

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**H. R. 2577**

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

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. COLLINS

Viz:

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

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

5 For necessary expenses of the Office of the Secretary,  
6 \$110,738,000, of which not to exceed \$2,734,000 shall be  
7 available for the immediate Office of the Secretary; not  
8 to exceed \$1,025,000 shall be available for the immediate  
9 Office of the Deputy Secretary; not to exceed \$20,109,000  
10 shall be available for the Office of the General Counsel;  
11 not to exceed \$10,141,000 shall be available for the Office  
12 of the Under Secretary of Transportation for Policy; not  
13 to exceed \$13,867,000 shall be available for the Office of  
14 the Assistant Secretary for Budget and Programs; not to  
15 exceed \$2,546,000 shall be available for the Office of the  
16 Assistant Secretary for Governmental Affairs; not to ex-  
17 ceed \$27,411,000 shall be available for the Office of the  
18 Assistant Secretary for Administration; not to exceed  
19 \$2,029,000 shall be available for the Office of Public Af-  
20 fairs; not to exceed \$1,769,000 shall be available for the  
21 Office of the Executive Secretariat; not to exceed  
22 \$1,434,000 shall be available for the Office of Small and  
23 Disadvantaged Business Utilization; not to exceed  
24 \$10,793,000 shall be available for the Office of Intel-  
25 ligence, Security, and Emergency Response; and not to ex-

1 ceed \$16,880,000 shall be available for the Office of the  
2 Chief Information Officer: *Provided*, That the Secretary  
3 of Transportation is authorized to transfer funds appro-  
4 priated for any office of the Office of the Secretary to any  
5 other office of the Office of the Secretary: *Provided fur-*  
6 *ther*, That no appropriation for any office shall be in-  
7 creased or decreased by more than 5 percent by all such  
8 transfers: *Provided further*, That notice of any change in  
9 funding greater than 5 percent shall be submitted for ap-  
10 proval to the House and Senate Committees on Appropria-  
11 tions: *Provided further*, That not to exceed \$60,000 shall  
12 be for allocation within the Department for official recep-  
13 tion and representation expenses as the Secretary may de-  
14 termine: *Provided further*, That notwithstanding any other  
15 provision of law, excluding fees authorized in Public Law  
16 107–71, there may be credited to this appropriation up  
17 to \$2,500,000 in funds received in user fees: *Provided fur-*  
18 *ther*, That none of the funds provided in this Act shall  
19 be available for the position of Assistant Secretary for  
20 Public Affairs: *Provided further*, That not later than 60  
21 days after the date of enactment of this Act, the Secretary  
22 of Transportation shall transmit to Congress the final  
23 Comprehensive Truck Size and Weight Limits Study, as  
24 required by section 32801 of Public Law 112–141: *Pro-*  
25 *vided further*, That the amount herein appropriated for the

1 Office of the Under Secretary for Transportation Policy  
2 shall be reduced by \$100,000 for each day after 60 days  
3 after the date of enactment of this Act that such report  
4 has not been submitted to Congress: *Provided further*,  
5 That the Secretary shall provide the House and Senate  
6 Committees on Appropriations quarterly written notifica-  
7 tion regarding the status of pending reports required to  
8 be submitted to the House and Senate Committees on Ap-  
9 propriations: *Provided further*, That the Secretary shall  
10 provide in electronic form all signed reports required by  
11 Congress.

12 RESEARCH AND TECHNOLOGY

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

## 1 NATIONAL INFRASTRUCTURE INVESTMENTS

2 For capital investments in surface transportation in-  
3 frastructure, \$600,000,000, to remain available through  
4 September 30, 2019: *Provided*, That the Secretary of  
5 Transportation shall distribute funds provided under this  
6 heading as discretionary grants to be awarded to a State,  
7 local government, transit agency, or a collaboration among  
8 such entities on a competitive basis for projects that will  
9 have a significant impact on the Nation, a metropolitan  
10 area, or a region: *Provided further*, That projects eligible  
11 for funding provided under this heading shall include, but  
12 not be limited to, highway or bridge projects eligible under  
13 title 23, United States Code; public transportation  
14 projects eligible under chapter 53 of title 49, United  
15 States Code; passenger and freight rail transportation  
16 projects; and port infrastructure investments (including  
17 inland port infrastructure): *Provided further*, That the  
18 Secretary may use up to 20 percent of the funds made  
19 available under this heading for the purpose of paying the  
20 subsidy and administrative costs of projects eligible for  
21 Federal credit assistance under chapter 6 of title 23,  
22 United States Code, if the Secretary finds that such use  
23 of the funds would advance the purposes of this para-  
24 graph: *Provided further*, That in distributing funds pro-  
25 vided under this heading, the Secretary shall take such

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

1 shall not be subject to a minimum grant size: *Provided*  
2 *further*, That projects conducted using funds provided  
3 under this heading must comply with the requirements of  
4 subchapter IV of chapter 31 of title 40, United States  
5 Code: *Provided further*, That the Secretary shall conduct  
6 a new competition to select the grants and credit assist-  
7 ance awarded under this heading: *Provided further*, That  
8 the Secretary may retain up to \$20,000,000 of the funds  
9 provided under this heading, and may transfer portions  
10 of those funds to the Administrators of the Federal High-  
11 way Administration, the Federal Transit Administration,  
12 the Federal Railroad Administration, and the Maritime  
13 Administration, to fund the award and oversight of grants  
14 and credit assistance made under the National Infrastruc-  
15 ture Investments program.

16 FINANCIAL MANAGEMENT CAPITAL

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

21 CYBER SECURITY INITIATIVES

22 For necessary expenses for cyber security initiatives,  
23 including necessary upgrades to wide area network and  
24 information technology infrastructure, improvement of  
25 network perimeter controls and identity management,

1 testing and assessment of information technology against  
2 business, security, and other requirements, implementa-  
3 tion of Federal cyber security initiatives and information  
4 infrastructure enhancements, implementation of enhanced  
5 security controls on network devices, and enhancement of  
6 cyber security workforce training tools, \$8,000,000, to re-  
7 main available through September 30, 2017.

8 OFFICE OF CIVIL RIGHTS

9 For necessary expenses of the Office of Civil Rights,  
10 \$9,678,000.

11 TRANSPORTATION PLANNING, RESEARCH, AND  
12 DEVELOPMENT

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

17 INTERAGENCY INFRASTRUCTURE PERMITTING  
18 IMPROVEMENT CENTER

19 For necessary expenses to establish an Interagency  
20 Infrastructure Permitting Improvement Center (IIPIC)  
21 that will implement reforms to improve interagency coordi-  
22 nation and the expediting of projects related to the permit-  
23 ting and environmental review of major transportation in-  
24 frastructure projects including one-time expenses to de-  
25 velop and deploy information technology tools to track



1 project schedules and metrics and improve the trans-  
2 parency and accountability of the permitting process,  
3 \$4,000,000, to remain available until expended: *Provided*,  
4 That there may be transferred to this appropriation, to  
5 remain available until expended, amounts from other Fed-  
6 eral agencies for expenses incurred under this heading for  
7 activities not related to transportation infrastructure: *Pro-*  
8 *vided further*, That the tools and analysis developed by the  
9 IIPIC shall be available to other Federal agencies for the  
10 permitting and review of major infrastructure projects not  
11 related to transportation only to the extent that other Fed-  
12 eral agencies provide funding to the Department as pro-  
13 vided for under the previous proviso.

14

## WORKING CAPITAL FUND

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

1 Capital Fund Steering Committee and approval of the  
2 Secretary: *Provided further*, That no assessments may be  
3 levied against any program, budget activity, subactivity or  
4 project funded by this Act unless notice of such assess-  
5 ments and the basis therefor are presented to the House  
6 and Senate Committees on Appropriations and are ap-  
7 proved by such Committees.

8           MINORITY BUSINESS RESOURCE CENTER PROGRAM

9           For the cost of guaranteed loans, \$336,000, as au-  
10 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-  
11 cluding the cost of modifying such loans, shall be as de-  
12 fined in section 502 of the Congressional Budget Act of  
13 1974: *Provided further*, That these funds are available to  
14 subsidize total loan principal, any part of which is to be  
15 guaranteed, not to exceed \$18,367,000.

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

18           MINORITY BUSINESS OUTREACH

19           For necessary expenses of Minority Business Re-  
20 source Center outreach activities, \$3,084,000, to remain  
21 available until September 30, 2017: *Provided*, That not-  
22 withstanding 49 U.S.C. 332, these funds may be used for  
23 business opportunities related to any mode of transpor-  
24 tation.

## 11

## 1 PAYMENTS TO AIR CARRIERS

## 2 (AIRPORT AND AIRWAY TRUST FUND)

3 In addition to funds made available from any other  
4 source to carry out the essential air service program under  
5 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-  
6 rived from the Airport and Airway Trust Fund, to remain  
7 available until expended: *Provided*, That in determining  
8 between or among carriers competing to provide service  
9 to a community, the Secretary may consider the relative  
10 subsidy requirements of the carriers: *Provided further*,  
11 That basic essential air service minimum requirements  
12 shall not include the 15-passenger capacity requirement  
13 under subsection 41732(b)(3) of title 49, United States  
14 Code: *Provided further*, That none of the funds in this Act  
15 or any other Act shall be used to enter into a new contract  
16 with a community located less than 40 miles from the  
17 nearest small hub airport before the Secretary has nego-  
18 tiated with the community over a local cost share: *Pro-*  
19 *vided further*, That amounts authorized to be distributed  
20 for the essential air service program under subsection  
21 41742(b) of title 49, United States Code, shall be made  
22 available immediately from amounts otherwise provided to  
23 the Administrator of the Federal Aviation Administration:  
24 *Provided further*, That the Administrator may reimburse

1 such amounts from fees credited to the account estab-  
2 lished under section 45303 of title 49, United States Code.

3 ADMINISTRATIVE PROVISIONS—OFFICE OF THE  
4 SECRETARY OF TRANSPORTATION

5 SEC. 101. None of the funds made available in this  
6 Act to the Department of Transportation may be obligated  
7 for the Office of the Secretary of Transportation to ap-  
8 prove assessments or reimbursable agreements pertaining  
9 to funds appropriated to the modal administrations in this  
10 Act, except for activities underway on the date of enact-  
11 ment of this Act, unless such assessments or agreements  
12 have completed the normal reprogramming process for  
13 Congressional notification.

14 SEC. 102. The Secretary or his or her designee may  
15 engage in activities with States and State legislators to  
16 consider proposals related to the reduction of motorcycle  
17 fatalities.

18 SEC. 103. Notwithstanding section 3324 of title 31,  
19 United States Code, in addition to authority provided by  
20 section 327 of title 49, United States Code, the Depart-  
21 ment's Working Capital Fund is hereby authorized to pro-  
22 vide payments in advance to vendors that are necessary  
23 to carry out the Federal transit pass transportation fringe  
24 benefit program under Executive Order 13150 and section  
25 3049 of Public Law 109–59: *Provided*, That the Depart-

1 ment shall include adequate safeguards in the contract  
2 with the vendors to ensure timely and high-quality per-  
3 formance under the contract.

