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114TH CONGRESS
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H. R. _____

[Report No. 114-____]

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

IN THE HOUSE OF REPRESENTATIVES

____ --, 2015

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

A BILL

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

1 \$2,029,000 shall be available for the Office of Public Af-
2 fairs; not to exceed \$1,769,000 shall be available for the
3 Office of the Executive Secretariat; not to exceed
4 \$10,793,000 shall be available for the Office of Intel-
5 ligence, Security, and Emergency Response; and not to ex-
6 ceed \$15,937,000 shall be available for the Office of the
7 Chief Information Officer: *Provided*, That the Secretary
8 of Transportation is authorized to transfer funds appro-
9 priated for any office of the Office of the Secretary to any
10 other office of the Office of the Secretary: *Provided fur-*
11 *ther*, That no appropriation for any office shall be in-
12 creased or decreased by more than 5 percent by all such
13 transfers: *Provided further*, That notice of any change in
14 funding greater than 5 percent shall be submitted for ap-
15 proval to the House and Senate Committees on Appropria-
16 tions: *Provided further*, That not to exceed \$60,000 shall
17 be for allocation within the Department for official recep-
18 tion and representation expenses as the Secretary may de-
19 termine: *Provided further*, That notwithstanding any other
20 provision of law, excluding fees authorized in Public Law
21 107–71, there may be credited to this appropriation up
22 to \$2,500,000 in funds received in user fees: *Provided fur-*
23 *ther*, That none of the funds provided in this Act shall
24 be available for the position of Assistant Secretary for
25 Public Affairs.

1 RESEARCH AND TECHNOLOGY

2 For necessary expenses related to the Office of the
3 Assistant Secretary for Research and Technology,
4 \$11,386,000, of which \$8,218,000 shall remain available
5 until September 30, 2018: *Provided*, That there may be
6 credited to this appropriation, to be available until ex-
7 pended, funds received from States, counties, municipali-
8 ties, other public authorities, and private sources for ex-
9 penses incurred for training: *Provided further*, That any
10 reference in law, regulation, judicial proceedings, or else-
11 where to the Research and Innovative Technology Admin-
12 istration shall continue to be deemed to be a reference to
13 the Office of the Assistant Secretary for Research and
14 Technology of the Department of Transportation.

15 NATIONAL INFRASTRUCTURE INVESTMENTS

16 For capital investments in surface transportation in-
17 frastructure, \$100,000,000, to remain available through
18 September 30, 2018: *Provided*, That the Secretary of
19 Transportation shall distribute funds provided under this
20 heading as discretionary grants to be awarded to a State,
21 local government, transit agency, or a collaboration among
22 such entities on a competitive basis for projects that will
23 have a significant impact on the Nation, a metropolitan
24 area, or a region: *Provided further*, That projects eligible
25 for funding provided under this heading shall include, but

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

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

1 FINANCIAL MANAGEMENT CAPITAL

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

6 CYBER SECURITY INITIATIVES

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

18 OFFICE OF CIVIL RIGHTS

19 For necessary expenses of the Office of Civil Rights,
20 \$9,600,000.

21 TRANSPORTATION PLANNING, RESEARCH, AND

22 DEVELOPMENT

23 For necessary expenses for conducting transportation
24 planning, research, systems development, development ac-

1 tivities, and making grants, to remain available until ex-
2 pended, \$5,976,000.

3 WORKING CAPITAL FUND

4 For necessary expenses for operating costs and cap-
5 ital outlays of the Working Capital Fund, not to exceed
6 \$181,500,000 shall be paid from appropriations made
7 available to the Department of Transportation: *Provided*,
8 That such services shall be provided on a competitive basis
9 to entities within the Department of Transportation: *Pro-*
10 *vided further*, That the above limitation on operating ex-
11 penses shall not apply to non-DOT entities: *Provided fur-*
12 *ther*, That no funds appropriated in this Act to an agency
13 of the Department shall be transferred to the Working
14 Capital Fund without majority approval of the Working
15 Capital Fund Steering Committee and approval of the
16 Secretary: *Provided further*, That no assessments may be
17 levied against any program, budget activity, subactivity or
18 project funded by this Act unless notice of such assess-
19 ments and the basis therefor are presented to the House
20 and Senate Committees on Appropriations and are ap-
21 proved by such Committees.

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

23 For the cost of guaranteed loans, \$336,000, as au-
24 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
25 cluding the cost of modifying such loans, shall be as de-

1 fined in section 502 of the Congressional Budget Act of
2 1974: *Provided further*, That these funds are available to
3 subsidize total loan principal, any part of which is to be
4 guaranteed, not to exceed \$18,367,000.

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

7 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
8 OUTREACH

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

15 PAYMENTS TO AIR CARRIERS

16 (AIRPORT AND AIRWAY TRUST FUND)

17 In addition to funds made available from any other
18 source to carry out the essential air service program under
19 49 U.S.C. 41731 through 41742, \$155,000,000, to be de-
20 rived from the Airport and Airway Trust Fund, to remain
21 available until expended: *Provided*, That in determining
22 between or among carriers competing to provide service
23 to a community, the Secretary may consider the relative
24 subsidy requirements of the carriers: *Provided further*,
25 That basic essential air service minimum requirements

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

16 ADMINISTRATIVE PROVISIONS

17 SEC. 101. None of the funds made available in this
18 Act to the Department of Transportation may be obligated
19 for the Office of the Secretary of Transportation to ap-
20 prove assessments or reimbursable agreements pertaining
21 to funds appropriated to the modal administrations in this
22 Act, except for activities underway on the date of enact-
23 ment of this Act, unless such assessments or agreements
24 have completed the normal reprogramming process for
25 Congressional notification.

1 SEC. 102. The Secretary or his designee may engage
2 in activities with States and State legislators to consider
3 proposals related to the reduction of motorcycle fatalities.

4 SEC. 103. Notwithstanding section 3324 of title 31,
5 United States Code, in addition to authority provided by
6 section 327 of title 49, United States Code, the Depart-
7 ment's Working Capital Fund is hereby authorized to pro-
8 vide payments in advance to vendors that are necessary
9 to carry out the Federal transit pass transportation fringe
10 benefit program under Executive Order 13150 and section
11 3049 of Public Law 109-59: *Provided*, That the Depart-
12 ment shall include adequate safeguards in the contract
13 with the vendors to ensure timely and high-quality per-
14 formance under the contract.

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

20 SEC. 105. In addition to authority provided by section
21 327 of title 49, United States Code, the Department's
22 Working Capital Fund is hereby authorized to provide
23 partial or full payments in advance and accept subsequent
24 reimbursements from all Federal agencies for transit ben-
25 efit distribution services that are necessary to carry out

1 the Federal transit pass transportation fringe benefit pro-
2 gram under Executive Order 13150 and section 3049 of
3 Public Law 109–59: *Provided*, That the Department shall
4 maintain a reasonable operating reserve in the Working
5 Capital Fund, to be expended in advance to provide unin-
6 terrupted transit benefits to Government employees, pro-
7 vided that such reserve will not exceed one month of bene-
8 fits payable: *Provided further*, that such reserve may be
9 used only for the purpose of providing for the continuation
10 of transit benefits, provided that the Working Capital
11 Fund will be fully reimbursed by each customer agency
12 for the actual cost of the transit benefit.

13 FEDERAL AVIATION ADMINISTRATION

14 OPERATIONS

15 (AIRPORT AND AIRWAY TRUST FUND)

16 For necessary expenses of the Federal Aviation Ad-
17 ministration, not otherwise provided for, including oper-
18 ations and research activities related to commercial space
19 transportation, administrative expenses for research and
20 development, establishment of air navigation facilities, the
21 operation (including leasing) and maintenance of aircraft,
22 subsidizing the cost of aeronautical charts and maps sold
23 to the public, lease or purchase of passenger motor vehi-
24 cles for replacement only, in addition to amounts made
25 available by Public Law 112–95, \$9,869,700,000 of which

1 \$8,831,250,000 shall be derived from the Airport and Air-
2 way Trust Fund, of which not to exceed \$7,505,293,000
3 shall be available for air traffic organization activities; not
4 to exceed \$1,258,411,000 shall be available for aviation
5 safety activities; not to exceed \$16,605,000 shall be avail-
6 able for commercial space transportation activities; not to
7 exceed \$741,000,000 shall be available for finance and
8 management activities; not to exceed \$60,089,000 shall be
9 available for NextGen and operations planning activities;
10 and not to exceed \$288,302,000 shall be available for staff
11 offices: *Provided*, That not to exceed 2 percent of any
12 budget activity, except for aviation safety budget activity,
13 may be transferred to any budget activity under this head-
14 ing: *Provided further*, That no transfer may increase or
15 decrease any appropriation by more than 2 percent: *Pro-*
16 *vided further*, That any transfer in excess of 2 percent
17 shall be treated as a reprogramming of funds under sec-
18 tion 405 of this Act and shall not be available for obliga-
19 tion or expenditure except in compliance with the proce-
20 dures set forth in that section: *Provided further*, That not
21 later than March 31 of each fiscal year hereafter, the Ad-
22 ministrator of the Federal Aviation Administration shall
23 transmit to Congress an annual update to the report sub-
24 mitted to Congress in December 2004 pursuant to section
25 221 of Public Law 108–176: *Provided further*, That the

1 amount herein appropriated shall be reduced by \$100,000
2 for each day after March 31 that such report has not been
3 submitted to the Congress: *Provided further*, That not
4 later than March 31 of each fiscal year hereafter, the Ad-
5 ministrator shall transmit to Congress a companion report
6 that describes a comprehensive strategy for staffing, hir-
7 ing, and training flight standards and aircraft certification
8 staff in a format similar to the one utilized for the con-
9 troller staffing plan, including stated attrition estimates
10 and numerical hiring goals by fiscal year: *Provided further*,
11 That the amount herein appropriated shall be reduced by
12 \$100,000 per day for each day after March 31 that such
13 report has not been submitted to Congress: *Provided fur-*
14 *ther*, That funds may be used to enter into a grant agree-
15 ment with a nonprofit standard-setting organization to as-
16 sist in the development of aviation safety standards: *Pro-*
17 *vided further*, That none of the funds in this Act shall be
18 available for new applicants for the second career training
19 program: *Provided further*, That none of the funds in this
20 Act shall be available for the Federal Aviation Administra-
21 tion to finalize or implement any regulation that would
22 promulgate new aviation user fees not specifically author-
23 ized by law after the date of the enactment of this Act:
24 *Provided further*, That there may be credited to this appro-
25 priation as offsetting collections funds received from

1 States, counties, municipalities, foreign authorities, other
2 public authorities, and private sources for expenses in-
3 curred in the provision of agency services, including re-
4 cepts for the maintenance and operation of air navigation
5 facilities, and for issuance, renewal or modification of cer-
6 tificates, including airman, aircraft, and repair station cer-
7 tificates, or for tests related thereto, or for processing
8 major repair or alteration forms: *Provided further*, That
9 of the funds appropriated under this heading, not less
10 than \$154,400,000 shall be for the contract tower pro-
11 gram, including the contract tower cost share program:
12 *Provided further*, That none of the funds in this Act for
13 aeronautical charting and cartography are available for ac-
14 tivities conducted by, or coordinated through, the Working
15 Capital Fund.

16 FACILITIES AND EQUIPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

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

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

1 That the amount herein appropriated shall be reduced by
2 \$100,000 per day for each day after the initial submission
3 of the fiscal year 2017 President's budget that such report
4 has not been submitted to Congress.

5 RESEARCH, ENGINEERING, AND DEVELOPMENT

6 (AIRPORT AND AIRWAY TRUST FUND)

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

19 GRANTS-IN-AID FOR AIRPORTS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (LIMITATION ON OBLIGATIONS)

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For liquidation of obligations incurred for grants-in-
24 aid for airport planning and development, and noise com-
25 patibility planning and programs as authorized under sub-

1 chapter I of chapter 471 and subchapter I of chapter 475
2 of title 49, United States Code, and under other law au-
3 thorizing such obligations; for procurement, installation,
4 and commissioning of runway incursion prevention devices
5 and systems at airports of such title; for grants authorized
6 under section 41743 of title 49, United States Code; and
7 for inspection activities and administration of airport safe-
8 ty programs, including those related to airport operating
9 certificates under section 44706 of title 49, United States
10 Code, \$3,600,000,000, to be derived from the Airport and
11 Airway Trust Fund and to remain available until ex-
12 pended: *Provided*, That none of the funds under this head-
13 ing shall be available for the planning or execution of pro-
14 grams the obligations for which are in excess of
15 \$3,350,000,000 in fiscal year 2016, notwithstanding sec-
16 tion 47117(g) of title 49, United States Code: *Provided*
17 *further*, That none of the funds under this heading shall
18 be available for the replacement of baggage conveyor sys-
19 tems, reconfiguration of terminal baggage areas, or other
20 airport improvements that are necessary to install bulk ex-
21 plosive detection systems: *Provided further*, That notwith-
22 standing any other provision of law, of funds limited under
23 this heading, not more than \$107,100,000 shall be obli-
24 gated for administration, not less than \$15,000,000 shall
25 be available for the Airport Cooperative Research Pro-

1 gram, and not less than \$31,000,000 shall be available
2 for Airport Technology Research.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 110. None of the funds in this Act may be used
5 to compensate in excess of 600 technical staff-years under
6 the federally funded research and development center con-
7 tract between the Federal Aviation Administration and the
8 Center for Advanced Aviation Systems Development dur-
9 ing fiscal year 2016.

