 year 2001 for a capital lease.

21 *NEIGHBORHOOD REINVESTMENT CORPORATION*

22 *PAYMENT TO THE NEIGHBORHOOD REINVESTMENT*

23 *CORPORATION*

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities, as

1 authorized by the Neighborhood Reinvestment Corporation
2 Act (42 U.S.C. 8101–8107), \$140,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram.

5 UNITED STATES INTERAGENCY COUNCIL ON

6 HOMELESSNESS

7 OPERATING EXPENSES

8 For necessary expenses (including payment of salaries,
9 authorized travel, hire of passenger motor vehicles, the rent-
10 al of conference rooms, and the employment of experts and
11 consultants under section 3109 of title 5, United States
12 Code) of the United States Interagency Council on Home-
13 lessness in carrying out the functions pursuant to title II
14 of the McKinney-Vento Homeless Assistance Act, as amend-
15 ed, \$3,530,000. Title II of the McKinney-Vento Homeless
16 Assistance Act (42 U.S.C. 11314) is amended in section
17 204(a) by striking “level V” and inserting “level IV”.

1 **TITLE IV**2 **GENERAL PROVISIONS—THIS ACT**

3 *SEC. 401. None of the funds in this Act shall be used*
4 *for the planning or execution of any program to pay the*
5 *expenses of, or otherwise compensate, non-Federal parties*
6 *intervening in regulatory or adjudicatory proceedings fund-*
7 *ed in this Act.*

8 *SEC. 402. None of the funds appropriated in this Act*
9 *shall remain available for obligation beyond the current fis-*
10 *cal year, nor may any be transferred to other appropria-*
11 *tions, unless expressly so provided herein.*

12 *SEC. 403. The expenditure of any appropriation under*
13 *this Act for any consulting service through a procurement*
14 *contract pursuant to section 3109 of title 5, United States*
15 *Code, shall be limited to those contracts where such expendi-*
16 *tures are a matter of public record and available for public*
17 *inspection, except where otherwise provided under existing*
18 *law, or under existing Executive order issued pursuant to*
19 *existing law.*

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

23 *(1) does not meet identified needs for knowledge,*
24 *skills, and abilities bearing directly upon the perform-*
25 *ance of official duties;*

1 (2) contains elements likely to induce high levels
2 of emotional response or psychological stress in some
3 participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the training
6 and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Employ-
10 ment Opportunity Commission Notice N-915.022,
11 dated September 2, 1988; or

12 (5) is offensive to, or designed to change, partici-
13 pants’ personal values or lifestyle outside the work-
14 place.

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by previous
20 appropriations Acts to the agencies or entities funded in
21 this Act that remain available for obligation or expenditure
22 in fiscal year 2016, or provided from any accounts in the
23 Treasury derived by the collection of fees and available to
24 the agencies funded by this Act, shall be available for obliga-
25 tion or expenditure through a reprogramming of funds that:

1 (1) creates a new program;

2 (2) eliminates a program, project, or activity;

3 (3) increases funds or personnel for any pro-

4 gram, project, or activity for which funds have been

5 denied or restricted by the Congress;

6 (4) proposes to use funds directed for a specific

7 activity by either the House or Senate Committees on

8 Appropriations for a different purpose;

9 (5) augments existing programs, projects, or ac-

10 tivities in excess of \$5,000,000 or 10 percent, which-

11 ever is less;

12 (6) reduces existing programs, projects, or activi-

13 ties by \$5,000,000 or 10 percent, whichever is less; or

14 (7) creates, reorganizes, or restructures a branch,

15 division, office, bureau, board, commission, agency,

16 administration, or department different from the

17 budget justifications submitted to the Committees on

18 Appropriations or the table accompanying the explan-

19 atory statement accompanying this Act, whichever is

20 more detailed, unless prior approval is received from

21 the House and Senate Committees on Appropriations:

22 Provided, That not later than 60 days after the date

23 of enactment of this Act, each agency funded by this

24 Act shall submit a report to the House and Senate

25 Committees on Appropriations to establish the base-

1 line for application of reprogramming and transfer
2 authorities for the current fiscal year: Provided fur-
3 ther, That the report shall include:

4 (A) a table for each appropriation with a
5 separate column to display the prior year en-
6 acted level, the President's budget request, adjust-
7 ments made by Congress, adjustments due to en-
8 acted rescissions, if appropriate, and the fiscal
9 year enacted level;

10 (B) a delineation in the table for each ap-
11 propriation and its respective prior year enacted
12 level by object class and program, project, and
13 activity as detailed in the budget appendix for
14 the respective appropriation; and

15 (C) an identification of items of special con-
16 gressional interest: Provided further, That the
17 amount appropriated or limited for salaries and
18 expenses for an agency shall be reduced by
19 \$100,000 per day for each day after the required
20 date that the report has not been submitted to the
21 House and Senate Committees on Appropriations.