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

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

17 FEDERAL AVIATION ADMINISTRATION

18 OPERATIONS

19 (AIRPORT AND AIRWAY TRUST FUND)

20 For necessary expenses of the Federal Aviation Ad-  
21 ministration, not otherwise provided for, including oper-  
22 ations and research activities related to commercial space  
23 transportation, administrative expenses for research and  
24 development, establishment of air navigation facilities, the  
25 operation (including leasing) and maintenance of aircraft,

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

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

1 able for the Federal Aviation Administration to finalize  
2 or implement any regulation that would promulgate new  
3 aviation user fees not specifically authorized by law after  
4 the date of the enactment of this Act: *Provided further,*  
5 That there may be credited to this appropriation, as off-  
6 setting collections, funds received from States, counties,  
7 municipalities, foreign authorities, other public authori-  
8 ties, and private sources for expenses incurred in the pro-  
9 vision of agency services, including receipts for the mainte-  
10 nance and operation of air navigation facilities, and for  
11 issuance, renewal or modification of certificates, including  
12 airman, aircraft, and repair station certificates, or for  
13 tests related thereto, or for processing major repair or al-  
14 teration forms: *Provided further,* That of the funds appro-  
15 priated under this heading, not less than \$154,400,000  
16 shall be for the contract tower program, including the con-  
17 tract tower cost share program: *Provided further,* That  
18 none of the funds in this Act for aeronautical charting  
19 and cartography are available for activities conducted by,  
20 or coordinated through, the Working Capital Fund.

21 FACILITIES AND EQUIPMENT

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For necessary expenses, not otherwise provided for,  
24 for acquisition, establishment, technical support services,  
25 improvement by contract or purchase, and hire of national



1 airspace systems and experimental facilities and equip-  
2 ment, as authorized under part A of subtitle VII of title  
3 49, United States Code, including initial acquisition of  
4 necessary sites by lease or grant; engineering and service  
5 testing, including construction of test facilities and acqui-  
6 sition of necessary sites by lease or grant; construction  
7 and furnishing of quarters and related accommodations  
8 for officers and employees of the Federal Aviation Admin-  
9 istration stationed at remote localities where such accom-  
10 modations are not available; and the purchase, lease, or  
11 transfer of aircraft from funds available under this head-  
12 ing, including aircraft for aviation regulation and certifi-  
13 cation; to be derived from the Airport and Airway Trust  
14 Fund, \$2,855,000,000, of which \$470,049,000 shall re-  
15 main available until September 30, 2016, and  
16 \$2,384,951,000 shall remain available until September 30,  
17 2018: *Provided*, That there may be credited to this appro-  
18 priation funds received from States, counties, municipali-  
19 ties, other public authorities, and private sources, for ex-  
20 penses incurred in the establishment, improvement, and  
21 modernization of national airspace systems: *Provided fur-*  
22 *ther*, That no later than March 31, the Secretary of Trans-  
23 portation shall transmit to the Congress an investment  
24 plan for the Federal Aviation Administration which in-  
25 cludes funding for each budget line item for fiscal years

1 2017 through 2021, with total funding for each year of  
2 the plan constrained to the funding targets for those years  
3 as estimated and approved by the Office of Management  
4 and Budget: *Provided further*, That the amount herein ap-  
5 propriated shall be reduced by \$100,000 per day for each  
6 day after March 31 that such report has not been sub-  
7 mitted to Congress.

8 RESEARCH, ENGINEERING, AND DEVELOPMENT

9 (AIRPORT AND AIRWAY TRUST FUND)

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

1 GRANTS-IN-AID FOR AIRPORTS  
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
3 (LIMITATION ON OBLIGATIONS)  
4 (AIRPORT AND AIRWAY TRUST FUND)  
5 (INCLUDING TRANSFER OF FUNDS)  
6 (INCLUDING RESCISSION)

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

1 *further*, That none of the funds under this heading shall  
2 be available for the replacement of baggage conveyor sys-  
3 tems, reconfiguration of terminal baggage areas, or other  
4 airport improvements that are necessary to install bulk ex-  
5 plosive detection systems: *Provided further*, That notwith-  
6 standing section 47109(a) of title 49, United States Code,  
7 the Government’s share of allowable project costs under  
8 paragraph (2) for subgrants or paragraph (3) of that sec-  
9 tion shall be 95 percent for a project at other than a large  
10 or medium hub airport that is a successive phase of a  
11 multi-phased construction project for which the project  
12 sponsor received a grant in fiscal year 2011 for the con-  
13 struction project: *Provided further*, That notwithstanding  
14 any other provision of law, of funds limited under this  
15 heading, not more than \$107,100,000 shall be obligated  
16 for administration, not less than \$15,000,000 shall be  
17 available for the Airport Cooperative Research Program,  
18 not less than \$31,000,000 shall be available for Airport  
19 Technology Research, and \$10,000,000, to remain avail-  
20 able until expended, shall be available and transferred to  
21 “Office of the Secretary, Salaries and Expenses” to carry  
22 out the Small Community Air Service Development Pro-  
23 gram: *Provided further*, That in addition to airports eligi-  
24 ble under section 41743 of title 49, such program may  
25 include the participation of an airport that serves a com-

1 munity or consortium that is not larger than a small hub  
2 airport, according to FAA hub classifications effective at  
3 the time the Office of the Secretary issues a request for  
4 proposals.

5 (RESCISSION)

6 Of the amounts authorized for the fiscal year ending  
7 September 30, 2016, under section 48112 of title 49,  
8 United States Code, all unobligated balances are perma-  
9 nently rescinded.

10 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

11 ADMINISTRATION

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

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

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

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

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

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

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

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

3 SEC. 116. The Secretary shall apportion to the spon-  
4 sor of an airport that received scheduled or unscheduled  
5 air service from a large certified air carrier (as defined  
6 in part 241 of title 14 Code of Federal Regulations, or  
7 such other regulations as may be issued by the Secretary  
8 under the authority of section 41709) an amount equal  
9 to the minimum apportionment specified in 49 U.S.C.  
10 47114(c), if the Secretary determines that airport had  
11 more than 10,000 passenger boardings in the preceding  
12 calendar year, based on data submitted to the Secretary  
13 under part 241 of title 14, Code of Federal Regulations.

14 SEC. 117. None of the funds in this Act may be obli-  
15 gated or expended for retention bonuses for an employee  
16 of the Federal Aviation Administration without the prior  
17 written approval of the Assistant Secretary for Adminis-  
18 tration of the Department of Transportation.

19 SEC. 118. Notwithstanding any other provision of  
20 law, none of the funds made available under this Act or  
21 any prior Act may be used to implement or to continue  
22 to implement any limitation on the ability of any owner  
23 or operator of a private aircraft to obtain, upon a request  
24 to the Administrator of the Federal Aviation Administra-  
25 tion, a blocking of that owner's or operator's aircraft reg-

1 istration number from any display of the Federal Aviation  
2 Administration’s Aircraft Situational Display to Industry  
3 data that is made available to the public, except data made  
4 available to a Government agency, for the noncommercial  
5 flights of that owner or operator.

6       SEC. 119. None of the funds in this Act shall be avail-  
7 able for salaries and expenses of more than 9 political and  
8 Presidential appointees in the Federal Aviation Adminis-  
9 tration.

10       SEC. 119A. None of the funds made available under  
11 this Act may be used to increase fees pursuant to section  
12 44721 of title 49, United States Code, until the FAA pro-  
13 vides to the House and Senate Committees on Appropria-  
14 tions a report that justifies all fees related to aeronautical  
15 navigation products and explains how such fees are con-  
16 sistent with Executive Order 13642.

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

21       SEC. 119C. None of the funds in this Act may be  
22 used to close a regional operations center of the Federal  
23 Aviation Administration or reduce its services unless the  
24 Administrator notifies the House and Senate Committees



1 on Appropriations not less than 90 full business days in  
2 advance.

3 FEDERAL HIGHWAY ADMINISTRATION

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 (HIGHWAY TRUST FUND)

6 (INCLUDING TRANSFER OF FUNDS)

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

14 FEDERAL-AID HIGHWAYS

15 (LIMITATION ON OBLIGATIONS)

16 (HIGHWAY TRUST FUND)

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

1 in the underwriting and servicing of Federal credit instru-  
2 ments and all or a portion of the costs to the Federal Gov-  
3 ernment of servicing such credit instruments: *Provided*  
4 *further*, That such fees are available until expended to pay  
5 for such costs: *Provided further*, That such amounts are  
6 in addition to administrative expenses that are also avail-  
7 able for such purpose, and are not subject to any obliga-  
8 tion limitation or the limitation on administrative expenses  
9 under section 608 of title 23, United States Code.

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (HIGHWAY TRUST FUND)

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

18 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

19 ADMINISTRATION

20 SEC. 120. (a) For fiscal year 2016, the Secretary of  
21 Transportation shall—

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

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

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

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

9 (A) made available from the Highway  
10 Trust Fund (other than the Mass Transit Ac-  
11 count) for Federal-aid highways and highway  
12 safety construction programs for previous fiscal  
13 years the funds for which are allocated by the  
14 Secretary (or apportioned by the Secretary  
15 under section 202 or 204 of title 23, United  
16 States Code); and

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

19 (3) determine the proportion that—

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

24 (B) the total of the sums authorized to be  
25 appropriated for the Federal-aid highways and

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

11 (4) distribute the obligation limitation for Fed-  
12 eral-aid highways, less the aggregate amounts not  
13 distributed under paragraphs (1) and (2), for each  
14 of the programs (other than programs to which  
15 paragraph (1) applies) that are allocated by the Sec-  
16 retary under the Moving Ahead for Progress in the  
17 21st Century Act and title 23, United States Code,  
18 or apportioned by the Secretary under sections 202  
19 or 204 of that title, by multiplying—

20 (A) the proportion determined under para-  
21 graph (3); by

22 (B) the amounts authorized to be appro-  
23 priated for each such program for such fiscal  
24 year; and

1           (5) distribute the obligation limitation for Fed-  
2       eral-aid highways, less the aggregate amounts not  
3       distributed under paragraphs (1) and (2) and the  
4       amounts distributed under paragraph (4), for Fed-  
5       eral-aid highways and highway safety construction  
6       programs that are apportioned by the Secretary  
7       under title 23, United States Code (other than the  
8       amounts apportioned for the National Highway Per-  
9       formance Program in section 119 of title 23, United  
10      States Code, that are exempt from the limitation  
11      under subsection (b)(12) and the amounts appor-  
12      tioned under sections 202 and 204 of that title) in  
13      the proportion that—

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

18                   (B) the total of the amounts authorized to  
19                   be appropriated for the programs that are ap-  
20                   portioned under title 23, United States Code, to  
21                   all States for such fiscal year.

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

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

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

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

6           (4) subsections (b) and (j) of section 131 of the  
7 Surface Transportation Assistance Act of 1982 (96  
8 Stat. 2119);

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

12           (6) sections 1103 through 1108 of the Inter-  
13 modal Surface Transportation Efficiency Act of  
14 1991 (105 Stat. 2027);

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

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

21           (9) Federal-aid highways programs for which  
22 obligation authority was made available under the  
23 Transportation Equity Act for the 21st Century  
24 (112 Stat. 107) or subsequent Acts for multiple  
25 years or to remain available until expended, but only

1 to the extent that the obligation authority has not  
2 lapsed or been used;

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

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

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

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

19 (1) revise a distribution of the obligation limita-  
20 tion made available under subsection (a) if an  
21 amount distributed cannot be obligated during that  
22 fiscal year; and

23 (2) redistribute sufficient amounts to those  
24 States able to obligate amounts in addition to those  
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-  
2 ances of funds apportioned under sections 144 (as in  
3 effect on the day before the date of enactment of  
4 Public Law 112–141) and 104 of title 23, United  
5 States Code.