10 SEC. 111. None of the funds in this Act shall be used
11 to pursue or adopt guidelines or regulations requiring air-
12 port sponsors to provide to the Federal Aviation Adminis-
13 tration without cost building construction, maintenance,
14 utilities and expenses, or space in airport sponsor-owned
15 buildings for services relating to air traffic control, air
16 navigation, or weather reporting: *Provided*, That the pro-
17 hibition of funds in this section does not apply to negotia-
18 tions between the agency and airport sponsors to achieve
19 agreement on below-market rates for these items or to
20 grant assurances that require airport sponsors to provide
21 land without cost to the FAA for air traffic control facili-
22 ties.

23 SEC. 112. The Administrator of the Federal Aviation
24 Administration may reimburse amounts made available to
25 satisfy 49 U.S.C. 41742(a)(1) from fees credited under

1 49 U.S.C. 45303 and any amount remaining in such ac-
2 count at the close of that fiscal year may be made available
3 to satisfy section 41742(a)(1) for the subsequent fiscal
4 year.

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

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

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

20 SEC. 116. None of the funds in this Act may be obli-
21 gated or expended for retention bonuses for an employee
22 of the Federal Aviation Administration without the prior
23 written approval of the Assistant Secretary for Adminis-
24 tration of the Department of Transportation.

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

13 SEC. 118. None of the funds in this Act shall be avail-
14 able for salaries and expenses of more than 9 political and
15 Presidential appointees in the Federal Aviation Adminis-
16 tration.

17 SEC. 119. None of the funds made available under
18 this Act may be used to increase fees pursuant to section
19 44721 of title 49, United States Code, until the FAA pro-
20 vides to the House and Senate Committees on Appropria-
21 tions a report that justifies all fees related to aeronautical
22 navigation products and explains how such fees are con-
23 sistent with Executive Order 13642.

24 SEC. 119A. None of the funds in this Act may be
25 used to close a regional operations center of the Federal

1 Aviation Administration or reduce its services unless the
2 Administrator notifies the House and Senate Committees
3 on Appropriations not less than 90 full business days in
4 advance.

5 FEDERAL HIGHWAY ADMINISTRATION
6 LIMITATION ON ADMINISTRATIVE EXPENSES
7 (HIGHWAY TRUST FUND)
8 (INCLUDING TRANSFER OF FUNDS)

9 Contingent upon enactment of authorization legisla-
10 tion, not to exceed \$426,100,000, together with advances
11 and reimbursements received by the Federal Highway Ad-
12 ministration, shall be obligated for necessary expenses for
13 administration and operation of the Federal Highway Ad-
14 ministration. In addition, not to exceed \$3,248,000 shall
15 be transferred to the Appalachian Regional Commission
16 in accordance with section 104 of title 23, United States
17 Code.

18 FEDERAL-AID HIGHWAYS
19 (LIMITATION ON OBLIGATIONS)
20 (HIGHWAY TRUST FUND)

21 Contingent upon enactment of authorization legisla-
22 tion, funds available for the implementation or execution
23 of Federal-aid highway and highway safety construction
24 programs authorized under titles 23 and 49, United States
25 Code, and the provisions of such authorization legislation

1 shall not exceed total obligations of \$40,256,000,000 for
2 fiscal year 2016: *Provided*, That the Secretary may collect
3 and spend fees, as authorized by title 23, United States
4 Code, to cover the costs of services of expert firms, includ-
5 ing counsel, in the field of municipal and project finance
6 to assist in the underwriting and servicing of Federal cred-
7 it instruments and all or a portion of the costs to the Fed-
8 eral Government of servicing such credit instruments: *Pro-*
9 *vided further*, That such fees are available until expended
10 to pay for such costs: *Provided further*, That such amounts
11 are in addition to administrative expenses that are also
12 available for such purpose, and are not subject to any obli-
13 gation limitation or the limitation on administrative ex-
14 penses under section 608 of title 23, United States Code.

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (HIGHWAY TRUST FUND)

17 Contingent upon enactment of authorization legisla-
18 tion, for the payment of obligations incurred in carrying
19 out Federal-aid highway and highway safety construction
20 programs authorized under title 23, United States Code,
21 \$40,995,000,000 derived from the Highway Trust Fund
22 (other than the Mass Transit Account), to remain avail-
23 able until expended.

1 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

2 ADMINISTRATION

3 SEC. 120. Contingent upon enactment of authoriza-
4 tion legislation:

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

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

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

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

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

17 (A) made available from the Highway
18 Trust Fund (other than the Mass Transit Ac-
19 count) for Federal-aid highway and highway
20 safety construction programs for previous fiscal
21 years the funds for which are allocated by the
22 Secretary (or apportioned by the Secretary
23 under sections 202 or 204 of title 23, United
24 States Code); and

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

3 (3) determine the proportion that—

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

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

20 (4) distribute the obligation limitation for Fed-
21 eral-aid highways, less the aggregate amounts not
22 distributed under paragraphs (1) and (2), for each
23 of the programs (other than programs to which
24 paragraph (1) applies) that are allocated by the Sec-
25 retary under such authorization legislation and title

1 23, United States Code, or apportioned by the Sec-
2 retary under sections 202 or 204 of that title, by
3 multiplying—

4 (A) the proportion determined under para-
5 graph (3); by

6 (B) the amounts authorized to be appro-
7 priated for each such program for such fiscal
8 year; and

9 (5) distribute the obligation limitation for Fed-
10 eral-aid highways, less the aggregate amounts not
11 distributed under paragraphs (1) and (2) and the
12 amounts distributed under paragraph (4), for Fed-
13 eral-aid highway and highway safety construction
14 programs that are apportioned by the Secretary
15 under such authorization legislation or title 23,
16 United States Code (other than the amounts appor-
17 tioned for the National Highway Performance Pro-
18 gram in section 119 of title 23, United States Code,
19 that are exempt from the limitation under subsection
20 (b)(12) and the amounts apportioned under sections
21 202 and 204 of that title) in the proportion that—

22 (A) amounts authorized to be appropriated
23 for the programs that are apportioned under
24 title 23, United States Code, or such authoriza-

1 tion legislation to each State for such fiscal
2 year; bears to

3 (B) the total of the amounts authorized to
4 be appropriated for the programs that are ap-
5 portioned under title 23, United States Code, or
6 such authorization legislation to all States for
7 such fiscal year.

8 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

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

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

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

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

17 (4) subsections (b) and (j) of section 131 of the
18 Surface Transportation Assistance Act of 1982 (96
19 Stat. 2119);

20 (5) subsections (b) and (c) of section 149 of the
21 Surface Transportation and Uniform Relocation As-
22 sistance Act of 1987 (101 Stat. 198);

23 (6) sections 1103 through 1108 of the Inter-
24 modal Surface Transportation Efficiency Act of
25 1991 (105 Stat. 2027);

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

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

7 (9) Federal-aid highway programs for which ob-
8 ligation authority was made available under the
9 Transportation Equity Act for the 21st Century
10 (112 Stat. 107) or subsequent Acts for multiple
11 years or to remain available until expended, but only
12 to the extent that the obligation authority has not
13 lapsed or been used;

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

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

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

4 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
5 THORITY.—Notwithstanding subsection (a), the Secretary
6 shall, after August 1 of such fiscal year—

7 (1) revise a distribution of the obligation limita-
8 tion made available under subsection (a) if an
9 amount distributed cannot be obligated during that
10 fiscal year; and

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

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

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

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

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

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

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

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

13 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
14 FUNDS.—

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

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

24 (B) the Secretary determines will not be
25 allocated to the States (or will not be appor-

1 tioned to the States under section 204 of title
2 23, United States Code), and will not be avail-
3 able for obligation, for such fiscal year because
4 of the imposition of any obligation limitation for
5 such fiscal year.

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

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

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

23 **SEC. 122.** Not less than 15 days prior to waiving,
24 under his or her statutory authority, any Buy America re-
25 quirement for Federal-aid highways projects, the Sec-

1 retary of Transportation shall make an informal public no-
2 tice and comment opportunity on the intent to issue such
3 waiver and the reasons therefor: *Provided*, That the Sec-
4 retary shall provide an annual report to the House and
5 Senate Committees on Appropriations on any waivers
6 granted under the Buy America requirements.

7 SEC. 123. None of the funds in this Act to the De-
8 partment of Transportation may be used to provide credit
9 assistance unless not less than 3 days before any applica-
10 tion approval to provide credit assistance under sections
11 603 and 604 of title 23, United States Code, the Secretary
12 of Transportation provides notification in writing to the
13 following committees: the House and Senate Committees
14 on Appropriations; the Committee on Environment and
15 Public Works and the Committee on Banking, Housing
16 and Urban Affairs of the Senate; and the Committee on
17 Transportation and Infrastructure of the House of Rep-
18 resentatives: *Provided*, That such notification shall in-
19 clude, but not be limited to, the name of the project spon-
20 sor; a description of the project; whether credit assistance
21 will be provided as a direct loan, loan guarantee, or line
22 of credit; and the amount of credit assistance.

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

1 “ (m) LONGER COMBINATION VEHICLES IN
2 IDAHO.—No limit or other prohibition under this section,
3 except as provided in this subsection, applies to a longer
4 combination vehicle operating on a segment of the Inter-
5 state System in the State of Idaho if such vehicle—

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

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

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

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

20 SEC. 126. EXEMPTION.—

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

23 (1) by striking “Nebraska may” and inserting “Ne-
24 braska and Kansas may”; and

1 (2) by striking “the State of Nebraska” and inserting
2 “the relevant state”.

3 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

4 Section 31112(c) of such title is amended—

5 (1) by striking the subsection designation and head-
6 ing and inserting the following:

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

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

11 (3) by striking the period at the end of paragraph
12 (4) and inserting “; and”.

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 Contingent upon enactment of authorization legisla-
19 tion, for payment of obligations incurred in the implemen-
20 tation, execution and administration of motor carrier safe-
21 ty operations and programs pursuant to section 31104(i)
22 of title 49, United States Code, and sections 4127 and
23 4134 of Public Law 109–59, as amended by Public Law
24 112–141, and as extended by Public Law 113–159,
25 \$259,000,000, to be derived from the Highway Trust

1 Fund (other than the Mass Transit Account), together
2 with advances and reimbursements received by the Fed-
3 eral Motor Carrier Safety Administration, the sum of
4 which shall remain available until expended: *Provided*,
5 That funds available for implementation, execution or ad-
6 ministration of motor carrier safety operations and pro-
7 grams authorized under title 49, United States Code, and
8 sections 4127 and 4134 of Public Law 109–59, as amend-
9 ed by Public Law 112–141, and as extended by Public
10 Law 113–159, shall not exceed total obligations of
11 \$259,000,000 for “Motor Carrier Safety Operations and
12 Programs” for fiscal year 2016, of which \$9,000,000, to
13 remain available for obligation until September 30, 2018,
14 is for the research and technology program, and of which
15 \$34,545,000, to remain available for obligation until Sep-
16 tember 30, 2018, is for information management: *Pro-*
17 *vided further*, That \$1,000,000 shall be made available for
18 commercial motor vehicle operator grants to carry out sec-
19 tion 4134 of Public Law 109–59, as amended by Public
20 Law 112–141, and as extended by Public Law 113-159.

1 MOTOR CARRIER SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 Contingent upon enactment of authorization legisla-
6 tion, for payment of obligations incurred in carrying out
7 sections 31102, 31104(a), 31106, 31107, 31109, 31309,
8 31313 of title 49, United States Code, and sections 4126
9 and 4128 of Public Law 109–59, as amended by Public
10 Law 112–141, as extended by Public Law 113–159,
11 \$313,000,000, to be derived from the Highway Trust
12 Fund (other than the Mass Transit Account) and to re-
13 main available until expended: *Provided*, That funds avail-
14 able for the implementation or execution of motor carrier
15 safety programs shall not exceed total obligations of
16 \$313,000,000 in fiscal year 2016 for “Motor Carrier Safe-
17 ty Grants”; of which \$218,000,000 shall be available for
18 the motor carrier safety assistance program, \$30,000,000
19 shall be available for commercial driver’s license program
20 improvement grants, \$32,000,000 shall be available for
21 border enforcement grants, \$5,000,000 shall be available
22 for performance and registration information system man-
23 agement grants, \$25,000,000 shall be available for the
24 commercial vehicle information systems and networks de-
25 ployment program, and \$3,000,000 shall be available for

1 safety data improvement grants: *Provided further*, That,
2 of the funds made available herein for the motor carrier
3 safety assistance program, \$32,000,000 shall be available
4 for audits of new entrant motor carriers.