23 SEC. 406. Except as otherwise specifically provided by
24 law, not to exceed 50 percent of unobligated balances re-
25 maining available at the end of fiscal year 2016 from ap-

1 *appropriations made available for salaries and expenses for*
2 *fiscal year 2016 in this Act, shall remain available through*
3 *September 30, 2017, for each such account for the purposes*
4 *authorized: Provided, That a request shall be submitted to*
5 *the House and Senate Committees on Appropriations for*
6 *approval prior to the expenditure of such funds: Provided*
7 *further, That these requests shall be made in compliance*
8 *with reprogramming guidelines under section 405 of this*
9 *Act.*

10 *SEC. 407. No funds in this Act may be used to support*
11 *any Federal, State, or local projects that seek to use the*
12 *power of eminent domain, unless eminent domain is em-*
13 *ployed only for a public use: Provided, That for purposes*
14 *of this section, public use shall not be construed to include*
15 *economic development that primarily benefits private enti-*
16 *ties: Provided further, That any use of funds for mass tran-*
17 *sit, railroad, airport, seaport or highway projects, as well*
18 *as utility projects which benefit or serve the general public*
19 *(including energy-related, communication-related, water-re-*
20 *lated and wastewater-related infrastructure), other struc-*
21 *tures designated for use by the general public or which have*
22 *other common-carrier or public-utility functions that serve*
23 *the general public and are subject to regulation and over-*
24 *sight by the government, and projects for the removal of an*
25 *immediate threat to public health and safety or brownfields*

1 as defined in the Small Business Liability Relief and
2 Brownsfield Revitalization Act (Public Law 107–118) shall
3 be considered a public use for purposes of eminent domain.

4 SEC. 408. All Federal agencies and departments that
5 are funded under this Act shall issue a report to the House
6 and Senate Committees on Appropriations on all sole-
7 source contracts by no later than July 30, 2016. Such report
8 shall include the contractor, the amount of the contract and
9 the rationale for using a sole-source contract.

10 SEC. 409. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except pur-
13 suant to a transfer made by, or transfer authority provided
14 in, this Act or any other appropriations Act.

15 SEC. 410. None of the funds made available in this
16 Act shall be available to pay the salary for any person fill-
17 ing a position, other than a temporary position, formerly
18 held by an employee who has left to enter the Armed Forces
19 of the United States and has satisfactorily completed his
20 or her period of active military or naval service, and has
21 within 90 days after his or her release from such service
22 or from hospitalization continuing after discharge for a pe-
23 riod of not more than 1 year, made application for restora-
24 tion to his or her former position and has been certified
25 by the Office of Personnel Management as still qualified to

1 *perform the duties of his or her former position and has*
2 *not been restored thereto.*

3 *SEC. 411. None of the funds made available in this*
4 *Act may be expended by an entity unless the entity agrees*
5 *that in expending the assistance the entity will comply with*
6 *sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
7 *10a–10c, popularly known as the “Buy American Act”).*

8 *SEC. 412. None of the funds made available in this*
9 *Act shall be made available to any person or entity that*
10 *has been convicted of violating the Buy American Act (41*
11 *U.S.C. 10a–10c).*

12 *SEC. 413. None of the funds made available in this*
13 *Act may be used for first-class airline accommodations in*
14 *contravention of sections 301–10.122 and 301–10.123 of*
15 *title 41, Code of Federal Regulations.*

16 *SEC. 414. (a) None of the funds made available in this*
17 *Act may be used to approve a new foreign air carrier per-*
18 *mit under sections 41301 through 41305 of title 49, United*
19 *States Code, or exemption application under section 40109*
20 *of that title of an air carrier already holding an air opera-*
21 *tors certificate issued by a country that is party to the*
22 *U.S.–E.U.–Iceland–Norway Air Transport Agreement*
23 *where such approval would contravene United States law*
24 *or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air*
25 *Transport Agreement.*

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

7 SEC. 415. None of the funds made available in this
8 Act may be used to send or otherwise pay for the attendance
9 of more than 50 employees of a single agency or department
10 of the United States Government, who are stationed in the
11 United States, at any single international conference unless
12 the relevant Secretary reports to the House and Senate
13 Committees on Appropriations at least 5 days in advance
14 that such attendance is important to the national interest:
15 Provided, That for purposes of this section the term “inter-
16 national conference” shall mean a conference occurring out-
17 side of the United States attended by representatives of the
18 United States Government and of foreign governments,
19 international organizations, or nongovernmental organiza-
20 tions.

21 This Act may be cited as the “Transportation, Hous-
22 ing and Urban Development, and Related Agencies Approp-
23 priations Act, 2016”.

Calendar No. 138

**114TH CONGRESS
1ST SESSION
H. R. 2577**

[Report No. 114-75]

AN ACT

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.

JUNE 10, 2015

Received; read twice and referred to the Committee on Appropriations

JUNE 25, 2015

Reported with an amendment