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

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

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

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

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

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

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

24 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED  
25 FUNDS.—



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

7                   (A) are authorized to be appropriated for  
8                   such fiscal year for Federal-aid highways pro-  
9                   grams; and

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

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

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

1           SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-  
2 ceived by the Bureau of Transportation Statistics from the  
3 sale of data products, for necessary expenses incurred pur-  
4 suant to chapter 63 of title 49, United States Code, may  
5 be credited to the Federal-aid highways account for the  
6 purpose of reimbursing the Bureau for such expenses:  
7 *Provided*, That such funds shall be subject to the obliga-  
8 tion limitation for Federal-aid highways and highway safe-  
9 ty construction programs.

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

19          SEC. 123. None of the funds in this Act to the De-  
20 partment of Transportation may be used to provide credit  
21 assistance unless not less than 3 days before any applica-  
22 tion approval to provide credit assistance under sections  
23 603 and 604 of title 23, United States Code, the Secretary  
24 of Transportation provides notification in writing to the  
25 following committees: the House and Senate Committees

1 on Appropriations; the Committee on Environment and  
2 Public Works and the Committee on Banking, Housing  
3 and Urban Affairs of the Senate; and the Committee on  
4 Transportation and Infrastructure of the House of Rep-  
5 resentatives: *Provided*, That such notification shall in-  
6 clude, but not be limited to, the name of the project spon-  
7 sor; a description of the project; whether credit assistance  
8 will be provided as a direct loan, loan guarantee, or line  
9 of credit; and the amount of credit assistance.

10 SEC. 124. From the unobligated balances of funds  
11 apportioned among the States prior to October 1, 2012,  
12 under sections 104(b) of title 23, United States Code (as  
13 in effect on the day before the date of enactment of Public  
14 Law 112–141), the amount of \$22,348,000 shall be made  
15 available in fiscal year 2016 for the administrative ex-  
16 penses of the Federal Highway Administration: *Provided*,  
17 That this provision shall not apply to funds distributed  
18 in accordance with section 104(b)(5) of title 23, United  
19 States Code (as in effect on the day before the date of  
20 enactment of Public Law 112–141); section 133(d)(1) of  
21 such title (as in effect on the day before the date of enact-  
22 ment of Public Law 109–59); and the first sentence of  
23 section 133(d)(3)(A) of such title (as in effect on the day  
24 before the date of enactment of Public Law 112–141):  
25 *Provided further*, That such amount shall be derived on

1 a proportional basis from the unobligated balances of ap-  
2 portioned funds to which this provision applies: *Provided*  
3 *further*, That the amount made available by this provision  
4 in fiscal year 2016 for the administrative expenses of the  
5 Federal Highway Administration shall be in addition to  
6 the amount made available in fiscal year 2016 for such  
7 purposes under section 104(a) of title 23, United States  
8 Code.

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

11 “(m) OPERATION OF CERTAIN SPECIALIZED HAUL-  
12 ING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

13 “(1) IN GENERAL.—If any segment of United  
14 States Route 59, United States Route 77, United  
15 States Route 281, United States Route 84, or routes  
16 otherwise made eligible for designation as Interstate  
17 Route 69, is designated as Interstate Route 69, a  
18 vehicle that could operate legally on that segment  
19 before the date of such designation may continue to  
20 operate on that segment, without regard to any re-  
21 quirement under subsection (a).

22 “(2) DESCRIPTION OF HIGHWAY SEGMENTS.—  
23 The highway segments referred to in paragraph (1)  
24 are any segment of United States Route 59, United  
25 States Route 77, United States Route 281, United

1 States Route 84, and routes otherwise made eligible  
2 for designation as Interstate Route 69 in Texas.

3 “(n) OPERATION OF CERTAIN SPECIALIZED VEHI-  
4 CLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKAN-  
5 SAS.—If any segment of United States Route 63 between  
6 the exits for Arkansas Highway 14 and Arkansas High-  
7 way 75 is designated as part of the Interstate System—

8 “(1) a vehicle that could legally operate on the  
9 segment before the date of such designation at the  
10 posted speed limit may continue to operate on that  
11 segment; and

12 “(2) a vehicle that can only travel slower than  
13 the posted speed limit on the segment and could oth-  
14 erwise legally operate on the segment before the date  
15 of such designation may continue to operate on that  
16 segment during daylight hours.”.

17 SEC. 126. (a) A State or territory, as defined in sec-  
18 tion 165 of title 23, United States Code, may use for any  
19 project eligible under section 133(b) of title 23 or section  
20 165 of title 23 and located within the boundary of the  
21 State or territory any earmarked amount, and any associ-  
22 ated obligation limitation, provided that the Department  
23 of Transportation for the State or territory for which the  
24 earmarked amount was originally designated or directed  
25 notifies the Secretary of Transportation of its intent to

1 use its authority under this section and submits a quar-  
2 terly report to the Secretary identifying the projects to  
3 which the funding would be applied. Notwithstanding the  
4 original period of availability of funds to be obligated  
5 under this section, such funds and associated obligation  
6 limitation shall remain available for obligation for a period  
7 of 3 fiscal years after the fiscal year in which the Sec-  
8 retary of Transportation is notified. The Federal share of  
9 the cost of a project carried out with funds made available  
10 under this section shall be the same as associated with  
11 the earmark.

12 (b) In this section, the term “earmarked amount”  
13 means—

14 (1) congressionally directed spending, as de-  
15 fined in rule XLIV of the Standing Rules of the  
16 Senate, identified in a prior law, report, or joint ex-  
17 planatory statement, which was authorized to be ap-  
18 propriated or appropriated more than 10 fiscal years  
19 prior to the fiscal year in which this Act becomes ef-  
20 fective, and administered by the Federal Highway  
21 Administration; or

22 (2) a congressional earmark, as defined in rule  
23 XXI of the Rules of the House of Representatives  
24 identified in a prior law, report, or joint explanatory  
25 statement, which was authorized to be appropriated

1 or appropriated more than 10 fiscal years prior to  
2 the fiscal year in which this Act becomes effective,  
3 and administered by the Federal Highway Adminis-  
4 tration.

5 (c) The authority under subsection (a) may be exer-  
6 cised only for those projects or activities that have obli-  
7 gated less than 10 percent of the amount made available  
8 for obligation as of the effective date of this Act, and shall  
9 be applied to projects within the same general geographic  
10 area within 50 miles for which the funding was des-  
11 ignated, except that a State or territory may apply such  
12 authority to unexpended balances of funds from projects  
13 or activities the State or territory certifies have been  
14 closed and for which payments have been made under a  
15 final voucher.

16 (d) The Secretary shall submit consolidated reports  
17 of the information provided by the States and territories  
18 each quarter to the House and Senate Committees on Ap-  
19 propriations.

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

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

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

1 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

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

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

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

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

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

11 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

12 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in the implemen-  
17 tation, execution and administration of motor carrier safe-  
18 ty operations and programs pursuant to section 31104(i)  
19 of title 49, United States Code, and sections 4127 and  
20 4134 of Public Law 109–59, as amended by Public Law  
21 112–141, \$259,000,000, to be derived from the Highway  
22 Trust Fund (other than the Mass Transit Account), to-  
23 gether with advances and reimbursements received by the  
24 Federal Motor Carrier Safety Administration, the sum of  
25 which shall remain available until expended: *Provided,*



1 That funds available for implementation, execution or ad-  
2 ministration of motor carrier safety operations and pro-  
3 grams authorized under title 49, United States Code, shall  
4 not exceed total obligations of \$259,000,000 for “Motor  
5 Carrier Safety Operations and Programs” for fiscal year  
6 2016, of which \$9,000,000, to remain available for obliga-  
7 tion until September 30, 2018, is for the research and  
8 technology program, and of which \$34,545,000, to remain  
9 available for obligation until September 30, 2018, is for  
10 information management: *Provided further*, That  
11 \$1,000,000 shall be made available for commercial motor  
12 vehicle operator grants to carry out section 4134 of Public  
13 Law 109–59, as amended by Public Law 112–141.

14

## MOTOR CARRIER SAFETY GRANTS

15

(LIQUIDATION OF CONTRACT AUTHORIZATION)

16

(LIMITATION ON OBLIGATIONS)

17

(HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out  
19 sections 31102, 31104(a), 31106, 31107, 31109, 31309,  
20 31313 of title 49, United States Code, and sections 4126  
21 and 4128 of Public Law 109–59, as amended by Public  
22 Law 112–141, \$313,000,000, to be derived from the  
23 Highway Trust Fund (other than the Mass Transit Ac-  
24 count) and to remain available until expended: *Provided*,  
25 That funds available for the implementation or execution

1 of motor carrier safety programs shall not exceed total ob-  
2 ligations of \$313,000,000 in fiscal year 2016 for “Motor  
3 Carrier Safety Grants”; of which \$218,000,000 shall be  
4 available for the motor carrier safety assistance program,  
5 \$30,000,000 shall be available for commercial driver’s li-  
6 cense program improvement grants, \$32,000,000 shall be  
7 available for border enforcement grants, \$5,000,000 shall  
8 be available for performance and registration information  
9 system management grants, \$25,000,000 shall be avail-  
10 able for the commercial vehicle information systems and  
11 networks deployment program, and \$3,000,000 shall be  
12 available for safety data improvement grants: *Provided*  
13 *further*, That, of the funds made available herein for the  
14 motor carrier safety assistance program, \$32,000,000  
15 shall be available for audits of new entrant motor carriers.

16 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

17 CARRIER SAFETY ADMINISTRATION

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

22 (b) Section 350(d) of the Department of Transpor-  
23 tation and Related Agencies Appropriation Act, 2002  
24 (Public Law 107–87) is hereby repealed.

1       SEC. 131. The Federal Motor Carrier Safety Admin-  
2   istration shall send notice of 49 CFR section 385.308 vio-  
3   lations by certified mail, registered mail, or another man-  
4   ner of delivery which records the receipt of the notice by  
5   the persons responsible for the violations.

6       SEC. 132. None of the funds limited or otherwise  
7   made available under this Act, or any other Act, hereafter,  
8   shall be used by the Secretary to enforce any regulation  
9   prohibiting a State from issuing a commercial learner’s  
10  permit to individuals under the age of eighteen if the State  
11  had a law authorizing the issuance of commercial learner’s  
12  permits to individuals under eighteen years of age as of  
13  May 9, 2011.

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

1 cerns that resulted in that Hazardous Materials Out-of-  
2 Service rate.

3       SEC. 134. Funds appropriated or otherwise made  
4 available by this Act or any other Act shall be used here-  
5 after to enforce sections 395.3(c) and 395.3(d) of title 49,  
6 Code of Federal Regulations, only if the final report issued  
7 by the Secretary required by section 133 of division K of  
8 Public Law 113–235 finds that the July 1, 2013 restart  
9 provisions resulted in statistically significant net safety  
10 benefits and the Inspector General certifies that the final  
11 report meets the statutory requirements of Public Law  
12 113–235.