5 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
6 CARRIER SAFETY ADMINISTRATION

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

11 SEC. 131. The Federal Motor Carrier Safety Admin-
12 istration shall send notice of 49 CFR section 385.308 vio-
13 lations by certified mail, registered mail, or another man-
14 ner of delivery, which records the receipt of the notice by
15 the persons responsible for the violations.

16 SEC. 132. None of the funds appropriated or other-
17 wise made available by this Act or any other Act may be
18 used to implement, administer, or enforce sections
19 395.3(e) and 395.3(d) of title 49, Code of Federal Regula-
20 tions, and such section shall have no force or effect on
21 submission of the final report issued by the Secretary, as
22 required by section 133 of Division K of Public Law 113-
23 235, unless the Secretary and the Inspector General of
24 the Department of Transportation each review and deter-
25 mine that the final report—

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

3 (2) establishes that commercial motor vehicle
4 drivers who operated under the restart provisions in
5 effect between July 1, 2013, and the day before the
6 date of enactment of such Public Law demonstrated
7 statistically significant improvement in all outcomes
8 related to safety, operator fatigue, driver health and
9 longevity, and work schedules, in comparison to
10 commercial motor vehicle drivers who operated
11 under the restart provisions in effect on June 30,
12 2013.

13 SEC. 133. None of the funds limited or otherwise
14 made available under the heading “Motor Carrier Safety
15 Operations and Programs” may be used to deny an appli-
16 cation to renew a Hazardous Materials Safety Program
17 permit for a motor carrier based on that carrier’s Haz-
18 ardous Materials Out-of-Service rate, unless the carrier
19 has the opportunity to submit a written description of cor-
20 rective actions taken, and other documentation the carrier
21 wishes the Secretary to consider, including submitting a
22 corrective action plan, and the Secretary determines the
23 actions or plan is insufficient to address the safety con-
24 cerns that resulted in that Hazardous Materials Out-of-
25 Service rate.

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

8 SEC. 135. None of the funds made available by this
9 Act or previous appropriations Acts under the heading
10 “Motor Carrier Safety Operations and Programs” shall be
11 used to pay for costs associated with design, development,
12 testing, or implementation of a wireless roadside inspec-
13 tion program until 180 days after the Secretary of Trans-
14 portation certifies to the House and Senate Committees
15 on Appropriations that such program does not conflict
16 with existing non-Federal electronic screening systems,
17 create capabilities already available, or require additional
18 statutory authority to incorporate generated inspection
19 data into safety determinations or databases, and has re-
20 strictions to specifically address privacy concerns of af-
21 fected motor carriers and operators: *Provided*, That noth-
22 ing in this section shall be construed as affecting the De-
23 partment’s ongoing research efforts in this area.

1 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
2 OPERATIONS AND RESEARCH

3 For expenses necessary to discharge the functions of
4 the Secretary, with respect to traffic and highway safety
5 authorized under chapter 301 and part C of subtitle VI
6 of title 49, United States Code, \$150,000,000, of which
7 \$20,000,000 shall remain available through September
8 30, 2017.

9 OPERATIONS AND RESEARCH
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 the provisions of 23 U.S.C. 403, and chapter 303 of title
16 49, United States Code, \$125,000,000, to be derived from
17 the Highway Trust Fund (other than the Mass Transit
18 Account) and to remain available until expended: *Pro-*
19 *vided*, That none of the funds in this Act shall be available
20 for the planning or execution of programs the total obliga-
21 tions for which, in fiscal year 2016, are in excess of
22 \$125,000,000, of which \$120,000,000 shall be for pro-
23 grams authorized under 23 U.S.C. 403 and \$5,000,000
24 shall be for the National Driver Register authorized under
25 chapter 303 of title 49, United States Code: *Provided fur-*

1 *ther*, That within the \$120,000,000 obligation limitation
2 for operations and research, \$20,000,000 shall remain
3 available until September 30, 2017, and shall be in addi-
4 tion to the amount of any limitation imposed on obliga-
5 tions for future years: *Provided further*, That \$6,500,000
6 of the total obligation limitation for operations and re-
7 search in fiscal year 2016 shall be applied toward unobli-
8 gated balances of contract authority provided in prior Acts
9 for carrying out the provisions of 23 U.S.C. 403, and
10 chapter 303 of title 49, United States Code.

11 HIGHWAY TRAFFIC SAFETY GRANTS
12 (LIQUIDATION OF CONTRACT AUTHORIZATION)
13 (LIMITATION ON OBLIGATIONS)
14 (HIGHWAY TRUST FUND)

15 Contingent on the enactment of authorization legisla-
16 tion, for payment of obligations incurred in carrying out
17 provisions of 23 U.S.C. 402 and 405, section 2009 of Pub-
18 lic Law 109–59, as amended by Public Law 112–141, and
19 section 31101(a)(6) of Public Law 112–141, to remain
20 available until expended, \$561,500,000, to be derived from
21 the Highway Trust Fund (other than the Mass Transit
22 Account): *Provided*, That none of the funds in this Act
23 shall be available for the planning or execution of pro-
24 grams the total obligations for which, in fiscal year 2016,
25 are in excess of \$561,500,000 for programs authorized

1 under 23 U.S.C. 402 and 405, section 2009 of Public Law
2 109–59, as amended by Public Law 112–141, and section
3 31101(a)(6) of Public Law 112–141, of which
4 \$235,000,000 shall be for “Highway Safety Programs”
5 under 23 U.S.C. 402; \$272,000,000 shall be for “National
6 Priority Safety Programs” under 23 U.S.C. 405;
7 \$29,000,000 shall be for the “High Visibility Enforcement
8 Program” under section 2009 of Public Law 109–59, as
9 amended by Public Law 112–141; \$25,500,000 shall be
10 for “Administrative Expenses” under section 31101(a)(6)
11 of Public Law 112–141: *Provided further*, That none of
12 these funds shall be used for construction, rehabilitation,
13 or remodeling costs, or for office furnishings and fixtures
14 for State, local or private buildings or structures: *Provided*
15 *further*, That not to exceed \$500,000 of the funds made
16 available for “National Priority Safety Programs” under
17 23 U.S.C. 405 for “Impaired Driving Countermeasures”
18 (as described in subsection (d) of that section) shall be
19 available for technical assistance to the States: *Provided*
20 *further*, That with respect to the “Transfers” provision
21 under 23 U.S.C. 405(a)(1)(G), any amounts transferred
22 to increase the amounts made available under section 402
23 shall include the obligation authority for such amounts:
24 *Provided further*, That the Administrator shall notify the
25 House and Senate Committees on Appropriations of any

1 exercise of the authority granted under the previous pro-
2 viso or under 23 U.S.C. 405(a)(1)(G) within 60 days.

3 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

4 TRAFFIC SAFETY ADMINISTRATION

5 SEC. 140. An additional \$130,000 shall be made
6 available to the National Highway Traffic Safety Adminis-
7 tration, out of the amount limited for section 402 of title
8 23, United States Code, to pay for travel and related ex-
9 penses for State management reviews and to pay for core
10 competency development training and related expenses for
11 highway safety staff.

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

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

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

24 SEC. 144. None of the funds made available by this
25 Act may be used to mandate global positioning system

1 (GPS) tracking in private passenger motor vehicles with-
2 out providing full and appropriate consideration of privacy
3 concerns under 5 U.S.C. chapter 5, subchapter II.

4 FEDERAL RAILROAD ADMINISTRATION

5 SAFETY AND OPERATIONS

6 For necessary expenses of the Federal Railroad Ad-
7 ministration, not otherwise provided for, \$186,870,000, of
8 which \$15,400,000 shall remain available until expended.

9 RAILROAD RESEARCH AND DEVELOPMENT

10 For necessary expenses for railroad research and de-
11 velopment, \$39,100,000, to remain available until ex-
12 pended.

13 RAILROAD REHABILITATION AND IMPROVEMENT

14 FINANCING PROGRAM

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

1 OPERATING GRANTS TO THE NATIONAL RAILROAD
2 PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 quarterly grants to the National Railroad Passenger Cor-
5 poration, in amounts based on the Secretary's assessment
6 of the Corporation's seasonal cash flow requirements, for
7 the operation of intercity passenger rail, as authorized by
8 section 101 of the Passenger Rail Investment and Im-
9 provement Act of 2008 (division B of Public Law 110-
10 432), \$288,500,000, to remain available until expended:
11 *Provided*, That the amounts available under this para-
12 graph shall be available for the Secretary to approve fund-
13 ing to cover operating losses for the Corporation only after
14 receiving and reviewing a grant request for each specific
15 train route: *Provided further*, That each such grant re-
16 quest shall be accompanied by a detailed financial anal-
17 ysis, revenue projection, and capital expenditure projection
18 justifying the Federal support to the Secretary's satisfac-
19 tion: *Provided further*, That not later than 60 days after
20 enactment of this Act, the Corporation shall transmit, in
21 electronic format, to the Secretary and the House and
22 Senate Committees on Appropriations the annual budget,
23 business plan, the 5-Year Financial Plan for fiscal year
24 2016 required under section 204 of the Passenger Rail
25 Investment and Improvement Act of 2008 and the com-

1 prehensive fleet plan for all Amtrak rolling stock: *Provided*
2 *further*, That the budget, business plan and the 5-Year
3 Financial Plan shall include annual information on the
4 maintenance, refurbishment, replacement, and expansion
5 for all Amtrak rolling stock consistent with the com-
6 prehensive fleet plan: *Provided further*, That the Corpora-
7 tion shall provide monthly performance reports in an elec-
8 tronic format which shall describe the work completed to
9 date, any changes to the business plan, and the reasons
10 for such changes as well as progress against the milestones
11 and target dates of the 2012 performance improvement
12 plan: *Provided further*, That the Corporation's budget,
13 business plan, 5-Year Financial Plan, semiannual reports,
14 monthly reports, comprehensive fleet plan and all supple-
15 mental reports or plans comply with requirements in Pub-
16 lic Law 112-55: *Provided further*, That none of the funds
17 provided in this Act may be used to support any route
18 on which Amtrak offers a discounted fare of more than
19 50 percent off the normal peak fare: *Provided further*,
20 That the preceding proviso does not apply to routes where
21 the operating loss as a result of the discount is covered
22 by a State and the State participates in the setting of
23 fares.

1 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL
2 RAILROAD PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation for
5 capital investments as authorized by sections 101(c), 102,
6 and 219(b) of the Passenger Rail Investment and Im-
7 provement Act of 2008 (division B of Public Law 110-
8 432), \$850,000,000, to remain available until expended,
9 of which not to exceed \$160,200,000 shall be for debt
10 service obligations as authorized by section 102 of such
11 Act: *Provided*, That of the amounts made available under
12 this heading, not less than \$50,000,000 shall be made
13 available to bring Amtrak-served facilities and stations
14 into compliance with the Americans with Disabilities Act:
15 *Provided further*, That after an initial distribution of up
16 to \$200,000,000, which shall be used by the Corporation
17 as a working capital account, all remaining funds shall be
18 provided to the Corporation only on a reimbursable basis:
19 *Provided further*, That of the amounts made available
20 under this heading, up to \$20,000,000 may be used by
21 the Secretary to subsidize operating losses of the Corpora-
22 tion should the funds provided under the heading “Oper-
23 ating Grants to the National Railroad Passenger Corpora-
24 tion” be insufficient to meet operational costs for fiscal
25 year 2016: *Provided further*, That the Secretary may re-

tain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110-432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2016 business plan: *Provided further*, That Amtrak shall conduct a business case analysis on capital investments that exceed \$10,000,000 in life-cycle costs: *Provided further*, That each contract for a capital acquisition that exceeds \$10,000,000 in life cycle costs shall state that funding is subject to the availability of appropriated funds provided by an appropriations Act.

1 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

2 ADMINISTRATION

3 SEC. 150. The Secretary of Transportation may re-
4 ceive and expend cash, or receive and utilize spare parts
5 and similar items, from non-United States Government
6 sources to repair damages to or replace United States
7 Government owned automated track inspection cars and
8 equipment as a result of third-party liability for such dam-
9 ages, and any amounts collected under this section shall
10 be credited directly to the Safety and Operations account
11 of the Federal Railroad Administration, and shall remain
12 available until expended for the repair, operation and
13 maintenance of automated track inspection cars and
14 equipment in connection with the automated track inspec-
15 tion program.

16 SEC. 151. None of the funds provided to the National
17 Railroad Passenger Corporation may be used to fund any
18 overtime costs in excess of \$35,000 for any individual em-
19 ployee: *Provided*, That the President of Amtrak may waive
20 the cap set in the previous proviso for specific employees
21 when the President of Amtrak determines such a cap
22 poses a risk to the safety and operational efficiency of the
23 system: *Provided further*, That Amtrak shall report to the
24 House and Senate Committees on Appropriations each
25 quarter of the calendar year on waivers granted to employ-

1 ees and amounts paid above the cap for each month within
2 such quarter and delineate the reasons each waiver was
3 granted: *Provided further*, That the President of Amtrak
4 shall report to the House and Senate Committees on Ap-
5 propriations by March 1, 2016, a summary of all overtime
6 payments incurred by the Corporation for 2015 and the
7 three prior calendar years: *Provided further*, That such
8 summary shall include the total number of employees that
9 received waivers and the total overtime payments the Cor-
10 poration paid to those employees receiving waivers for
11 each month for 2015 and for the three prior calendar
12 years.

13 FEDERAL TRANSIT ADMINISTRATION

14 ADMINISTRATIVE EXPENSES

15 For necessary administrative expenses of the Federal
16 Transit Administration's programs authorized by chapter
17 53 of title 49, United States Code, \$105,933,000, of which
18 not more than \$4,000,000 shall be available to carry out
19 the provisions of 49 U.S.C. 5329 and not less than
20 \$750,000 shall be available to carry out the provisions of
21 49 U.S.C. 5326: *Provided*, That none of the funds pro-
22 vided or limited in this Act may be used to create a perma-
23 nent office of transit security under this heading: *Provided*
24 *further*, That upon submission to the Congress of the fiscal
25 year 2017 President's budget, the Secretary of Transpor-

1 tation shall transmit to Congress the annual report on
2 New Starts, including proposed allocations for fiscal year
3 2017.

4 TRANSIT FORMULA GRANTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

8 Contingent upon enactment of authorization legisla-
9 tion, for payment of obligations incurred in the Federal
10 Public Transportation Assistance Program in this ac-
11 count, and for payment of obligations incurred in carrying
12 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
13 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340,
14 as amended by Public Law 112–141, and section
15 20005(b) of Public Law 112–141, \$9,500,000,000, to be
16 derived from the Mass Transit Account of the Highway
17 Trust Fund and to remain available until expended: *Pro-*
18 *vided*, That funds available for the implementation or exe-
19 cution of programs authorized under 49 U.S.C. 5305,
20 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335,
21 5337, 5339, and 5340, as amended by Public Law 112–
22 141, and section 20005(b) of Public Law 112–141, shall
23 not exceed total obligations of \$8,595,000,000 in fiscal
24 year 2016.

1 TRANSIT RESEARCH

2 For necessary expenses to carry out 49 U.S.C. 5312,
3 \$26,000,000.

4 TECHNICAL ASSISTANCE AND TRAINING

5 For necessary expenses to carry out 49 U.S.C. 5314
6 \$3,000,000.

7 CAPITAL INVESTMENT GRANTS

8 For necessary expenses to carry out 49 U.S.C. 5309,
9 \$1,921,395,000, to remain available until expended.

10 GRANTS TO THE WASHINGTON METROPOLITAN AREA

11 TRANSIT AUTHORITY

12 For grants to the Washington Metropolitan Area
13 Transit Authority as authorized under section 601 of divi-
14 sion B of Public Law 110-432, \$75,000,000, to remain
15 available until expended: *Provided*, That the Secretary
16 shall approve grants for capital and preventive mainte-
17 nance expenditures for the Washington Metropolitan Area
18 Transit Authority only after receiving and reviewing a re-
19 quest for each specific project: *Provided further*, That
20 prior to approving such grants, the Secretary shall certify
21 that the Washington Metropolitan Area Transit Authority
22 is making significant progress in eliminating the material
23 weaknesses, significant deficiencies, and minor control de-
24 ficiencies identified in the most recent Financial Manage-

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

10 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

11 ADMINISTRATION

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

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

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

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

11 SEC. 164. None of the funds in this or any other Act
12 may be available to advance in any way a new light or
13 heavy rail project towards a full funding grant agreement
14 as defined by 49 U.S.C. 5309 for the Metropolitan Transit
15 Authority of Harris County, Texas if the proposed capital
16 project is constructed on or planned to be constructed on
17 Richmond Avenue west of South Shepherd Drive or on
18 Post Oak Boulevard north of Richmond Avenue in Hous-
19 ton, Texas.

20 SAINT LAWRENCE SEAWAY DEVELOPMENT
21 CORPORATION

22 The Saint Lawrence Seaway Development Corpora-
23 tion is hereby authorized to make such expenditures, with-
24 in the limits of funds and borrowing authority available
25 to the Corporation, and in accord with law, and to make

1 such contracts and commitments without regard to fiscal
2 year limitations as provided by section 104 of the Govern-
3 ment Corporation Control Act, as amended, as may be
4 necessary in carrying out the programs set forth in the
5 Corporation's budget for the current fiscal year.

6 OPERATIONS AND MAINTENANCE
7 (HARBOR MAINTENANCE TRUST FUND)

8 For necessary expenses to conduct the operations,
9 maintenance, and capital asset renewal activities of those
10 portions of the Saint Lawrence Seaway owned, operated,
11 and maintained by the Saint Lawrence Seaway Develop-
12 ment Corporation, \$28,400,000, to be derived from the
13 Harbor Maintenance Trust Fund, pursuant to Public Law
14 99-662.

15 MARITIME ADMINISTRATION
16 MARITIME SECURITY PROGRAM

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

21 OPERATIONS AND TRAINING

22 For necessary expenses of operations and training ac-
23 tivities authorized by law, \$167,800,000, of which
24 \$22,000,000 shall remain available until expended for
25 maintenance and repair of training ships at State Mari-

1 time Academies, and of which \$5,000,000 shall remain
2 available until expended for National Security Multi-Mis-
3 sion Vessel design for State Maritime Academies and Na-
4 tional Security, and of which \$2,400,000 shall remain
5 available through September 30, 2017, for the Student In-
6 centive Program at State Maritime Academies, and of
7 which \$1,200,000 shall remain available until expended
8 for training ship fuel assistance payments, and of which
9 \$19,700,000 shall remain available until expended for fa-
10 cilities maintenance and repair, equipment, and capital
11 improvements at the United States Merchant Marine
12 Academy, and of which \$3,000,000 shall remain available
13 through September 30, 2017, for Maritime Environment
14 and Technology Assistance grants, contracts, and coopera-
15 tive agreement: *Provided*, That amounts apportioned for
16 the United States Merchant Marine Academy shall be
17 available only upon allotments made personally by the Sec-
18 retary of Transportation or the Assistant Secretary for
19 Budget and Programs: *Provided further*, That the Super-
20 intendent, Deputy Superintendent and the Director of the
21 Office of Resource Management of the United States Mer-
22 chant Marine Academy may not be allotment holders for
23 the United States Merchant Marine Academy, and the Ad-
24 ministrator of the Maritime Administration shall hold all
25 allotments made by the Secretary of Transportation or the

1 Assistant Secretary for Budget and Programs under the
2 previous proviso: *Provided further*, That 50 percent of the
3 funding made available for the United States Merchant
4 Marine Academy under this heading shall be available only
5 after the Secretary, in consultation with the Super-
6 intendent and the Maritime Administrator, completes a
7 plan detailing by program or activity how such funding
8 will be expended at the Academy, and this plan is sub-
9 mitted to the House and Senate Committees on Appro-
10 priations.

11 SHIP DISPOSAL

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

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary administrative expenses of the mari-
20 time guaranteed loan program, \$3,135,000 shall be paid
21 to the appropriations for “Maritime Administration-Oper-
22 ations and Training”.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

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

16 SEC. 171. None of the funds available or appro-
17 priated in this Act shall be used by the United States De-
18 partment of Transportation or the United States Maritime
19 Administration to negotiate or otherwise execute, enter
20 into, facilitate or perform fee-for-service contracts for ves-
21 sel disposal, scrapping or recycling, unless there is no
22 qualified domestic ship recycler that will pay any sum of
23 money to purchase and scrap or recycle a vessel owned,
24 operated or managed by the Maritime Administration or
25 that is part of the National Defense Reserve Fleet: *Pro-*

1 *vided*, That such sales offers must be consistent with the
2 solicitation and provide that the work will be performed
3 in a timely manner at a facility qualified within the mean-
4 ing of section 3502 of Public Law 106–398: *Provided fur-*
5 *ther*, That nothing contained herein shall affect the Mari-
6 time Administration’s authority to award contracts at
7 least cost to the Federal Government and consistent with
8 the requirements of 16 U.S.C. 5405(c), section 3502, or
9 otherwise authorized under the Federal Acquisition Regu-
10 lation.

11 PIPELINE AND HAZARDOUS MATERIALS SAFETY

12 ADMINISTRATION

13 OPERATIONAL EXPENSES

14 For necessary operational expenses of the Pipeline
15 and Hazardous Materials Safety Administration,
16 \$20,725,000.

17 HAZARDOUS MATERIALS SAFETY

18 For expenses necessary to discharge the hazardous
19 materials safety functions of the Pipeline and Hazardous
20 Materials Safety Administration, \$60,500,000, of which
21 \$7,570,000 shall remain available until September 30,
22 2018: *Provided*, That up to \$800,000 in fees collected
23 under 49 U.S.C. 5108(g) shall be deposited in the general
24 fund of the Treasury as offsetting receipts: *Provided fur-*
25 *ther*, That there may be credited to this appropriation, to

1 be available until expended, funds received from States,
2 counties, municipalities, other public authorities, and pri-
3 vate sources for expenses incurred for training, for reports
4 publication and dissemination, and for travel expenses in-
5 curred in performance of hazardous materials exemptions
6 and approvals functions.

7

PIPELINE SAFETY

8

(PIPELINE SAFETY FUND)

9

(OIL SPILL LIABILITY TRUST FUND)

10 For expenses necessary to conduct the functions of
11 the pipeline safety program, for grants-in-aid to carry out
12 a pipeline safety program, as authorized by 49 U.S.C.
13 60107, and to discharge the pipeline program responsibil-
14 ities of the Oil Pollution Act of 1990, \$145,870,000, of
15 which \$19,500,000 shall be derived from the Oil Spill Li-
16 ability Trust Fund and shall remain available until Sep-
17 tember 30, 2018; and of which \$124,500,000 shall be de-
18 rived from the Pipeline Safety Fund, of which
19 \$66,309,000 shall remain available until September 30,
20 2018: *Provided*, That not less than \$1,000,000 of the
21 funds provided under this heading shall be for the One-
22 Call state grant program.

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 (c): *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(c) 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 Inspec-
25 tor General Act, as amended (5 U.S.C. App. 3), to inves-

1 tigate 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 prac-
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 tigation 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 (5 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 avail-
4 able 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 Appropria-
7 tions 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 associ-
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 priasions 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 Appropria-
12 tions, 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 Democratic 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-
9 ularly 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 For necessary salaries and expenses for Administra-
5 tive Support Offices, \$547,000,000, of which
6 \$45,600,000, to remain available until expended, in addi-
7 tion to amounts made available under this heading for the
8 Office of the Chief Financial Officer and the Office of the
9 Chief Human Capital Officer, shall be for funding shared
10 service agreements between the Department of Housing
11 and Urban Development and the Department of the
12 Treasury; \$39,000,000 shall be available for the Office of
13 the Chief Financial Officer; \$93,000,000 shall be available
14 for the Office of the General Counsel; \$199,000,000 shall
15 be available for the Office of Administration; \$40,000,000
16 shall be available for the Office of the Chief Human Cap-
17 ital Officer; \$49,000,000 shall be available for the Office
18 of Field Policy and Management; \$16,000,000 shall be
19 available for the Office of the Chief Procurement Officer;
20 \$3,000,000 shall be available for the Office of Depart-
21 mental Equal Employment Opportunity; \$4,000,000 shall
22 be available for the Office of Strategic Planning and Man-
23 agement; \$44,000,000 shall be available for the Office of
24 the Chief Information Officer; and of which the remaining
25 amount shall be available through September 30, 2017,

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

20 PROGRAM OFFICE SALARIES AND EXPENSES

21 PUBLIC AND INDIAN HOUSING

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

1 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.

7 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.