13       SEC. 135. Funds made available by this Act or any  
14 other Act may be used to develop, issue, or implement any  
15 regulation that increases levels of minimum financial re-  
16 sponsibility for transporting passengers or property as in  
17 effect on January 1, 2014, under regulations issued pur-  
18 suant to sections 31138 and 31139 of title 49, United  
19 States Code, only 60 days after the Secretary provides a  
20 report to the House and Senate Committees on Appropria-  
21 tions, the House Committee on Transportation and Infra-  
22 structure, and the Senate Committee on Commerce,  
23 Science, and Transportation on the impact of raising the  
24 minimum financial responsibility for transporting pas-  
25 sengers or property. The report shall include an assess-

1 ment of catastrophic crashes in which damages exceeded  
2 the insurance limits, the impact of higher insurance pre-  
3 miums on carriers, and the capacity of the insurance in-  
4 dustry to underwrite increases in current minimum finan-  
5 cial responsibility limits.

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

8 (1) in subsection (14) by striking “or”;

9 (2) in subsection (15) by striking “.” and in-  
10 sserting “; or”; and

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

16 SEC. 137. (a) Section 31111(b)(1)(A) of title 49,  
17 United States Code, is amended by striking “or of less  
18 than 28 feet on a semitrailer or trailer operating in a truck  
19 tractor semitrailer-trailer combination,” and inserting “or,  
20 notwithstanding section 31112, of less than 33 feet on a  
21 semitrailer or trailer operating in a truck tractor  
22 semitrailer-trailer combination,”.

23 (b) Section 31111(f) of title 49, United States Code,  
24 the term “chief executive officer of a State” shall include

1 “chief executive officer of a State Department of Trans-  
2 portation”.

3 (c) The Secretary of Transportation is directed to  
4 conduct a study comparing crash data between 28 foot  
5 and 33 foot semitrailers or trailers operating in a truck  
6 tractor-semitrailer-trailer configuration. The Secretary  
7 shall submit its study to the House and Senate Commit-  
8 tees on Appropriations no later than three years after the  
9 date of enactment of this Act.

10 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
11 OPERATIONS AND RESEARCH

12 For expenses necessary to discharge the functions of  
13 the Secretary, with respect to traffic and highway safety  
14 authorized under chapter 301 and part C of subtitle VI  
15 of title 49, United States Code, \$130,500,000, of which  
16 \$20,000,000 shall remain available through September  
17 30, 2017.

18 OPERATIONS AND RESEARCH  
19 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
20 (LIMITATION ON OBLIGATIONS)  
21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out  
23 the provisions of 23 U.S.C. 403, and chapter 303 of title  
24 49, United States Code, \$118,500,000, to be derived from  
25 the Highway Trust Fund (other than the Mass Transit

1 Account) and to remain available until expended: *Pro-*  
2 *vided*, That none of the funds under this heading shall  
3 be available for the planning or execution of programs the  
4 total obligations for which, in fiscal year 2016, are in ex-  
5 cess of \$118,500,000, of which \$113,500,000 shall be for  
6 programs authorized under 23 U.S.C. 403 and \$5,000,000  
7 shall be for the National Driver Register authorized under  
8 chapter 303 of title 49, United States Code: *Provided fur-*  
9 *ther*, That within the \$118,500,000 obligation limitation  
10 for operations and research, \$20,000,000 shall remain  
11 available until September 30, 2017, and shall be in addi-  
12 tion to the amount of any limitation imposed on obliga-  
13 tions for future years.

14 HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER

15 PURPOSES

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out  
20 provisions of 23 U.S.C. 402, 403, and 405, section 2009  
21 of Public Law 109–59, as amended by Public Law 112–  
22 141, section 31101(a)(6) of Public Law 112–141, chapter  
23 301 of title 49, United States Code, and part C of subtitle  
24 VI of title 49, United States Code, to remain available  
25 until expended, \$575,500,000, to be derived from the

1 Highway Trust Fund (other than the Mass Transit Ac-  
2 count): *Provided*, That none of the funds in this Act shall  
3 be available for the planning or execution of programs the  
4 total obligations for which, in fiscal year 2016, are in ex-  
5 cess of \$575,500,000 for programs authorized under 23  
6 U.S.C. 402, 403, and 405, section 2009 of Public Law  
7 109–59, as amended by Public Law 112–141, section  
8 31101(a)(6) of Public Law 112–141, chapter 301 of title  
9 49, United States Code, and part C of subtitle VI of title  
10 49, United States Code, of which \$235,000,000 shall be  
11 for “Highway Safety Programs” under 23 U.S.C. 402;  
12 \$272,000,000 shall be for “National Priority Safety Pro-  
13 grams” under 23 U.S.C. 405; \$29,000,000 shall be for  
14 “High Visibility Enforcement Program” under section  
15 2009 of Public Law 109–59, as amended by Public Law  
16 112–141; \$25,500,000 shall be for “Administrative Ex-  
17 penses” under section 31101(a)(6) of Public Law 112–  
18 141: *Provided further*, That none of these funds shall be  
19 used for construction, rehabilitation, or remodeling costs,  
20 or for office furnishings and fixtures for State, local or  
21 private buildings or structures: *Provided further*, That not  
22 to exceed \$500,000 of the funds made available for “Na-  
23 tional Priority Safety Programs” under 23 U.S.C. 405 for  
24 “Impaired Driving Countermeasures” (as described in  
25 subsection (d) of that section) shall be available for tech-



1 nical assistance to the States: *Provided further*, That with  
2 respect to the “Transfers” provision under 23 U.S.C.  
3 405(a)(1)(G), any amounts transferred to increase the  
4 amounts made available under section 402 shall include  
5 the obligation authority for such amounts: *Provided fur-*  
6 *ther*, That the Administrator shall notify the House and  
7 Senate Committees on Appropriations of any exercise of  
8 the authority granted under the previous proviso or under  
9 23 U.S.C. 405(a)(1)(G) within 5 days: *Provided further*,  
10 That \$10,000,000 of the total obligation limitation made  
11 available shall be applied toward unobligated balances of  
12 contract authority under the program for which funds  
13 were authorized in section 2005 of Public Law 109–59,  
14 as amended, and shall be used for programs authorized  
15 under 23 U.S.C. 403: *Provided further*, That \$4,000,000  
16 of the total obligation limitation made available shall be  
17 applied toward unobligated balances of contract authority  
18 under the program for which funds were authorized in sec-  
19 tion 2005 of Public Law 109–59, as amended, and shall  
20 be used to cover the expenses necessary to discharge the  
21 functions of the Secretary, with respect to traffic and  
22 highway safety under chapter 301 of title 49, United  
23 States Code, and part C of subtitle VI of title 49, United  
24 States Code: *Provided further*, That the additional  
25 \$14,000,000 made available for obligation from unobli-

1 gated balances of contract authority under section 2005  
2 of Public Law 109–59, as amended, shall be available in  
3 the same manner as though such funds were apportioned  
4 under chapter 1 of title 23, United States Code, except  
5 that the Federal share payable on account of any program,  
6 project, or activity carried out with such funds made avail-  
7 able under this heading shall be 100 percent and such  
8 funds shall remain available for obligation until expended.

9 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

10 TRAFFIC SAFETY ADMINISTRATION

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

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

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

## 1 FEDERAL RAILROAD ADMINISTRATION

## 2 SAFETY AND OPERATIONS

3 For necessary expenses of the Federal Railroad Ad-  
4 ministration, not otherwise provided for, \$199,000,000, of  
5 which \$15,900,000 shall remain available until expended.

## 6 RAILROAD RESEARCH AND DEVELOPMENT

7 For necessary expenses for railroad research and de-  
8 velopment, \$39,100,000, to remain available until ex-  
9 pended.

## 10 RAILROAD REHABILITATION AND IMPROVEMENT

## 11 FINANCING PROGRAM

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

## 22 RAILROAD SAFETY GRANTS

23 For necessary expenses related to railroad safety  
24 grants, \$50,000,000, of which not to exceed \$25,000,000  
25 shall be available to carry out 49 U.S.C. 20167; not to

1 exceed \$15,000,000 shall be made available to carry out  
2 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be  
3 made available for projects as defined in section 22501  
4 of title 49, United States Code, to remain available until  
5 expended.

6 OPERATING GRANTS TO THE NATIONAL RAILROAD

7 PASSENGER CORPORATION

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

1 electronic format, to the Secretary and the House and  
2 Senate Committees on Appropriations the annual budget,  
3 business plan, the 5-Year Financial Plan for fiscal year  
4 2016 required under section 204 of the Passenger Rail  
5 Investment and Improvement Act of 2008 and the com-  
6 prehensive fleet plan for all Amtrak rolling stock: *Provided*  
7 *further*, That the budget, business plan and the 5-Year  
8 Financial Plan shall include annual information on the  
9 maintenance, refurbishment, replacement, and expansion  
10 for all Amtrak rolling stock consistent with the com-  
11 prehensive fleet plan: *Provided further*, That the Corpora-  
12 tion shall provide monthly performance reports in an elec-  
13 tronic format which shall describe the work completed to  
14 date, any changes to the business plan, and the reasons  
15 for such changes as well as progress against the milestones  
16 and target dates of the 2012 performance improvement  
17 plan: *Provided further*, That the Corporation's budget,  
18 business plan, 5-Year Financial Plan, semiannual reports,  
19 monthly reports, comprehensive fleet plan and all supple-  
20 mental reports or plans comply with requirements in Pub-  
21 lic Law 112–55: *Provided further*, That none of the funds  
22 provided in this Act may be used to support any route  
23 on which Amtrak offers a discounted fare of more than  
24 50 percent off the normal peak fare: *Provided further*,  
25 That the preceding proviso does not apply to routes where

1 the operating loss as a result of the discount is covered  
2 by a State and the State participates in the setting of  
3 fares.

4 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL  
5 RAILROAD PASSENGER CORPORATION

6 To enable the Secretary of Transportation to make  
7 grants to the National Railroad Passenger Corporation for  
8 capital investments as authorized by sections 101(c), 102,  
9 and 219(b) of the Passenger Rail Investment and Im-  
10 provement Act of 2008 (division B of Public Law 110–  
11 432), \$1,101,500,000, to remain available until expended,  
12 of which not to exceed \$160,200,000 shall be for debt  
13 service obligations as authorized by section 102 of such  
14 Act: *Provided*, That of the amounts made available under  
15 this heading, not less than \$50,000,000 shall be made  
16 available to bring Amtrak-served facilities and stations  
17 into compliance with the Americans with Disabilities Act:  
18 *Provided further*, That after an initial distribution of up  
19 to \$200,000,000, which shall be used by the Corporation  
20 as a working capital account, all remaining funds shall be  
21 provided to the Corporation only on a reimbursable basis:  
22 *Provided further*, That of the amounts made available  
23 under this heading, up to \$50,000,000 may be used by  
24 the Secretary to subsidize operating losses of the Corpora-  
25 tion should the funds provided under the heading “Oper-

1 ating Grants to the National Railroad Passenger Corpora-  
2 tion” be insufficient to meet operational costs for fiscal  
3 year 2016: *Provided further*, That the Secretary may re-  
4 tain up to one-half of 1 percent of the funds provided  
5 under this heading to fund the costs of project manage-  
6 ment and oversight of activities authorized by subsections  
7 101(a) and 101(c) of division B of Public Law 110–432,  
8 of which up to \$500,000 may be available for technical  
9 assistance for States, the District of Columbia, and other  
10 public entities responsible for the implementation of sec-  
11 tion 209 of division B of Public Law 110–432: *Provided*  
12 *further*, That the Secretary shall approve funding for cap-  
13 ital expenditures, including advance purchase orders of  
14 materials, for the Corporation only after receiving and re-  
15 viewing a grant request for each specific capital project  
16 justifying the Federal support to the Secretary’s satisfac-  
17 tion: *Provided further*, That except as otherwise provided  
18 herein, none of the funds under this heading may be used  
19 to subsidize operating losses of the Corporation: *Provided*  
20 *further*, That none of the funds under this heading may  
21 be used for capital projects not approved by the Secretary  
22 of Transportation or on the Corporation’s fiscal year 2015  
23 business plan: *Provided further*, That in addition to the  
24 project management oversight funds authorized under sec-  
25 tion 101(d) of division B of Public Law 110–432, the Sec-

1 retary may retain up to an additional \$5,000,000 of the  
2 funds provided under this heading to fund expenses associ-  
3 ated with implementing section 212 of division B of Public  
4 Law 110–432, including the amendments made by section  
5 212 to section 24905 of title 49, United States Code.