13 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

14 HOMES

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

18 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 renewals
7 of expiring section 8 tenant-based annual contributions
8 contracts (including renewals of enhanced vouchers under
9 any provision of law authorizing such assistance under
10 section 8(t) of the Act) and including renewal of other spe-
11 cial purpose *or* incremental vouchers: *Provided*, That not-
12 withstanding any other provision of law, from amounts
13 provided under this paragraph and any carryover, the Sec-
14 retary for the calendar year 2016 funding cycle shall pro-
15 vide renewal funding for each public housing agency based
16 on validated voucher management system (VMS) leasing
17 and cost data for the prior calendar year and by applying
18 an inflation factor as established by the Secretary, by no-
19 tice published in the Federal Register, and by making any
20 necessary adjustments for the costs associated with the
21 first-time renewal of vouchers under this paragraph in-
22 cluding tenant protection, HOPE VI, and Choice Neigh-
23 borhoods vouchers: *Provided further*, That in determining
24 calendar year 2016 funding allocations under this heading
25 for public housing agencies, including agencies partici-

1 pating in the Moving To Work (MTW) demonstration, the
2 Secretary may take into account the anticipated impact
3 of changes in targeting and utility allowances, on public
4 housing agencies' contract renewal needs: *Provided fur-*
5 *ther*, That none of the funds provided under this para-
6 graph may be used to fund a total number of unit months
7 under lease which exceeds a public housing agency's au-
8 thorized level of units under contract, except for public
9 housing agencies participating in the MTW demonstra-
10 tion, which are instead governed by the terms and condi-
11 tions of their MTW agreements: *Provided further*, That
12 the Secretary shall, to the extent necessary to stay within
13 the amount specified under this paragraph (except as oth-
14 erwise modified under this paragraph), prorate each public
15 housing agency's allocation otherwise established pursuant
16 to this paragraph: *Provided further*, That except as pro-
17 vided in the following provisos, the entire amount specified
18 under this paragraph (except as otherwise modified under
19 this paragraph) shall be obligated to the public housing
20 agencies based on the allocation and pro rata method de-
21 scribed above, and the Secretary shall notify public hous-
22 ing agencies of their annual budget by the latter of 60
23 days after enactment of this Act or March 1, 2016: *Pro-*
24 *vided further*, That the Secretary may extend the notifica-
25 tion period with the prior written approval of the House

1 and Senate Committees on Appropriations: *Provided fur-*
2 *ther*, That public housing agencies participating in the
3 MTW demonstration shall be funded pursuant to their
4 MTW agreements and shall be subject to the same pro
5 rata adjustments under the previous provisos: *Provided*
6 *further*, That the Secretary may offset public housing
7 agencies' calendar year 2016 allocations based on the ex-
8 cess amounts of public housing agencies' net restricted as-
9 sets accounts, including HUD held programmatic reserves
10 (in accordance with VMS data in calendar year 2015 that
11 is verifiable and complete), as determined by the Sec-
12 retary: *Provided further*, That public housing agencies par-
13 ticipating in the MTW demonstration shall also be subject
14 to the offset, as determined by the Secretary, excluding
15 amounts subject to the single fund budget authority provi-
16 sions of their MTW agreements, from the agencies' cal-
17 endar year 2016 MTW funding allocation: *Provided fur-*
18 *ther*, That the Secretary shall use any offset referred to
19 in the previous two provisos throughout the calendar year
20 to prevent the termination of rental assistance for families
21 as the result of insufficient funding, as determined by the
22 Secretary, and to avoid or reduce the proration of renewal
23 funding allocations: *Provided further*, That up to
24 \$75,000,000 shall be available only: (1) for adjustments
25 in the allocations for public housing agencies, after appli-

1 cation for an adjustment by a public housing agency that
2 experienced a significant increase, as determined by the
3 Secretary, in renewal costs of vouchers resulting from un-
4 foreseen circumstances or from portability under section
5 8(r) of the Act; (2) for vouchers that were not in use dur-
6 ing the 12-month period in order to be available to meet
7 a commitment pursuant to section 8(o)(13) of the Act; (3)
8 for adjustments for costs associated with HUD-Veterans
9 Affairs Supportive Housing (HUD-VASH) vouchers; (4)
10 for adjustments for public housing agencies with voucher
11 leasing rates at the end of the calendar year that exceed
12 the average leasing for the 12-month period used to estab-
13 lish the allocation, and for additional leasing of vouchers
14 that were issued but not leased prior to the end of such
15 calendar year; (5) for public housing agencies that despite
16 taking reasonable cost savings measures, as determined by
17 the Secretary, would otherwise be required to terminate
18 rental assistance for families as a result of insufficient
19 funding; and (6) for adjustments in the allocations for
20 public housing agencies that experienced a significant in-
21 crease, as determined by the Secretary, in renewal costs
22 as a result of participation in the Small Area Fair Market
23 Rent demonstration: *Provided further*, That the Secretary
24 shall allocate amounts under the previous proviso based
25 on need, as determined by the Secretary;

1 (2) \$130,000,000 shall be for section 8 rental assist-
2 ance for relocation and replacement of housing units that
3 are demolished or disposed of pursuant to section 18 of
4 the Act, conversion of section 23 projects to assistance
5 under section 8, the family unification program under sec-
6 tion 8(x) of the Act, relocation of witnesses in connection
7 with efforts to combat crime in public and assisted hous-
8 ing pursuant to a request from a law enforcement or pros-
9 ecution agency, enhanced vouchers under any provision of
10 law authorizing such assistance under section 8(t) of the
11 Act, HOPE VI and Choice Neighborhood vouchers, man-
12 datory and voluntary conversions, and tenant protection
13 assistance including replacement and relocation assistance
14 or for project-based assistance to prevent the displacement
15 of unassisted elderly tenants currently residing in section
16 202 properties financed between 1959 and 1974 that are
17 refinanced pursuant to Public Law 106–569, as amended,
18 or under the authority as provided under this Act: *Pro-*
19 *vided*, That when a public housing development is sub-
20 mitted for demolition or disposition under section 18 of
21 the Act, the Secretary may provide section 8 rental assist-
22 ance when the units pose an imminent health and safety
23 risk to residents: *Provided further*, That the Secretary may
24 only provide replacement vouchers for units that were oc-
25 cupied within the previous 24 months that cease to be

1 available as assisted housing, subject only to the avail-
2 ability of funds: *Provided further*, That of the amounts
3 made available under this paragraph, \$5,000,000 may be
4 available to provide tenant protection assistance, not oth-
5 erwise provided under this paragraph, to residents resid-
6 ing in low vacancy areas and who may have to pay rents
7 greater than 30 percent of household income, as the result
8 of (1) the maturity of a HUD-insured, HUD-held or sec-
9 tion 202 loan that requires the permission of the Secretary
10 prior to loan prepayment; (2) the expiration of a rental
11 assistance contract for which the tenants are not eligible
12 for enhanced voucher or tenant protection assistance
13 under existing law; or (3) the expiration of affordability
14 restrictions accompanying a mortgage or preservation pro-
15 gram administered by the Secretary: *Provided further*,
16 That such tenant protection assistance made available
17 under the previous proviso may be provided under the au-
18 thority of section 8(t) or section 8(o)(13) of the United
19 States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Pro-*
20 *vided further*, That the Secretary shall issue guidance to
21 implement the previous provisos, including, but not limited
22 to, requirements for defining eligible at-risk households
23 within 120 days of the enactment of this Act: *Provided*
24 *further*, That any tenant protection voucher made avail-
25 able from amounts under this paragraph shall not be re-

1 issued by any public housing agency, except the replace-
2 ment vouchers as defined by the Secretary by notice, when
3 the initial family that received any such voucher no longer
4 receives such voucher, and the authority for any public
5 housing agency to issue any such voucher shall cease to
6 exist: *Provided further*, That the Secretary, for the pur-
7 pose under this paragraph, may use unobligated balances,
8 including recaptures and carryovers, remaining from
9 amounts appropriated in prior fiscal years under this
10 heading for voucher assistance for nonelderly disabled
11 families and for disaster assistance made available under
12 Public Law 110–329;

13 (3) \$1,530,000,000 shall be for administrative and
14 other expenses of public housing agencies in administering
15 the section 8 tenant-based rental assistance program, of
16 which up to \$10,000,000 shall be available to the Sec-
17 retary to allocate to public housing agencies that need ad-
18 ditional funds to administer their section 8 programs, in-
19 cluding fees associated with section 8 tenant protection
20 rental assistance, the administration of disaster related
21 vouchers, Veterans Affairs Supportive Housing vouchers,
22 and other special purpose incremental vouchers: *Provided*,
23 That no less than \$1,520,000,000 of the amount provided
24 in this paragraph shall be allocated to public housing
25 agencies for the calendar year 2016 funding cycle based

1 on section 8(q) of the Act (and related Appropriation Act
2 provisions) as in effect immediately before the enactment
3 of the Quality Housing and Work Responsibility Act of
4 1998 (Public Law 105–276): *Provided further*, That if the
5 amounts made available under this paragraph are insuffi-
6 cient to pay the amounts determined under the previous
7 proviso, the Secretary may decrease the amounts allocated
8 to agencies by a uniform percentage applicable to all agen-
9 cies receiving funding under this paragraph or may, to the
10 extent necessary to provide full payment of amounts deter-
11 mined under the previous proviso, utilize unobligated bal-
12 ances, including recaptures and carryovers, remaining
13 from funds appropriated to the Department of Housing
14 and Urban Development under this heading from prior fis-
15 cal years, excluding special purpose vouchers, notwith-
16 standing the purposes for which such amounts were appro-
17 priated: *Provided further*, That all public housing agencies
18 participating in the MTW demonstration shall be funded
19 pursuant to their MTW agreements, and shall be subject
20 to the same uniform percentage decrease as under the pre-
21 vious proviso: *Provided further*, That amounts provided
22 under this paragraph shall be only for activities related
23 to the provision of tenant-based rental assistance author-
24 ized under section 8, including related development activi-
25 ties;

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

10 PUBLIC HOUSING CAPITAL FUND

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

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

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

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

13 PUBLIC HOUSING OPERATING FUND

14 For 2016 payments to public housing agencies for the
15 operation and management of public housing, as author-
16 ized by section 9(e) of the United States Housing Act of
17 1937 (42 U.S.C. 1437g(e)), \$4,440,000,000.

18 CHOICE NEIGHBORHOODS INITIATIVE

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

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

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

16 FAMILY SELF-SUFFICIENCY

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

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

18 NATIVE AMERICAN HOUSING BLOCK GRANTS

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

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

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

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

6 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

7 ACCOUNT

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

21 COMMUNITY PLANNING AND DEVELOPMENT

22 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

23 For carrying out the Housing Opportunities for Per-
24 sons with AIDS program, as authorized by the AIDS
25 Housing Opportunity Act (42 U.S.C. 12901 et seq.),

1 \$332,000,000, to remain available until September 30,
2 2017, except that amounts allocated pursuant to section
3 854(c)(3) of such Act shall remain available until Sep-
4 tember 30, 2018: *Provided*, That the Secretary shall renew
5 all expiring contracts for permanent supportive housing
6 that initially were funded under section 854(c)(3) of such
7 Act from funds made available under this heading in fiscal
8 year 2010 and prior fiscal years that meet all program
9 requirements before awarding funds for new contracts
10 under such section: *Provided further*, That the Depart-
11 ment shall notify grantees of their formula allocation with-
12 in 60 days of enactment of this Act.

13 COMMUNITY DEVELOPMENT FUND

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

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

1 notwithstanding section 106(a)(1) of such Act, of which,
2 notwithstanding any other provision of law (including sec-
3 tion 204 of this Act), up to \$3,960,000 may be used for
4 emergencies that constitute imminent threats to health
5 and safety.

6 COMMUNITY DEVELOPMENT LOAN GUARANTEES

7 PROGRAM ACCOUNT

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 scinded.