6 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

7 ADMINISTRATION

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

21 SEC. 151. None of the funds provided to the National  
22 Railroad Passenger Corporation may be used to fund any  
23 overtime costs in excess of \$35,000 for any individual em-  
24 ployee: *Provided*, That the President of Amtrak may waive  
25 the cap set in the previous proviso for specific employees



1 when the President of Amtrak determines such a cap  
2 poses a risk to the safety and operational efficiency of the  
3 system: *Provided further*, That the President of Amtrak  
4 shall report to the House and Senate Committees on Ap-  
5 propriations each quarter of the calendar year on waivers  
6 granted to employees and amounts paid above the cap for  
7 each month within such quarter and delineate the reasons  
8 each waiver was granted: *Provided further*, That the Presi-  
9 dent of Amtrak shall report to the House and Senate  
10 Committees on Appropriations by March 1, 2016, a sum-  
11 mary of all overtime payments incurred by the Corpora-  
12 tion for 2015 and the three prior calendar years: *Provided*  
13 *further*, That such summary shall include the total number  
14 of employees that received waivers and the total overtime  
15 payments the Corporation paid to those employees receiv-  
16 ing waivers for each month for 2015 and for the three  
17 prior calendar years.

18       SEC. 152. Of the unobligated balances of funds avail-  
19 able to the Federal Railroad Administration, the following  
20 funds are hereby rescinded: \$4,201,385 of the unobligated  
21 balances of funds made available from the following ac-  
22 counts in the specified amounts—“Rail Line Relocation  
23 and Improvement Program”, \$2,241,385; and “Railroad  
24 Research and Development”, \$1,960,000: *Provided*, That  
25 such amounts are made available to enable the Secretary

1 of Transportation to assist Class II and Class III railroads  
2 with eligible projects pursuant to sections 501 through  
3 504 of the Railroad Revitalization and Regulatory Reform  
4 Act of 1976 (Public Law 94–210), as amended: *Provided*  
5 *further*, That such funds shall be available for applicant  
6 expenses in preparing to apply and applying for direct  
7 loans and loan guarantees as well as the credit risk pre-  
8 miums notwithstanding any other restriction against the  
9 use of Federal funds for such credit risk premiums: *Pro-*  
10 *vided further*, That these funds shall remain available until  
11 expended.

12 SEC. 153. Of the unobligated balances of funds avail-  
13 able to the Federal Railroad Administration, the following  
14 funds are hereby rescinded: \$5,000,000 of the unobligated  
15 balances of funds made available to fund expenses associ-  
16 ated with implementing section 212 of division B of Public  
17 Law 110–432 in the Capital and Debt Service Grants to  
18 the National Railroad Passenger Corporation account of  
19 the Consolidated and Further Continuing Appropriations  
20 Act, 2015 and \$11,922,000 of the unobligated balances  
21 of funds made available from the following accounts in the  
22 specified amounts—“Grants to the National Railroad Pas-  
23 senger Corporation”, \$267,019; “Next Generation High-  
24 Speed Rail”, \$4,944,504; and “Safety and Operations”,  
25 \$6,710,477: *Provided*, That such amounts are made avail-

1 able to enable the Secretary of Transportation to make  
2 grants to the National Railroad Passenger Corporation as  
3 authorized by section 101(c) of the Passenger Rail Invest-  
4 ment and Improvement Act of 2008 (division B of Public  
5 Law 110–432) for state-of-good-repair backlog and infra-  
6 structure improvements on Northeast Corridor shared-use  
7 infrastructure identified in the Northeast Corridor Infra-  
8 structure and Operations Advisory Commission’s approved  
9 5-year capital plan: *Provided further*, That these funds  
10 shall remain available until expended and shall be avail-  
11 able for grants in an amount not to exceed 50 percent  
12 of the total project cost, with the required matching funds  
13 to be provided consistent with the Commission’s cost allo-  
14 cation policy.

15 FEDERAL TRANSIT ADMINISTRATION

16 ADMINISTRATIVE EXPENSES

17 For necessary administrative expenses of the Federal  
18 Transit Administration’s programs authorized by chapter  
19 53 of title 49, United States Code, \$107,000,000, of which  
20 not less than \$5,000,000 shall be available to carry out  
21 the provisions of 49 U.S.C. 5329 and not less than  
22 \$1,000,000 shall be available to carry out the provisions  
23 of 49 U.S.C. 5326: *Provided*, That none of the funds pro-  
24 vided or limited in this Act may be used to create a perma-  
25 nent office of transit security under this heading: *Provided*

1 *further*, That upon submission to the Congress of the fiscal  
2 year 2017 President’s budget, the Secretary of Transpor-  
3 tation shall transmit to Congress the annual report on  
4 New Starts, including proposed allocations for fiscal year  
5 2017.

6 TRANSIT FORMULA GRANTS  
7 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
8 (LIMITATION ON OBLIGATIONS)  
9 (HIGHWAY TRUST FUND)

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

## 1 TRANSIT RESEARCH

2 For necessary expenses to carry out 49 U.S.C. 5312  
3 and 5313, \$32,500,000, to remain available until ex-  
4 pended: *Provided*, That \$30,000,000 shall be for activities  
5 authorized under 49 U.S.C. 5312 and \$2,500,000 shall  
6 be for activities authorized under 49 U.S.C. 5313.

## 7 TECHNICAL ASSISTANCE AND TRAINING

8 For necessary expenses to carry out 49 U.S.C. 5314  
9 and 5322(a), (b) and (e), \$3,153,000, to remain available  
10 until expended: *Provided*, That \$2,653,000 shall be for ac-  
11 tivities authorized under 49 U.S.C. 5314 and \$500,000  
12 shall be for activities authorized under 49 U.S.C. 5322(a),  
13 (b) and (e).

## 14 CAPITAL INVESTMENT GRANTS

15 For necessary expenses to carry out 49 U.S.C. 5309,  
16 \$1,896,000,000, to remain available until expended: *Pro-*  
17 *vided*, That when distributing funds among Recommended  
18 New Starts Projects, the Administrator shall first fully  
19 fund those projects covered by a full funding grant agree-  
20 ment, then fully fund those projects whose section 5309  
21 share is less than 40 percent, and then distribute the re-  
22 maining funds so as to protect as much as possible the  
23 projects' budgets and schedules.

1 GRANTS TO THE WASHINGTON METROPOLITAN AREA  
2 TRANSIT AUTHORITY

3 For grants to the Washington Metropolitan Area  
4 Transit Authority as authorized under section 601 of divi-  
5 sion B of Public Law 110–432, \$150,000,000, to remain  
6 available until expended: *Provided*, That the Secretary of  
7 Transportation shall approve grants for capital and pre-  
8 ventive maintenance expenditures for the Washington  
9 Metropolitan Area Transit Authority only after receiving  
10 and reviewing a request for each specific project: *Provided*  
11 *further*, That prior to approving such grants, the Secretary  
12 shall certify that the Washington Metropolitan Area Tran-  
13 sit Authority is making progress to improve its safety  
14 management system in response to the Federal Transit  
15 Administration’s 2015 safety management inspection:  
16 *Provided further*, That prior to approving such grants, the  
17 Secretary shall certify that the Washington Metropolitan  
18 Area Transit Authority is making progress toward full im-  
19 plementation of the corrective actions identified in the  
20 2014 Financial Management Oversight Review Report:  
21 *Provided further*, That the Secretary shall determine that  
22 the Washington Metropolitan Area Transit Authority has  
23 placed the highest priority on those investments that will  
24 improve the safety of the system before approving such  
25 grants: *Provided further*, That the Secretary, in order to

1 ensure safety throughout the rail system, may waive the  
2 requirements of section 601(e)(1) of title VI of Public Law  
3 110–432 (112 Stat. 4968).

4 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT  
5 ADMINISTRATION  
6 (INCLUDING RESCISSION)

7 SEC. 160. The limitations on obligations for the pro-  
8 grams of the Federal Transit Administration shall not  
9 apply to any authority under 49 U.S.C. 5338, previously  
10 made available for obligation, or to any other authority  
11 previously made available for obligation.

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

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

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

8       SEC. 164. Notwithstanding the requirements of 49  
9 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as  
10 a result of any and all Federal public transportation as-  
11 sistance related to and for the use, encumbrance, transfer  
12 or disposition of property originally built as a prototype  
13 having icebreaking capabilities will be fully and completely  
14 satisfied by the property's use—

15           (1) in the areas of Arctic research;

16           (2) to map the Arctic;

17           (3) to collect and analyze data in the Arctic;

18           (4) to support activities that further Arctic ex-  
19 ploration, research, or development; or

20           (5) for educational purposes or humanitarian  
21 relief efforts.

22       SEC. 165. Projects selected for the pilot program for  
23 expedited project delivery under section 20008(b) of  
24 MAP-21 shall be exempt from the requirements of 49  
25 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this ex-



1 exemption, in determining whether a recipient has the finan-  
2 cial capacity to carry out the eligible project, the Secretary  
3 of Transportation shall apply the requirements and con-  
4 siderations of 49 U.S.C. 5309(f).

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

9                    SAINT LAWRENCE SEAWAY DEVELOPMENT

10                                   CORPORATION

11       The Saint Lawrence Seaway Development Corpora-  
12 tion is hereby authorized to make such expenditures, with-  
13 in the limits of funds and borrowing authority available  
14 to the Corporation, and in accordance with law, and to  
15 make such contracts and commitments without regard to  
16 fiscal year limitations as provided by section 104 of the  
17 Government Corporation Control Act, as amended, as may  
18 be necessary in carrying out the programs set forth in the  
19 Corporation's budget for fiscal year 2016.

20                                   OPERATIONS AND MAINTENANCE

21                                   (HARBOR MAINTENANCE TRUST FUND)

22       For necessary expenses to conduct the operations,  
23 maintenance, and capital asset renewal activities of those  
24 portions of the St. Lawrence Seaway owned, operated, and  
25 maintained by the Saint Lawrence Seaway Development

1 Corporation, \$28,400,000, to be derived from the Harbor  
2 Maintenance Trust Fund, pursuant to Public Law 99–  
3 662.