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 graphs (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 and merged with this account:
25 *Provided further*, That no amounts made available by any

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

1 less than 25 percent in cash or in kind by each grantee:
2 *Provided further*, That for all match requirements applica-
3 ble to funds made available under this heading for this
4 fiscal year and prior years, a grantee may use (or could
5 have used) as a source of match funds other funds admin-
6 istered by the Secretary and other Federal agencies unless
7 there is (or was) a specific statutory prohibition on any
8 such use of any such funds: *Provided further*, That the
9 Secretary shall establish minimum project performance
10 thresholds for each grantee under the continuum of care
11 program based on program performance data: *Provided*
12 *further*, That none of the funds provided under this head-
13 ing shall be available to renew any expiring contract or
14 amendment to a contract funded under the continuum of
15 care program unless the Secretary determines that the ex-
16 piring contract or amendment to a contract is needed
17 under the applicable continuum of care and meets appro-
18 priate program requirements, financial standards, and
19 performance measures, including the minimum perform-
20 ance thresholds established in the previous proviso: *Pro-*
21 *vided further*, That the Secretary shall prioritize funding
22 under the continuum of care program to grant applica-
23 tions that demonstrate a capacity to reallocate funding
24 from lower performing projects to higher performing
25 projects: *Provided further*, That all awards of assistance

1 under this heading shall be required to coordinate and in-
2 tegrate homeless programs with other mainstream health,
3 social services, and employment programs for which home-
4 less populations may be eligible: *Provided further*, That
5 with respect to funds provided under this heading for the
6 continuum of care program for fiscal years 2013, 2014,
7 2015, and 2016 provision of permanent housing rental as-
8 sistance may be administered by private nonprofit organi-
9 zations: *Provided further*, That any unobligated amounts
10 remaining from funds appropriated under this heading in
11 fiscal year 2012 and prior years for project-based rental
12 assistance for rehabilitation projects with 10-year grant
13 terms may be used for purposes under this heading, not-
14 withstanding the purposes for which such funds were ap-
15 propriated: *Provided further*, That all balances for Shelter
16 Plus Care renewals previously funded from the Shelter
17 Plus Care Renewal account and transferred to this ac-
18 count shall be available, if recaptured, for continuum of
19 care renewals in fiscal year 2016: *Provided further*, That
20 the Department shall notify grantees of their formula allo-
21 cation from amounts allocated (which may represent ini-
22 tial or final amounts allocated) for the emergency solu-
23 tions grant program within 60 days of enactment of this
24 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. 11401), 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: interest reduction payments pursuant to
10 section 236(a) of the National Housing Act (12 U.S.C.
11 1715z-1(a)); rent supplement payments pursuant to sec-
12 tion 101 of the Housing and Urban Development Act of
13 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
14 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
15 assistance contracts for the elderly under section
16 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
17 project rental assistance contracts for supportive housing
18 for persons with disabilities under section 811(d)(2) of the
19 Cranston-Gonzalez National Affordable Housing Act (42
20 U.S.C. 8013(d)(2)); project assistance contracts pursuant
21 to section 202(h) of the Housing Act of 1959 (Public Law
22 86-372; 73 Stat. 667); and loans under section 202 of
23 the Housing Act of 1959 (Public Law 86-372; 73 Stat.
24 667): *Provided further*, That amounts recaptured under
25 this heading, the heading “Annual Contributions for As-

1 sisted Housing”, or the heading “Housing Certificate
2 Fund”, may be used for renewals of or amendments to
3 section 8 project-based contracts or for performance-based
4 contract administrators, notwithstanding the purposes for
5 which such amounts were appropriated: *Provided further*,
6 That, notwithstanding any other provision of law, upon
7 the request of the Secretary of Housing and Urban Devel-
8 opment, project funds that are held in residual receipts
9 accounts for any project subject to a section 8 project-
10 based Housing Assistance Payments contract that author-
11 izes HUD or a Housing Finance Agency to require that
12 surplus project funds be deposited in an interest-bearing
13 residual receipts account and that 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 expended: *Provided further*, That
17 amounts deposited pursuant to the previous proviso shall
18 be available in addition to the amount otherwise provided
19 by this heading for uses authorized under this heading.

20 HOUSING FOR THE ELDERLY

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

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

1 account, to be available until September 30, 2019, for pur-
2 poses under this heading, and shall be in addition to the
3 amounts otherwise provided under this heading for such
4 purposes.

5 HOUSING FOR PERSONS WITH DISABILITIES

6 For amendments to capital advance contracts for
7 supportive housing for persons with disabilities, as author-
8 ized by section 811 of the Cranston-Gonzalez National Af-
9 fordable Housing Act (42 U.S.C. 8013), for project rental
10 assistance for supportive housing for persons with disabil-
11 ities under section 811(d)(2) of such Act and for project
12 assistance contracts pursuant to section 202(h) of the
13 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),
14 including amendments to contracts for such assistance
15 and renewal of expiring contracts for such assistance for
16 up to a 1-year term, for project rental assistance to State
17 housing finance agencies and other appropriate entities as
18 authorized under section 811(b)(3) of the Cranston-Gon-
19 zalez National Housing Act, and for supportive services
20 associated with the housing for persons with disabilities
21 as authorized by section 811(b)(1) of such Act,
22 \$152,000,000, to remain available until September 30,
23 2019: *Provided*, That amounts made available under this
24 heading shall be available for Real Estate Assessment
25 Center inspections and inspection-related activities associ-

1 ated with section 811 projects: *Provided further*, That, in
2 this fiscal year, upon the request of the Secretary of Hous-
3 ing and Urban Development, project funds that are held
4 in residual receipts accounts for any project subject to a
5 section 811 project rental assistance contract and that
6 upon termination of such contract are in excess of an
7 amount to be determined by the Secretary shall be remit-
8 ted to the Department and deposited in this account, to
9 be available until September 30, 2019: *Provided further*,
10 That amounts deposited in this account pursuant to the
11 previous proviso shall be available in addition to the
12 amounts otherwise provided by this heading for the pur-
13 poses authorized under this heading: *Provided further*,
14 That unobligated balances, including recaptures and car-
15 ryover, remaining from funds transferred to or appro-
16 priated under this heading may be used for the current
17 purposes authorized under this heading notwithstanding
18 the purposes for which such funds originally were appro-
19 priated.

20 HOUSING COUNSELING ASSISTANCE

21 For contracts, grants, and other assistance excluding
22 loans, as authorized under section 106 of the Housing and
23 Urban Development Act of 1968, as amended,
24 \$47,000,000, to remain available until September 30,
25 2017, including up to \$4,500,000 for administrative con-

1 tract services: *Provided*, That grants made available from
2 amounts provided under this heading shall be awarded
3 within 180 days of enactment of this Act: *Provided further*,
4 That funds shall be used for providing counseling and ad-
5 vice to tenants and homeowners, both current and pro-
6 spective, with respect to property maintenance, financial
7 management/literacy, and such other matters as may be
8 appropriate to assist them in improving their housing con-
9 ditions, meeting their financial needs, and fulfilling the re-
10 sponsibilities of tenancy or homeownership; for program
11 administration; and for housing counselor training: *Pro-*
12 *vided further*, That for purposes of providing such grants
13 from amounts provided under this heading, the Secretary
14 may enter into multiyear agreements as is appropriate,
15 subject to the availability of annual appropriations.

16 RENTAL HOUSING ASSISTANCE

17 For amendments to contracts under section 101 of
18 the Housing and Urban Development Act of 1965 (12
19 U.S.C. 1701s) and section 236(f)(2) of the National
20 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
21 insured rental housing projects, \$30,000,000, to remain
22 available until expended: *Provided*, That such amount, to-
23 gether with unobligated balances from recaptured
24 amounts appropriated prior to fiscal year 2006 from ter-
25 minated contracts under such sections of law, and any un-

1 obligated balances, including recaptures and carryover, re-
2 maining from funds appropriated under this heading after
3 fiscal year 2005, shall also be available for extensions of
4 up to one year for expiring contracts under such sections
5 of law.

6 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

7 FUND

8 For necessary expenses as authorized by the National
9 Manufactured Housing Construction and Safety Stand-
10 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
11 \$11,000,000, to remain available until expended, of which
12 \$11,000,000 is to be derived from the Manufactured
13 Housing Fees Trust Fund: *Provided*, That not to exceed
14 the total amount appropriated under this heading shall be
15 available from the general fund of the Treasury to the ex-
16 tent necessary to incur obligations and make expenditures
17 pending the receipt of collections to the Fund pursuant
18 to section 620 of such Act: *Provided further*, That the
19 amount made available under this heading from the gen-
20 eral fund shall be reduced as such collections are received
21 during fiscal year 2016 so as to result in a final fiscal
22 year 2016 appropriation from the general fund estimated
23 at zero, and fees pursuant to such section 620 shall be
24 modified as necessary to ensure such a final fiscal year
25 2016 appropriation: *Provided further*, That for the dispute

1 resolution and installation programs, the Secretary of
2 Housing and Urban Development may assess and collect
3 fees from any program participant: *Provided further*, That
4 such collections shall be deposited into the Fund, and the
5 Secretary, as provided herein, may use such collections,
6 as well as fees collected under section 620, for necessary
7 expenses of such Act: *Provided further*, That, notwith-
8 standing the requirements of section 620 of such Act, the
9 Secretary may carry out responsibilities of the Secretary
10 under such Act through the use of approved service pro-
11 viders that are paid directly by the recipients of their serv-
12 ices.

13 FEDERAL HOUSING ADMINISTRATION

14 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

15 New commitments to guarantee single family loans
16 insured under the Mutual Mortgage Insurance Fund shall
17 not exceed \$400,000,000,000, to remain available until
18 September 30, 2017: *Provided*, That during fiscal year
19 2016, obligations to make direct loans to carry out the
20 purposes of section 204(g) of the National Housing Act,
21 as amended, shall not exceed \$5,000,000: *Provided fur-*
22 *ther*, That the foregoing amount in the previous proviso
23 shall be for loans to nonprofit and governmental entities
24 in connection with sales of single family real properties
25 owned by the Secretary and formerly insured under the

1 Mutual Mortgage Insurance Fund: *Provided Further*, That
2 for administrative contract expenses of the Federal Hous-
3 ing Administration, \$130,000,000, to remain available
4 until September 30, 2017.

5 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

6 New commitments to guarantee loans insured under
7 the General and Special Risk Insurance Funds, as author-
8 ized by sections 238 and 519 of the National Housing Act
9 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
10 \$30,000,000,000 in total loan principal, any part of which
11 is to be guaranteed, to remain available until September
12 30, 2017: *Provided*, That during fiscal year 2016, gross
13 obligations for the principal amount of direct loans, as au-
14 thorized by sections 204(g), 207(l), 238, and 519(a) of
15 the National Housing Act, shall not exceed \$5,000,000,
16 which shall be for loans to nonprofit and governmental en-
17 tities in connection with the sale of single family real prop-
18 erties owned by the Secretary and formerly insured under
19 such Act.

20 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

21 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

22 GUARANTEE PROGRAM ACCOUNT

23 New commitments to issue guarantees to carry out
24 the purposes of section 306 of the National Housing Act,
25 as amended (12 U.S.C. 1721(g)), shall not exceed

1 \$500,000,000,000, to remain available until September
2 30, 2017: *Provided*, That \$23,000,000 shall be available
3 for necessary salaries and expenses of the Office of Gov-
4 ernment National Mortgage Association: *Provided further*,
5 That receipts from Commitment and Multiclass fees col-
6 lected pursuant to title III of the National Housing Act,
7 as amended, shall be credited as offsetting collections to
8 this account.

9 POLICY DEVELOPMENT AND RESEARCH

10 RESEARCH AND TECHNOLOGY

11 For contracts, grants, and necessary expenses of pro-
12 grams of research and studies relating to housing and
13 urban problems, not otherwise provided for, as authorized
14 by title V of the Housing and Urban Development Act
15 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
16 out the functions of the Secretary of Housing and Urban
17 Development under section 1(a)(1)(i) of Reorganization
18 Plan No. 2 of 1968, \$52,500,000, to remain available
19 until September 30, 2017: *Provided*, That with respect to
20 amounts made available under this heading, notwith-
21 standing section 204 of this title, the Secretary may enter
22 into cooperative agreements funded with philanthropic en-
23 tities, other Federal agencies, or State or local govern-
24 ments and their agencies for research projects: *Provided*
25 *further*, That with respect to the previous proviso, such

1 partners to the cooperative agreements must contribute at
2 least a 50 percent match toward the cost of the project:
3 *Provided further*, That for non-competitive agreements en-
4 tered into in accordance with the previous two provisos,
5 the Secretary of Housing and Urban Development shall
6 comply with section 2(b) of the Federal Funding Account-
7 ability and Transparency Act of 2006 (Public Law 109-
8 282, 31 U.S.C. note) in lieu of compliance with section
9 102(a)(4)(C) with respect to documentation of award deci-
10 sions: *Provided further*, That prior to obligation of tech-
11 nical assistance funding, the Secretary shall submit a
12 plan, for approval, to the House and Senate Committees
13 on Appropriations on how it will allocate funding for this
14 activity.

15 FAIR HOUSING AND EQUAL OPPORTUNITY

16 FAIR HOUSING ACTIVITIES

17 For contracts, grants, and other assistance, not oth-
18 erwise provided for, as authorized by title VIII of the Civil
19 Rights Act of 1968, as amended by the Fair Housing
20 Amendments Act of 1988, and section 561 of the Housing
21 and Community Development Act of 1987, as amended,
22 \$65,300,000, to remain available until September 30,
23 2017: *Provided*, That notwithstanding 31 U.S.C. 3302,
24 the Secretary may assess and collect fees to cover the costs
25 of the Fair Housing Training Academy, and may use such

1 funds to provide such training: *Provided further*, That no
2 funds made available under this heading shall be used to
3 lobby the executive or legislative branches of the Federal
4 Government in connection with a specific contract, grant,
5 or loan: *Provided further*, That of the funds made available
6 under this heading, \$300,000 shall be available to the Sec-
7 retary of Housing and Urban Development for the cre-
8 ation and promotion of translated materials and other pro-
9 grams that support the assistance of persons with limited
10 English proficiency in utilizing the services provided by
11 the Department of Housing and Urban Development.

12 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

13 HOMES

14 LEAD HAZARD REDUCTION

15 For the Lead Hazard Reduction Program, as author-
16 ized by section 1011 of the Residential Lead-Based Paint
17 Hazard Reduction Act of 1992, \$75,000,000, to remain
18 available until September 30, 2017: *Provided*, That up to
19 \$15,000,000 of that amount shall be for the Healthy
20 Homes Initiative, pursuant to sections 501 and 502 of the
21 Housing and Urban Development Act of 1970 that shall
22 include research, studies, testing, and demonstration ef-
23 forts, including education and outreach concerning lead-
24 based paint poisoning and other housing-related diseases
25 and hazards: *Provided further*, That for purposes of envi-

1 ronmental review, pursuant to the National Environ-
2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
3 other provisions of the law that further the purposes of
4 such Act, a grant under the Healthy Homes Initiative, or
5 the Lead Technical Studies program under this heading
6 or under prior appropriations Acts for such purposes
7 under this heading, shall be considered to be funds for
8 a special project for purposes of section 305(c) of the Mul-
9 tifamily Housing Property Disposition Reform Act of
10 1994: *Provided further*, That amounts made available
11 under this heading in this or prior appropriations Acts,
12 and that still remain available, may be used for any pur-
13 pose under this heading notwithstanding the purpose for
14 which such amounts were appropriated if a program com-
15 petition is undersubscribed and there are other program
16 competitions under this heading that are oversubscribed.

17 INFORMATION TECHNOLOGY FUND

18 For the development of, modifications to, and infra-
19 structure for Department-wide and program-specific infor-
20 mation technology systems, for the continuing operation
21 and maintenance of both Department-wide and program-
22 specific information systems, and for program-related
23 maintenance activities, \$100,000,000: *Provided*, That any
24 amounts transferred to this Fund under this Act shall re-
25 main available until expended: *Provided further*, That any

1 amounts transferred to this Fund from amounts appro-
2 priated by previously enacted appropriations Acts may be
3 used for the purposes specified under this Fund, in addi-
4 tion to any other information technology purposes for
5 which such amounts were appropriated.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary salaries and expenses of the Office of
8 Inspector General in carrying out the Inspector General
9 Act of 1978, as amended, \$126,000,000: *Provided*, That
10 the Inspector General shall have independent authority
11 over all personnel issues within this office.

12 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

13 URBAN DEVELOPMENT

14 (INCLUDING TRANSFER OF FUNDS)

15 (INCLUDING RESCISSIONS)

16 SEC. 201. Eighty five percent of the amounts of
17 budget authority, or in lieu thereof 85 percent of the cash
18 amounts associated with such budget authority, that are
19 recaptured from projects described in section 1012(a) of
20 the Stewart B. McKinney Homeless Assistance Amend-
21 ments Act of 1988 (42 U.S.C. 1437 note) shall be re-
22 scinded or in the case of cash, shall be remitted to the
23 Treasury. Notwithstanding the previous sentence, the Sec-
24 retary may award up to 15 percent of the budget authority
25 or cash recaptured and not rescinded or remitted to the

1 Treasury to provide project owners with incentives to refi-
2 nance their project at a lower interest rate. Any amounts
3 of budget authority or cash recaptured and not rescinded,
4 returned to the Treasury, or otherwise awarded by Sep-
5 tember 30, 2016 shall be rescinded or in the case of cash,
6 shall be remitted to the Treasury.

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

15 SEC. 203. Sections 203 and 209 of division C of Pub-
16 lic Law 112–55 (125 Stat. 693–694) shall apply during
17 fiscal year 2016 as if such sections were included in this
18 title, except that during such fiscal year such sections shall
19 be applied by substituting “fiscal year 2016” for “fiscal
20 year 2011” and for “fiscal year 2012” each place such
21 terms appear, and shall be amended to reflect revised de-
22 lineations of statistical areas established by the Office of
23 Management and Budget pursuant to 44 U.S.C.
24 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No.
25 10253.

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

7 SEC. 205. Funds of the Department of Housing and
8 Urban Development subject to the Government Corpora-
9 tion Control Act or section 402 of the Housing Act of
10 1950 shall be available, without regard to the limitations
11 on administrative expenses, for legal services on a contract
12 or fee basis, and for utilizing and making payment for the
13 services and facilities of the Federal National Mortgage
14 Association, Government National Mortgage Association,
15 Federal Home Loan Mortgage Corporation, Federal Fi-
16 nancing Bank, Federal Reserve banks or any member
17 thereof, Federal Home Loan banks, and any insured bank
18 within the meaning of the Federal Deposit Insurance Cor-
19 poration Act, as amended (12 U.S.C. 1811-11).

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

1 SEC. 207. Corporations and agencies of the Depart-
2 ment of Housing and Urban Development which are sub-
3 ject to the Government Corporation Control Act are here-
4 by authorized to make such expenditures, within the limits
5 of funds and borrowing authority available to each such
6 corporation or agency and in accordance with law, and to
7 make such contracts and commitments without regard to
8 fiscal year limitations as provided by section 104 of such
9 Act as may be necessary in carrying out the programs set
10 forth in the budget for 2016 for such corporation or agen-
11 cy except as hereinafter provided: *Provided*, That collec-
12 tions of these corporations and agencies may be used for
13 new loan or mortgage purchase commitments only to the
14 extent expressly provided for in this Act (unless such loans
15 are in support of other forms of assistance provided for
16 in this or prior appropriations Acts), except that this pro-
17 viso shall not apply to the mortgage insurance or guaranty
18 operations of these corporations, or where loans or mort-
19 gage purchases are necessary to protect the financial in-
20 terest of the United States Government.

21 SEC. 208. The Secretary of Housing and Urban De-
22 velopment shall provide quarterly reports to the House
23 and Senate Committees on Appropriations regarding all
24 uncommitted, unobligated, recaptured and excess funds in
25 each program and activity within the jurisdiction of the

1 Department and shall submit additional, updated budget
2 information to these Committees upon request.

3 SEC. 209. The President's formal budget request for
4 fiscal year 2017, as well as the Department of Housing
5 and Urban Development's congressional budget justifica-
6 tions to be submitted to the Committees on Appropriations
7 of the House of Representatives and the Senate, shall use
8 the identical account and sub-account structure provided
9 under this Act.

10 SEC. 210. A public housing agency or such other enti-
11 ty that administers Federal housing assistance for the
12 Housing Authority of the county of Los Angeles, Cali-
13 fornia, and the States of Alaska, Iowa, and Mississippi
14 shall not be required to include a resident of public hous-
15 ing or a recipient of assistance provided under section 8
16 of the United States Housing Act of 1937 on the board
17 of directors or a similar governing board of such agency
18 or entity as required under section (2)(b) of such Act.
19 Each public housing agency or other entity that admin-
20 isters Federal housing assistance under section 8 for the
21 Housing Authority of the county of Los Angeles, Cali-
22 fornia and the States of Alaska, Iowa and Mississippi that
23 chooses not to include a resident of public housing or a
24 recipient of section 8 assistance on the board of directors
25 or a similar governing board shall establish an advisory

1 board of not less than six residents of public housing or
2 recipients of section 8 assistance to provide advice and
3 comment to the public housing agency or other admin-
4 istering entity on issues related to public housing and sec-
5 tion 8. Such advisory board shall meet not less than quar-
6 terly.

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

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

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

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

3 (1) Number and bedroom size of units.—

4 (A) For occupied units in the transferring
5 project: the number of low-income and very low-
6 income units and the configuration (i.e., bed-
7 room size) provided by the transferring project
8 shall be no less than when transferred to the re-
9 ceiving project or projects and the net dollar
10 amount of Federal assistance provided to the
11 transferring project shall remain the same in
12 the receiving project or projects.

13 (B) For unoccupied units in the transfer-
14 ring project: the Secretary may authorize a re-
15 duction in the number of dwelling units in the
16 receiving project or projects to allow for a re-
17 configuration of bedroom sizes to meet current
18 market demands, as determined by the Sec-
19 retary and provided there is no increase in the
20 project-based assistance budget authority.

21 (2) The transferring project shall, as deter-
22 mined by the Secretary, be either physically obsolete
23 or economically nonviable.

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

4 (4) The owner or mortgagor of the transferring
5 project shall notify and consult with the tenants re-
6 siding in the transferring project and provide a cer-
7 tification of approval by all appropriate local govern-
8 mental officials.

9 (5) The tenants of the transferring project who
10 remain eligible for assistance to be provided by the
11 receiving project or projects shall not be required to
12 vacate their units in the transferring project or
13 projects until new units in the receiving project are
14 available for occupancy.

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

17 (7) If either the transferring project or the re-
18 ceiving project or projects meets the condition speci-
19 fied in subsection (d)(2)(A), any lien on the receiv-
20 ing project resulting from additional financing ob-
21 tained by the owner shall be subordinate to any
22 FHA-insured mortgage lien transferred to, or placed
23 on, such project by the Secretary, except that the
24 Secretary may waive this requirement upon deter-
25 mination that such a waiver is necessary to facilitate

1 the financing of acquisition, construction, and/or re-
2 habilitation of the receiving project or projects.

3 (8) If the transferring project meets the re-
4 quirements of subsection (d)(2), the owner or mort-
5 gator of the receiving project or projects shall exe-
6 cute and record either a continuation of the existing
7 use agreement or a new use agreement for the
8 project where, in either case, any use restrictions in
9 such agreement are of no lesser duration than the
10 existing use restrictions.

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

17 (d) For purposes of this section—

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

22 (2) the term “multifamily housing project”
23 means housing that meets one of the following con-
24 ditions—

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

3 (B) housing that has project-based assist-
4 ance attached to the structure including
5 projects undergoing mark to market debt re-
6 structuring under the Multifamily Assisted
7 Housing Reform and Affordability Housing Act;

8 (C) housing that is assisted under section
9 202 of the Housing Act of 1959, as amended
10 by section 801 of the Cranston-Gonzales Na-
11 tional Affordable Housing Act;

12 (D) housing that is assisted under section
13 202 of the Housing Act of 1959, as such sec-
14 tion existed before the enactment of the Cran-
15 ston-Gonzales National Affordable Housing Act;

16 (E) housing that is assisted under section
17 811 of the Cranston-Gonzales National Afford-
18 able Housing Act; or

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

21 (3) the term “project-based assistance”
22 means—

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

1 (B) assistance for housing constructed or
2 substantially rehabilitated pursuant to assist-
3 ance provided under section 8(b)(2) of such Act
4 (as such section existed immediately before Oc-
5 tober 1, 1983);

6 (C) rent supplement payments under sec-
7 tion 101 of the Housing and Urban Develop-
8 ment Act of 1965;

9 (D) interest reduction payments under sec-
10 tion 236 and/or additional assistance payments
11 under section 236(f)(2) of the National Hous-
12 ing Act;

13 (E) assistance payments made under sec-
14 tion 202(e)(2) of the Housing Act of 1959; and

15 (F) assistance payments made under sec-
16 tion 811(d)(2) of the Cranston-Gonzalez Na-
17 tional Affordable Housing Act;

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

23 (5) the term “transferring project” means the
24 multifamily housing project which is transferring
25 some or all of the project-based assistance, debt, and

1 the statutorily required low-income and very low-in-
2 come use restrictions to the receiving project or
3 projects; and

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

6 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

12 (2) The Secretary shall conduct an evaluation
13 of the transfer authority under this section, includ-
14 ing the effect of such transfers on the operational ef-
15 ficiency, contract rents, physical and financial condi-
16 tions, and long-term preservation of the affected
17 properties.

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

21 (1) is enrolled as a student at an institution of
22 higher education (as defined under section 102 of
23 the Higher Education Act of 1965 (20 U.S.C.
24 1002));

25 (2) is under 24 years of age;

1 (3) is not a veteran;

2 (4) is unmarried;

3 (5) does not have a dependent child;

4 (6) is not a person with disabilities, as such
5 term is defined in section 3(b)(3)(E) of the United
6 States Housing Act of 1937 (42 U.S.C.
7 1437a(b)(3)(E)) and was not receiving assistance
8 under such section 8 as of November 30, 2005; and

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

13 (b) For purposes of determining the eligibility of a
14 person to receive assistance under section 8 of the United
15 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
16 cial assistance (in excess of amounts received for tuition
17 and any other required fees and charges) that an indi-
18 vidual receives under the Higher Education Act of 1965
19 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
20 tution of higher education (as defined under the Higher
21 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
22 ered income to that individual, except for a person over
23 the age of 23 with dependent children.