4 MARITIME ADMINISTRATION

5 MARITIME SECURITY PROGRAM

6 For necessary expenses to maintain and preserve a  
7 U.S.-flag merchant fleet to serve the national security  
8 needs of the United States, \$210,000,000, to remain avail-  
9 able until expended.

10 OPERATIONS AND TRAINING

11 For necessary expenses of operations and training ac-  
12 tivities authorized by law, \$170,000,000, of which  
13 \$22,000,000 shall remain available until expended for  
14 maintenance and repair of training ships at State Mari-  
15 time Academies, and of which \$5,000,000 shall remain  
16 available until expended for National Security Multi-Mis-  
17 sion Vessel design for State Maritime Academies and Na-  
18 tional Security, and of which \$2,400,000 shall remain  
19 available through September 30, 2017, for the Student In-  
20 centive Program at State Maritime Academies, and of  
21 which \$1,000,000 shall remain available until expended  
22 for training ship fuel assistance payments, and of which  
23 \$18,000,000 shall remain available until expended for fa-  
24 cilities maintenance and repair, equipment, and capital  
25 improvements at the United States Merchant Marine

1 Academy, and of which \$2,000,000 shall remain available  
2 through September 30, 2017, for Maritime Environment  
3 and Technology Assistance grants, contracts, and coopera-  
4 tive agreements, and of which \$5,000,000 shall remain  
5 available until expended for the Short Sea Transportation  
6 Program (America’s Marine Highways) to make grants  
7 for the purposes provided in title 46 section 55601(b)(1)  
8 and 55601(b)(3): *Provided*, That 50 percent of the fund-  
9 ing made available for the United States Merchant Marine  
10 Academy under this heading shall be available only after  
11 the Secretary of Transportation, in consultation with the  
12 Superintendent and the Maritime Administrator, com-  
13 pletes a plan detailing by program or activity how such  
14 funding will be expended at the Academy, and this plan  
15 is submitted to the House and Senate Committees on Ap-  
16 propriations: *Provided further*, That not later than Janu-  
17 ary 12, 2016, the Administrator of the Maritime Adminis-  
18 tration shall transmit to the House and Senate Commit-  
19 tees on Appropriations the annual report on sexual assault  
20 and sexual harassment at the United States Merchant Ma-  
21 rine Academy as required pursuant to section 3507 of  
22 Public Law 110–417.

23 ASSISTANCE TO SMALL SHIPYARDS

24 To make grants to qualified shipyards as authorized  
25 under section 54101 of title 46, United States Code, as

1 amended by Public Law 113–281, \$5,000,000 to remain  
2 available until expended: *Provided*, That the Secretary  
3 shall issue the Notice of Funding Availability no later than  
4 15 days after enactment of this Act: *Provided further*,  
5 That from applications submitted under the previous pro-  
6 viso, the Secretary of Transportation shall make grants  
7 no later than 120 days after enactment of this Act in such  
8 amounts as the Secretary determines: *Provided further*,  
9 That not to exceed 2 percent of the funds appropriated  
10 under this heading shall be available for necessary costs  
11 of grant administration.

12 SHIP DISPOSAL

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

17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

18 ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of guaranteed loans, as authorized,  
21 \$8,135,000, of which \$5,000,000 shall remain available  
22 until expended: *Provided*, That such costs, including the  
23 cost of modifying such loans, shall be as defined in section  
24 502 of the Congressional Budget Act of 1974, as amend-  
25 ed: *Provided further*, That not to exceed \$3,135,000 shall

1 be available for administrative expenses to carry out the  
2 guaranteed loan program, which shall be transferred to  
3 and merged with the appropriations for “Operations and  
4 Training”, Maritime Administration.

5 ADMINISTRATIVE PROVISIONS—MARITIME

6 ADMINISTRATION

7 SEC. 170. Notwithstanding any other provision of  
8 this Act, the Maritime Administration is authorized to fur-  
9 nish utilities and services and make necessary repairs in  
10 connection with any lease, contract, or occupancy involving  
11 Government property under control of the Maritime Ad-  
12 ministration: *Provided*, That payments received therefor  
13 shall be credited to the appropriation charged with the  
14 cost thereof and shall remain available until expended:  
15 *Provided further*, That rental payments under any such  
16 lease, contract, or occupancy for items other than such  
17 utilities, services, or repairs shall be covered into the  
18 Treasury as miscellaneous receipts.

19 PIPELINE AND HAZARDOUS MATERIALS SAFETY

20 ADMINISTRATION

21 OPERATIONAL EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary operational expenses of the Pipeline  
24 and Hazardous Materials Safety Administration,  
25 \$22,500,000: *Provided*, That \$1,500,000 shall be trans-

1 ferred to “Pipeline Safety” in order to fund “Pipeline  
2 Safety Information Grants to Communities” as authorized  
3 under section 60130 of title 49, United States Code: *Pro-*  
4 *vided further*, That no later than 90 days after the date  
5 of enactment of this Act, the Secretary of Transportation  
6 shall initiate a rulemaking to expand the applicability of  
7 comprehensive oil spill response plans, and shall issue a  
8 final rule no later than one year after the date of enact-  
9 ment of this Act.

10 HAZARDOUS MATERIALS SAFETY

11 For expenses necessary to discharge the hazardous  
12 materials safety functions of the Pipeline and Hazardous  
13 Materials Safety Administration, \$49,000,000, of which  
14 \$2,300,000 shall remain available until September 30,  
15 2018: *Provided*, That up to \$800,000 in fees collected  
16 under 49 U.S.C. 5108(g) shall be deposited in the general  
17 fund of the Treasury as offsetting receipts: *Provided fur-*  
18 *ther*, That there may be credited to this appropriation, to  
19 be available until expended, funds received from States,  
20 counties, municipalities, other public authorities, and pri-  
21 vate sources for expenses incurred for training, for reports  
22 publication and dissemination, and for travel expenses in-  
23 curred in performance of hazardous materials exemptions  
24 and approvals functions.

## 1 PIPELINE SAFETY

## 2 (PIPELINE SAFETY FUND)

## 3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to conduct the functions of  
5 the pipeline safety program, for grants-in-aid to carry out  
6 a pipeline safety program, as authorized by 49 U.S.C.  
7 60107, and to discharge the pipeline program responsibil-  
8 ities of the Oil Pollution Act of 1990, \$146,623,000, of  
9 which \$19,500,000 shall be derived from the Oil Spill Li-  
10 ability Trust Fund and shall remain available until Sep-  
11 tember 30, 2018; and of which \$127,123,000 shall be de-  
12 rived from the Pipeline Safety Fund, of which  
13 \$66,309,000 shall remain available until September 30,  
14 2018: *Provided*, That not less than \$1,058,000 of the  
15 funds provided under this heading shall be for the One-  
16 Call state grant program.

## 17 EMERGENCY PREPAREDNESS GRANTS

## 18 (EMERGENCY PREPAREDNESS FUND)

19 For necessary expenses to carryout 49 U.S.C.  
20 5128(b), \$188,000, to be derived from the Emergency  
21 Preparedness Fund, to remain available until September  
22 30, 2017: *Provided*, That notwithstanding the fiscal year  
23 limitation specified in 49 U.S.C. 5116, not more than  
24 \$28,318,000 shall be made available for obligation in fis-  
25 cal year 2016 from amounts made available by 49 U.S.C.

1 5116(i), and 5128(b) and (c): *Provided further*, That not-  
2 withstanding 49 U.S.C. 5116(i)(4), not more than 4 per-  
3 cent of the amounts made available from this account shall  
4 be available to pay administrative costs: *Provided further*,  
5 That none of the funds made available by 49 U.S.C.  
6 5116(i), 5128(b), or 5128(c) shall be made available for  
7 obligation by individuals other than the Secretary of  
8 Transportation, or his or her designee: *Provided further*,  
9 That notwithstanding 49 U.S.C. 5128(b) and (c) and the  
10 current year obligation limitation, prior year recoveries  
11 recognized in the current year shall be available to develop  
12 a hazardous materials response training curriculum for  
13 emergency responders, including response activities for the  
14 transportation of crude oil, ethanol and other flammable  
15 liquids by rail, consistent with National Fire Protection  
16 Association standards, and to make such training avail-  
17 able through an electronic format: *Provided further*, That  
18 the prior year recoveries made available under this head-  
19 ing shall also be available to carry out 49 U.S.C. 5116(b)  
20 and (j).

21 ADMINISTRATIVE PROVISIONS—PIPELINE AND

22 HAZARDOUS MATERIALS SAFETY ADMINISTRATION

23 SEC. 180. The Secretary of Transportation is di-  
24 rected to evaluate and report to the House and Senate  
25 Committees on Appropriations within 60 days of enact-



1 ment of this Act an alternative risk-based compliance re-  
2 gime for the siting of small-scale liquefaction facilities that  
3 generate and package liquefied natural gas for use as a  
4 fuel or delivery to consumers by non-pipeline modes of  
5 transportation. In evaluating such alternative risk-based  
6 compliance regime, the Secretary should consider the  
7 value of adopting quantitative risk assessment methods,  
8 the benefit of incorporating modern industry standards  
9 and best practices, including the provisions in the 2013  
10 edition of the National Fire Protection Association Stand-  
11 ard 59A, and the need to encourage the use of the best  
12 available technology.

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of the Inspector  
16 General to carry out the provisions of the Inspector Gen-  
17 eral Act of 1978, as amended, \$87,472,000: *Provided*,  
18 That the Inspector General shall have all necessary au-  
19 thority, in carrying out the duties specified in the Inspec-  
20 tor General Act, as amended (5 U.S.C. App. 3), to inves-  
21 tigate allegations of fraud, including false statements to  
22 the government (18 U.S.C. 1001), by any person or entity  
23 that is subject to regulation by the Department of Trans-  
24 portation: *Provided further*, That the funds made available  
25 under this heading may be used to investigate, pursuant

1 to section 41712 of title 49, United States Code: (1) un-  
2 fair or deceptive practices and unfair methods of competi-  
3 tion by domestic and foreign air carriers and ticket agents;  
4 and (2) the compliance of domestic and foreign air carriers  
5 with respect to item (1) of this proviso.

6 SURFACE TRANSPORTATION BOARD

7 SALARIES AND EXPENSES

8 For necessary expenses of the Surface Transpor-  
9 tation Board, including services authorized by 5 U.S.C.  
10 3109, \$32,375,000: *Provided*, That notwithstanding any  
11 other provision of law, not to exceed \$1,250,000 from fees  
12 established by the Chairman of the Surface Transpor-  
13 tation Board shall be credited to this appropriation as off-  
14 setting collections and used for necessary and authorized  
15 expenses under this heading: *Provided further*, That the  
16 sum herein appropriated from the general fund shall be  
17 reduced on a dollar-for-dollar basis as such offsetting col-  
18 lections are received during fiscal year 2016, to result in  
19 a final appropriation from the general fund estimated at  
20 no more than \$31,125,000.

21 GENERAL PROVISIONS—DEPARTMENT OF

22 TRANSPORTATION

23 SEC. 190. During the current fiscal year, applicable  
24 appropriations to the Department of Transportation shall  
25 be available for maintenance and operation of aircraft;

1 hire of passenger motor vehicles and aircraft; purchase of  
2 liability insurance for motor vehicles operating in foreign  
3 countries on official department business; and uniforms or  
4 allowances therefor, as authorized by law (5 U.S.C. 5901–  
5 5902).