24 SEC. 214. The funds made available for Native Alas-
25 kans under the heading “Native American Housing Block

1 Grants” in title II of this Act shall be allocated to the
2 same Native Alaskan housing block grant recipients that
3 received funds in fiscal year 2005.

4 SEC. 215. Notwithstanding the limitation in the first
5 sentence of section 255(g) of the National Housing Act
6 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and
7 Urban Development may, until September 30, 2016, in-
8 sure and enter into commitments to insure mortgages
9 under such section 255.

10 SEC. 216. Notwithstanding any other provision of
11 law, in fiscal year 2016, in managing and disposing of any
12 multifamily property that is owned or has a mortgage held
13 by the Secretary of Housing and Urban Development, and
14 during the process of foreclosure on any property with a
15 contract for rental assistance payments under section 8
16 of the United States Housing Act of 1937 or other Fed-
17 eral programs, the Secretary shall maintain any rental as-
18 sistance payments under section 8 of the United States
19 Housing Act of 1937 and other programs that are at-
20 tached to any dwelling units in the property. To the extent
21 the Secretary determines, in consultation with the tenants
22 and the local government, that such a multifamily prop-
23 erty owned or held by the Secretary is not feasible for con-
24 tinued rental assistance payments under such section 8
25 or other programs, based on consideration of (1) the costs

1 of rehabilitating and operating the property and all avail-
2 able Federal, State, and local resources, including rent ad-
3 justments under section 524 of the Multifamily Assisted
4 Housing Reform and Affordability Act of 1997
5 (“MAHRAA”) and (2) environmental conditions that can-
6 not be remedied in a cost-effective fashion, the Secretary
7 may, in consultation with the tenants of that property,
8 contract for project-based rental assistance payments with
9 an owner or owners of other existing housing properties,
10 or provide other rental assistance. The Secretary shall also
11 take appropriate steps to ensure that project-based con-
12 tracts remain in effect prior to foreclosure, subject to the
13 exercise of contractual abatement remedies to assist relo-
14 cation of tenants for imminent major threats to health and
15 safety after written notice to and informed consent of the
16 affected tenants and use of other available remedies, such
17 as partial abatements or receivership. After disposition of
18 any multifamily property described under this section, the
19 contract and allowable rent levels on such properties shall
20 be subject to the requirements under section 524 of
21 MAHRAA.

22 SEC. 217. The commitment authority funded by fees
23 as provided under the heading “Community Development
24 Loan Guarantees Program Account” may be used to guar-
25 antee, or make commitments to guarantee, notes or other

1 obligations issued by any State on behalf of non-entitle-
2 ment communities in the State in accordance with the re-
3 quirements of section 108 of the Housing and Community
4 Development Act of 1974: *Provided*, That any State re-
5 ceiving such a guarantee or commitment shall distribute
6 all funds subject to such guarantee to the units of general
7 local government in non-entitlement areas that received
8 the commitment.

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

17 SEC. 219. With respect to the use of amounts pro-
18 vided in this Act and in future Acts for the operation, cap-
19 ital improvement and management of public housing as
20 authorized by sections 9(d) and 9(e) of the United States
21 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
22 Secretary shall not impose any requirement or guideline
23 relating to asset management that restricts or limits in
24 any way the use of capital funds for central office costs
25 pursuant to section 9(g)(1) or 9(g)(2) of the United States

1 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
2 *vided*, That a public housing agency may not use capital
3 funds authorized under section 9(d) for activities that are
4 eligible under section 9(e) for assistance with amounts
5 from the operating fund in excess of the amounts per-
6 mitted under section 9(g)(1) or 9(g)(2).

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

23 SEC. 221. The Secretary of the Department of Hous-
24 ing and Urban Development shall, for fiscal year 2016,
25 notify the public through the Federal Register and other

1 means, as determined appropriate, of the issuance of a no-
2 tice of the availability of assistance or notice of funding
3 availability (NOFA) for any program or discretionary
4 fund administered by the Secretary that is to be competi-
5 tively awarded. Notwithstanding any other provision of
6 law, for fiscal year 2016, the Secretary may make the
7 NOFA available only on the Internet at the appropriate
8 Government web site or through other electronic media,
9 as determined by the Secretary.

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

17 SEC. 223. The Disaster Housing Assistance Pro-
18 grams, administered by the Department of Housing and
19 Urban Development, shall be considered a “program of
20 the Department of Housing and Urban Development”
21 under section 904 of the McKinney Act for the purpose
22 of income verifications and matching.

23 SEC. 224. (a) The Secretary of Housing and Urban
24 Development shall take the required actions under sub-
25 section (b) when a multifamily housing project with a sec-

1 tion 8 contract or contract for similar project-based assist-
2 ance:

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

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

7 (A) fails to certify in writing to HUD with-
8 in 60 days that all deficiencies have been cor-
9 rected; or

10 (B) receives consecutive scores of less than
11 60 on REAC inspections.

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

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

22 (1) The Secretary shall notify the owner and
23 provide an opportunity for response within 30 days.

24 If the violations remain, the Secretary shall develop
25 a Compliance, Disposition and Enforcement Plan

1 within 60 days, with a specified timetable for cor-
2 recting all deficiencies. The Secretary shall provide
3 notice of the Plan to the owner, tenants, the local
4 government, any mortgagees, and any contract ad-
5 ministrator.

6 (2) At the end of the term of the Compliance,
7 Disposition and Enforcement Plan, if the owner fails
8 to fully comply with such plan, the Secretary may
9 require immediate replacement of project manage-
10 ment with a management agent approved by the
11 Secretary, and shall take one or more of the fol-
12 lowing actions, and provide additional notice of those
13 actions to the owner and the parties specified above:

14 (A) impose civil money penalties;

15 (B) abate the section 8 contract, including
16 partial abatement, as determined by the Sec-
17 retary, until all deficiencies have been corrected;

18 (C) pursue transfer of the project to an
19 owner, approved by the Secretary under estab-
20 lished procedures, which will be obligated to
21 promptly make all required repairs and to ac-
22 cept renewal of the assistance contract as long
23 as such renewal is offered; or

24 (D) seek judicial appointment of a receiver
25 to manage the property and cure all project de-

1 deficiencies or seek a judicial order of specific per-
2 formance requiring the owner to cure all project
3 deficiencies.

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

1 through the Real Estate Assessment Center and have
2 physical inspection scores of less than 30 or have consecu-
3 tive physical inspection scores of less than 60. The report
4 shall include:

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

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

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

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

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

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

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

24 SEC. 230. None of the funds made available by this
25 Act may be used to terminate the status of a unit of gen-

1 eral local government as a metropolitan city (as defined
2 in section 102 of the Housing and Community Develop-
3 ment Act of 1974 (42 U.S.C. 5302)) with respect to
4 grants under section 106 of such Act (42 U.S.C. 5306).

5 SEC. 231. EVALUATION FUNDING FLEXIBILITY
6 PILOT.—

7 Amounts made available under this Act which are ei-
8 ther appropriated, allocated, advanced on a reimbursable
9 basis, or transferred to the Office of Policy Development
10 and Research in the Department of Housing and Urban
11 Development and functions thereof, for research, evalua-
12 tion, or statistical purposes, and which are unexpended at
13 the time of completion of a contract, grant, or cooperative
14 agreement, may be deobligated and shall immediately be-
15 come available and may be reobligated in that fiscal year
16 or the subsequent fiscal year for the research, evaluation,
17 or statistical purposes for which the amounts are made
18 available to that Office subject to reprogramming require-
19 ments in Section 405 of this Act.

20 SEC. 232. None of the funds made available by this
21 Act may be used by the Secretary of Housing and Urban
22 Development to require a recipient or sub-recipient of
23 funding for the purpose of land acquisition, affordable
24 housing construction, or affordable housing rehabilitation
25 to meet Energy Star standards or any other energy effi-

1 ciency standards that exceed the requirements of applica-
2 ble State and local building codes.

3 SEC. 233. Of the unobligated balances, including re-
4 captures and carryover, remaining from funds appro-
5 priated in section 1497(a) of the Dodd-Frank Wall Street
6 Reform and Consumer Protection Act (Public Law 111-
7 203; 42 U.S.C. 5301 note) and section 2301(a) of title
8 III of division B of the Housing and Economic Recovery
9 Act of 2008 (Public Law 110-289; 42 U.S.C. 5301 note),
10 \$7,000,000 is hereby rescinded.

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

16 (b) Effective October 1, 2015, all unobligated bal-
17 ances, including recaptures and carryover, remaining from
18 funds appropriated to the Department of Housing and
19 Urban Development for accounts under the headings
20 “Management and Administration” and “Program Office
21 Salaries and Expenses” in division K of Public Law 113-
22 235 are rescinded.

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

1 TITLE III—RELATED AGENCIES

2 ACCESS BOARD

3 SALARIES AND EXPENSES

4 For expenses necessary for the Access Board, as au-
5 thorized by section 502 of the Rehabilitation Act of 1973,
6 as amended, \$7,548,000: *Provided*, That, notwithstanding
7 any other provision of law, there may be credited to this
8 appropriation funds received for publications and training
9 expenses.

10 FEDERAL MARITIME COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Federal Maritime
13 Commission as authorized by section 201(d) of the Mer-
14 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
15 cluding services as authorized by 5 U.S.C. 3109; hire of
16 passenger motor vehicles as authorized by 31 U.S.C.
17 1343(b); and uniforms or allowances therefore, as author-
18 ized by 5 U.S.C. 5901–5902, \$25,660,000: *Provided*, That
19 not to exceed \$2,000 shall be available for official recep-
20 tion and representation expenses.

21 NATIONAL RAILROAD PASSENGER CORPORATION OFFICE

22 OF INSPECTOR GENERAL

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Inspector
25 General for the National Railroad Passenger Corporation

1 to carry out the provisions of the Inspector General Act
2 of 1978, as amended, \$23,999,000: *Provided*, That the In-
3 spector General shall have all necessary authority, in car-
4 rying out the duties specified in the Inspector General Act,
5 as amended (5 U.S.C. App. 3), to investigate allegations
6 of fraud, including false statements to the government (18
7 U.S.C. 1001), by any person or entity that is subject to
8 regulation by the National Railroad Passenger Corpora-
9 tion: *Provided further*, That the Inspector General may
10 enter into contracts and other arrangements for audits,
11 studies, analyses, and other services with public agencies
12 and with private persons, subject to the applicable laws
13 and regulations that govern the obtaining of such services
14 within the National Railroad Passenger Corporation: *Pro-*
15 *vided further*, That the Inspector General may select, ap-
16 point, and employ such officers and employees as may be
17 necessary for carrying out the functions, powers, and du-
18 ties of the Office of Inspector General, subject to the appli-
19 cable laws and regulations that govern such selections, ap-
20 pointments, and employment within Amtrak: *Provided fur-*
21 *ther*, That concurrent with the President's budget request
22 for fiscal year 2016, the Inspector General shall submit
23 to the House and Senate Committees on Appropriations
24 a budget request for fiscal year 2016 in similar format

1 and substance to those submitted by executive agencies
2 of the Federal Government.

3 NATIONAL TRANSPORTATION SAFETY BOARD

4 SALARIES AND EXPENSES

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

17 NEIGHBORHOOD REINVESTMENT CORPORATION

18 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

19 CORPORATION

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

1 made available until expended to the Neighborhood Rein-
2 vestment Corporation for mortgage foreclosure mitigation
3 activities, under the following terms and conditions:

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

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

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

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

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

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

15 (5) HUD-approved counseling entities and
16 State Housing Finance Agencies receiving funds
17 under this paragraph shall have demonstrated expe-
18 rience in successfully working with financial institu-
19 tions as well as borrowers facing default, delin-
20 quency and foreclosure as well as documented coun-
21 seling capacity, outreach capacity, past successful
22 performance and positive outcomes with documented
23 counseling plans (including post mortgage fore-
24 closure mitigation counseling), loan workout agree-
25 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 Appropria-
21 tions as well as the Senate Banking Committee and
22 House Financial Services Committee on its efforts to
23 mitigate mortgage default.

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

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 SEC. 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;

1 (B) a delineation in the table for each ap-
2 propriation and its respective prior year enacted
3 level by object class and program, project, and
4 activity as detailed in the budget appendix for
5 the respective appropriation; and

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 ject 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 merly 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 –10c, popularly known as the “Buy Amer-
13 ican 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 –10c).

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 on 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 Democratic Solidarity
23 (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

1 Subtitle —Spending Reduction Account

2 SEC. 415. The amount by which the applicable alloca-
3 tion of new budget authority made by the Committee on
4 Appropriations of the House of Representatives under
5 Section 302(b) of the Congressional Budget Act of 1974
6 exceeds the amount of proposed new budget authority is
7 \$0.

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

[FULL COMMITTEE PRINT]

Union Calendar No. _____

114TH CONGRESS
1ST Session

H. R. _____

[Report No. 114-_____] _____

A BILL

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

, 2015

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