6       SEC. 191. Appropriations contained in this Act for  
7 the Department of Transportation shall be available for  
8 services as authorized by 5 U.S.C. 3109, but at rates for  
9 individuals not to exceed the per diem rate equivalent to  
10 the rate for an Executive Level IV.

11       SEC. 192. None of the funds in this Act shall be avail-  
12 able for salaries and expenses of more than 110 political  
13 and Presidential appointees in the Department of Trans-  
14 portation: *Provided*, That none of the personnel covered  
15 by this provision may be assigned on temporary detail out-  
16 side the Department of Transportation.

17       SEC. 193. (a) No recipient of funds made available  
18 in this Act shall disseminate personal information (as de-  
19 fined in 18 U.S.C. 2725(3)) obtained by a State depart-  
20 ment of motor vehicles in connection with a motor vehicle  
21 record as defined in 18 U.S.C. 2725(1), except as provided  
22 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.  
23 2721.

24       (b) Notwithstanding subsection (a), the Secretary of  
25 Transportation shall not withhold funds provided in this

1 Act for any grantee if a State is in noncompliance with  
2 this provision.

3 SEC. 194. Funds received by the Federal Highway  
4 Administration, Federal Transit Administration, and Fed-  
5 eral Railroad Administration from States, counties, mu-  
6 nicipalities, other public authorities, and private sources  
7 for expenses incurred for training may be credited respec-  
8 tively to the Federal Highway Administration’s “Federal-  
9 Aid Highways” account, the Federal Transit Administra-  
10 tion’s “Technical Assistance and Training” account, and  
11 to the Federal Railroad Administration’s “Safety and Op-  
12 erations” account, except for State rail safety inspectors  
13 participating in training pursuant to 49 U.S.C. 20105.

14 SEC. 195. None of the funds in this Act to the De-  
15 partment of Transportation may be used to make a loan,  
16 loan guarantee, line of credit, or grant unless the Sec-  
17 retary of Transportation notifies the House and Senate  
18 Committees on Appropriations not less than 3 full busi-  
19 ness days before any project competitively selected to re-  
20 ceive a discretionary grant award, any discretionary grant  
21 award, letter of intent, loan commitment, loan guarantee  
22 commitment, line of credit commitment, or full funding  
23 grant agreement is announced by the department or its  
24 modal administrations from:

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

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

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

8           (4) any program of the Federal Transit Admin-  
9           istration other than the formula grants and fixed  
10          guideway modernization programs;

11          (5) any program of the Maritime Administra-  
12          tion; or

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

15          *Provided*, That the Secretary of Transportation gives con-  
16          current notification to the House and Senate Committees  
17          on Appropriations for any “quick release” of funds from  
18          the emergency relief program: *Provided further*, That no  
19          notification shall involve funds that are not available for  
20          obligation.

21          SEC. 196. Rebates, refunds, incentive payments,  
22          minor fees and other funds received by the Department  
23          of Transportation from travel management centers,  
24          charge card programs, the subleasing of building space,  
25          and miscellaneous sources are to be credited to appropria-

1 tions of the Department of Transportation and allocated  
2 to elements of the Department of Transportation using  
3 fair and equitable criteria and such funds shall be avail-  
4 able until expended.

5 SEC. 197. Amounts made available in this or any  
6 other Act that the Secretary of Transportation determines  
7 represent improper payments by the Department of  
8 Transportation to a third-party contractor under a finan-  
9 cial assistance award, which are recovered pursuant to  
10 law, shall be available—

11 (1) to reimburse the actual expenses incurred  
12 by the Department of Transportation in recovering  
13 improper payments; and

14 (2) to pay contractors for services provided in  
15 recovering improper payments or contractor support  
16 in the implementation of the Improper Payments In-  
17 formation Act of 2002: *Provided*, That amounts in  
18 excess of that required for paragraphs (1) and (2)—

19 (A) shall be credited to and merged with  
20 the appropriation from which the improper pay-  
21 ments were made, and shall be available for the  
22 purposes and period for which such appropria-  
23 tions are available: *Provided further*, That  
24 where specific project or accounting information  
25 associated with the improper payment or pay-

1           ments is not readily available, the Secretary  
2           may credit an appropriate account, which shall  
3           be available for the purposes and period associ-  
4           ated with the account so credited; or

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

16          SEC. 198. Notwithstanding any other provision of  
17          law, if any funds provided in or limited by this Act are  
18          subject to a reprogramming action that requires notice to  
19          be provided to the House and Senate Committees on Ap-  
20          propriations, transmission of said reprogramming notice  
21          shall be provided solely to the House and Senate Commit-  
22          tees on Appropriations, and said reprogramming action  
23          shall be approved or denied solely by the House and Sen-  
24          ate Committees on Appropriations: *Provided*, That the  
25          Secretary of Transportation may provide notice to other

1 congressional committees of the action of the House and  
2 Senate Committees on Appropriations on such reprogram-  
3 ming but not sooner than 30 days following the date on  
4 which the reprogramming action has been approved or de-  
5 nied by the House and Senate Committees on Appropria-  
6 tions.

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

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

22       SEC. 199B. The Secretary of Transportation is au-  
23 thorized to carry out a program that establishes uniform  
24 standards for developing and supporting agency transit  
25 pass and transit benefits authorized under section 7905



1 of title 5, United States Code, including distribution of  
2 transit benefits by various paper and electronic media.

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

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

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

24           (3) that any increase in the cost of labor, train-  
25       ing, or delays resulting from the use of such hiring

1 preference does not delay or displace any transpor-  
2 tation project in the applicable Statewide Transpor-  
3 tation Improvement Program or Transportation Im-  
4 provement Program.

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

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

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

16 ADMINISTRATIVE SUPPORT OFFICES

17 For necessary salaries and expenses for Administra-  
18 tive Support Offices, \$568,244,000, of which not to exceed  
19 \$44,657,000 shall be available for the Office of the Chief  
20 Financial Officer; not to exceed \$96,000,000 shall be  
21 available for the Office of the General Counsel; not to ex-  
22 ceed \$208,604,000 shall be available for the Office of Ad-  
23 ministration; not to exceed \$61,475,000 shall be available  
24 for the Office of the Chief Human Capital Officer; not  
25 to exceed \$50,000,000 shall be available for the Office of

1 Field Policy and Management; not to exceed \$17,036,000  
2 shall be available for the Office of the Chief Procurement  
3 Officer; not to exceed \$3,270,000 shall be available for the  
4 Office of Departmental Equal Employment Opportunity;  
5 not to exceed \$4,400,000 shall be available for the Office  
6 of Strategic Planning and Management; and not to exceed  
7 \$82,802,000 shall be available for the Office of the Chief  
8 Information Officer: *Provided*, That funds provided under  
9 this heading may be used for necessary administrative and  
10 non-administrative expenses of the Department of Hous-  
11 ing and Urban Development, not otherwise provided for,  
12 including purchase of uniforms, or allowances therefor, as  
13 authorized by 5 U.S.C. 5901–5902; hire of passenger  
14 motor vehicles; and services as authorized by 5 U.S.C.  
15 3109: *Provided further*, That notwithstanding any other  
16 provision of law, funds appropriated under this heading  
17 may be used for advertising and promotional activities  
18 that support the housing mission area: *Provided further*,  
19 That the Secretary shall provide the House and Senate  
20 Committees on Appropriations quarterly written notifica-  
21 tion regarding the status of pending congressional reports:  
22 *Provided further*, That the Secretary shall provide in elec-  
23 tronic form all signed reports required by Congress.

1           PROGRAM OFFICE SALARIES AND EXPENSES

2                           PUBLIC AND INDIAN HOUSING

3           For necessary salaries and expenses of the Office of  
4 Public and Indian Housing, \$207,000,000.

5                           COMMUNITY PLANNING AND DEVELOPMENT

6           For necessary salaries and expenses of the Office of  
7 Community Planning and Development, \$107,000,000.

8                           HOUSING

9           For necessary salaries and expenses of the Office of  
10 Housing, \$382,000,000.

11                          POLICY DEVELOPMENT AND RESEARCH

12           For necessary salaries and expenses of the Office of  
13 Policy Development and Research, \$23,100,000.

14                          FAIR HOUSING AND EQUAL OPPORTUNITY

15           For necessary salaries and expenses of the Office of  
16 Fair Housing and Equal Opportunity, \$69,500,000.

17                          OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

18   HOMES

19           For necessary salaries and expenses of the Office of  
20 Lead Hazard Control and Healthy Homes, \$6,800,000.

21                          PUBLIC AND INDIAN HOUSING

22   TENANT-BASED RENTAL ASSISTANCE

23           For activities and assistance for the provision of ten-  
24 ant-based rental assistance authorized under the United  
25 States Housing Act of 1937, as amended (42 U.S.C. 1437

1 et seq.) (“the Act” herein), not otherwise provided for,  
2 \$15,934,643,000, to remain available until expended, shall  
3 be available on October 1, 2015 (in addition to the  
4 \$4,000,000,000 previously appropriated under this head-  
5 ing that shall be available on October 1, 2015), and  
6 \$4,000,000,000, to remain available until expended, shall  
7 be available on October 1, 2016: *Provided*, That the  
8 amounts made available under this heading are provided  
9 as follows:

10 (1) \$17,982,000,000 shall be available for re-  
11 newals of expiring section 8 tenant-based annual  
12 contributions contracts (including renewals of en-  
13 hanced vouchers under any provision of law author-  
14 izing such assistance under section 8(t) of the Act)  
15 and including renewal of other special purpose incre-  
16 mental vouchers: *Provided*, That notwithstanding  
17 any other provision of law, from amounts provided  
18 under this paragraph and any carryover, the Sec-  
19 retary for the calendar year 2016 funding cycle shall  
20 provide renewal funding for each public housing  
21 agency based on validated voucher management sys-  
22 tem (VMS) leasing and cost data for the prior cal-  
23 endar year and by applying an inflation factor as es-  
24 tablished by the Secretary, by notice published in  
25 the Federal Register, and by making any necessary

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

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



1       gle fund budget authority provisions of their MTW  
2       agreements, from the agencies' calendar year 2016  
3       MTW funding allocation: *Provided further*, That the  
4       Secretary shall use any offset referred to in the pre-  
5       vious two provisos throughout the calendar year to  
6       prevent the termination of rental assistance for fam-  
7       ilies as the result of insufficient funding, as deter-  
8       mined by the Secretary, and to avoid or reduce the  
9       proration of renewal funding allocations: *Provided*  
10      *further*, That up to \$75,000,000 shall be available  
11      only: (1) for adjustments in the allocations for public  
12      housing agencies, after application for an adjust-  
13      ment by a public housing agency that experienced a  
14      significant increase, as determined by the Secretary,  
15      in renewal costs of vouchers resulting from unfore-  
16      seen circumstances or from portability under section  
17      8(r) of the Act; (2) for vouchers that were not in use  
18      during the previous 12-month period in order to be  
19      available to meet a commitment pursuant to section  
20      8(o)(13) of the Act; (3) for adjustments for costs as-  
21      sociated with HUD-Veterans Affairs Supportive  
22      Housing (HUD-VASH) vouchers; and (4) for public  
23      housing agencies that despite taking reasonable cost  
24      savings measures, as determined by the Secretary,  
25      would otherwise be required to terminate rental as-

1       sistance for families as a result of insufficient fund-  
2       ing: *Provided further*, That the Secretary shall allo-  
3       cate amounts under the previous proviso based on  
4       need, as determined by the Secretary;

5           (2) \$130,000,000 shall be for section 8 rental  
6       assistance for relocation and replacement of housing  
7       units that are demolished or disposed of pursuant to  
8       section 18 of the Act, conversion of section 23  
9       projects to assistance under section 8, the family  
10      unification program under section 8(x) of the Act,  
11      relocation of witnesses in connection with efforts to  
12      combat crime in public and assisted housing pursu-  
13      ant to a request from a law enforcement or prosecu-  
14      tion agency, enhanced vouchers under any provision  
15      of law authorizing such assistance under section 8(t)  
16      of the Act, HOPE VI and Choice Neighborhood Ini-  
17      tiative vouchers, mandatory and voluntary conver-  
18      sions, and tenant protection assistance including re-  
19      placement and relocation assistance or for project-  
20      based assistance to prevent the displacement of un-  
21      assisted elderly tenants currently residing in section  
22      202 properties financed between 1959 and 1974  
23      that are refinanced pursuant to Public Law 106–  
24      569, as amended, or under the authority as provided  
25      under this Act: *Provided*, That when a public hous-

1       ing development is submitted for demolition or dis-  
2       position under section 18 of the Act, the Secretary  
3       may provide section 8 rental assistance when the  
4       units pose an imminent health and safety risk to  
5       residents: *Provided further*, That the Secretary may  
6       only provide replacement vouchers for units that  
7       were occupied within the previous 24 months that  
8       cease to be available as assisted housing, subject  
9       only to the availability of funds: *Provided further*,  
10      That any tenant protection voucher made available  
11      from amounts under this paragraph shall not be re-  
12      issued by any public housing agency, except the re-  
13      placement vouchers as defined by the Secretary by  
14      notice, when the initial family that received any such  
15      voucher no longer receives such voucher, and the au-  
16      thority for any public housing agency to issue any  
17      such voucher shall cease to exist: *Provided further*,  
18      That the Secretary, for the purposes under this  
19      paragraph, may use unobligated balances, including  
20      recaptures and carryovers, remaining from amounts  
21      appropriated in prior fiscal years under this heading  
22      for voucher assistance for nonelderly disabled fami-  
23      lies and for disaster assistance made available under  
24      Public Law 110–329;

1           (3) \$1,620,000,000 shall be for administrative  
2           and other expenses of public housing agencies in ad-  
3           ministering the section 8 tenant-based rental assist-  
4           ance program, of which up to \$10,000,000 shall be  
5           available to the Secretary to allocate to public hous-  
6           ing agencies that need additional funds to admin-  
7           ister their section 8 programs, including fees associ-  
8           ated with section 8 tenant protection rental assist-  
9           ance, the administration of disaster related vouchers,  
10          Veterans Affairs Supportive Housing vouchers, and  
11          other special purpose incremental vouchers: *Pro-*  
12          *vided*, That no less than \$1,610,000,000 of the  
13          amount provided in this paragraph shall be allocated  
14          to public housing agencies for the calendar year  
15          2016 funding cycle based on section 8(q) of the Act  
16          (and related Appropriation Act provisions) as in ef-  
17          fect immediately before the enactment of the Quality  
18          Housing and Work Responsibility Act of 1998 (Pub-  
19          lic Law 105–276): *Provided further*, That if the  
20          amounts made available under this paragraph are  
21          insufficient to pay the amounts determined under  
22          the previous proviso, the Secretary may decrease the  
23          amounts allocated to agencies by a uniform percent-  
24          age applicable to all agencies receiving funding  
25          under this paragraph or may, to the extent nec-

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

18                (4) \$107,643,000 for the renewal of tenant-  
19        based assistance contracts under section 811 of the  
20        Cranston-Gonzalez National Affordable Housing Act  
21        (42 U.S.C. 8013), including necessary administra-  
22        tive expenses: *Provided*, That administrative and  
23        other expenses of public housing agencies in admin-  
24        istering the special purpose vouchers in this para-  
25        graph shall be funded under the same terms and be

1 subject to the same pro rata reduction as the per-  
2 cent decrease for administrative and other expenses  
3 to public housing agencies under paragraph (3) of  
4 this heading;

5 (5) \$75,000,000 for incremental rental voucher  
6 assistance for use through a supported housing pro-  
7 gram administered in conjunction with the Depart-  
8 ment of Veterans Affairs as authorized under section  
9 8(o)(19) of the United States Housing Act of 1937:  
10 *Provided*, That the Secretary of Housing and Urban  
11 Development shall make such funding available, not-  
12 withstanding section 204 (competition provision) of  
13 this title, to public housing agencies that partner  
14 with eligible VA Medical Centers or other entities as  
15 designated by the Secretary of the Department of  
16 Veterans Affairs, based on geographical need for  
17 such assistance as identified by the Secretary of the  
18 Department of Veterans Affairs, public housing  
19 agency administrative performance, and other fac-  
20 tors as specified by the Secretary of Housing and  
21 Urban Development in consultation with the Sec-  
22 retary of the Department of Veterans Affairs: *Pro-*  
23 *vided further*, That the Secretary of Housing and  
24 Urban Development may waive, or specify alter-  
25 native requirements for (in consultation with the

1 Secretary of the Department of Veterans Affairs),  
2 any provision of any statute or regulation that the  
3 Secretary of Housing and Urban Development ad-  
4 ministers in connection with the use of funds made  
5 available under this paragraph (except for require-  
6 ments related to fair housing, nondiscrimination,  
7 labor standards, and the environment), upon a find-  
8 ing by the Secretary that any such waivers or alter-  
9 native requirements are necessary for the effective  
10 delivery and administration of such voucher assist-  
11 ance: *Provided further*, That assistance made avail-  
12 able under this paragraph shall continue to remain  
13 available for homeless veterans upon turn-over;

14 (6) \$20,000,000 shall be made available for  
15 new incremental voucher assistance through the  
16 Family Unification Program as authorized by sec-  
17 tion 8(x) of the Act: *Provided*, That the assistance  
18 made available under this paragraph shall continue  
19 to remain available for family unification upon turn-  
20 over; and

21 (7) The Secretary shall separately track all spe-  
22 cial purpose vouchers funded under this heading.

## 1 HOUSING CERTIFICATE FUND

## 2 (INCLUDING RESCISSIONS)

3 Unobligated balances, including recaptures and car-  
4 ryover, remaining from funds appropriated to the Depart-  
5 ment of Housing and Urban Development under this  
6 heading, the heading “Annual Contributions for Assisted  
7 Housing” and the heading “Project-Based Rental Assist-  
8 ance”, for fiscal year 2016 and prior years may be used  
9 for renewal of or amendments to section 8 project-based  
10 contracts and for performance-based contract administra-  
11 tors, notwithstanding the purposes for which such funds  
12 were appropriated: *Provided*, That any obligated balances  
13 of contract authority from fiscal year 1974 and prior that  
14 have been terminated shall be rescinded: *Provided further*,  
15 That amounts heretofore recaptured, or recaptured during  
16 the current fiscal year, from section 8 project-based con-  
17 tracts from source years fiscal year 1975 through fiscal  
18 year 1987 are hereby rescinded, and an amount of addi-  
19 tional new budget authority, equivalent to the amount re-  
20 scinded is hereby appropriated, to remain available until  
21 expended, for the purposes set forth under this heading,  
22 in addition to amounts otherwise available.

## 23 PUBLIC HOUSING CAPITAL FUND

24 For the Public Housing Capital Fund Program to  
25 carry out capital and management activities for public



1 housing agencies, as authorized under section 9 of the  
2 United States Housing Act of 1937 (42 U.S.C. 1437g)  
3 (the “Act”) \$1,742,870,000, to remain available until  
4 September 30, 2019: *Provided*, That notwithstanding any  
5 other provision of law or regulation, during fiscal year  
6 2016, the Secretary of Housing and Urban Development  
7 may not delegate to any Department official other than  
8 the Deputy Secretary and the Assistant Secretary for  
9 Public and Indian Housing any authority under paragraph  
10 (2) of section 9(j) regarding the extension of the time peri-  
11 ods under such section: *Provided further*, That for pur-  
12 poses of such section 9(j), the term “obligate” means, with  
13 respect to amounts, that the amounts are subject to a  
14 binding agreement that will result in outlays, immediately  
15 or in the future: *Provided further*, That up to \$3,000,000  
16 shall be to support ongoing Public Housing Financial and  
17 Physical Assessment activities: *Provided further*, That up  
18 to \$1,000,000 shall be to support the costs of administra-  
19 tive and judicial receiverships: *Provided further*, That of  
20 the total amount provided under this heading, not to ex-  
21 ceed \$23,000,000 shall be available for the Secretary to  
22 make grants, notwithstanding section 204 of this Act, to  
23 public housing agencies for emergency capital needs in-  
24 cluding safety and security measures necessary to address  
25 crime and drug-related activity as well as needs resulting

1 from unforeseen or unpreventable emergencies and nat-  
2 ural disasters excluding Presidentially declared emer-  
3 gencies and natural disasters under the Robert T. Stafford  
4 Disaster Relief and Emergency Act (42 U.S.C. 5121 et  
5 seq.) occurring in fiscal year 2016: *Provided further*, That  
6 of the amount made available under the previous proviso,  
7 not less than \$6,000,000 shall be for safety and security  
8 measures: *Provided further*, That of the total amount pro-  
9 vided under this heading \$35,000,000 shall be for sup-  
10 portive services, service coordinator and congregate serv-  
11 ices as authorized by section 34 of the Act (42 U.S.C.  
12 1437z-6) and the Native American Housing Assistance  
13 and Self-Determination Act of 1996 (25 U.S.C. 4101 et  
14 seq.): *Provided further*, That of the total amount made  
15 available under this heading, \$15,000,000 shall be for a  
16 Jobs-Plus initiative modeled after the Jobs-Plus dem-  
17 onstration: *Provided further*, That the funding provided  
18 under the previous proviso shall provide competitive grants  
19 to partnerships between public housing authorities, local  
20 workforce investment boards established under section  
21 117 of the Workforce Investment Act of 1998, and other  
22 agencies and organizations that provide support to help  
23 public housing residents obtain employment and increase  
24 earnings: *Provided further*, That applicants must dem-  
25 onstrate the ability to provide services to residents, part-

1 ner with workforce investment boards, and leverage service  
2 dollars: *Provided further*, That the Secretary may allow  
3 public housing agencies to request exemptions from rent  
4 and income limitation requirements under sections 3 and  
5 6 of the United States Housing Act of 1937 as necessary  
6 to implement the Jobs-Plus program, on such terms and  
7 conditions as the Secretary may approve upon a finding  
8 by the Secretary that any such waivers or alternative re-  
9 quirements are necessary for the effective implementation  
10 of the Jobs-Plus initiative as a voluntary program for resi-  
11 dents: *Provided further*, That the Secretary shall publish  
12 by notice in the Federal Register any waivers or alter-  
13 native requirements pursuant to the preceding proviso no  
14 later than 10 days before the effective date of such notice:  
15 *Provided further*, That for funds provided under this head-  
16 ing, the limitation in section 9(g)(1)(A) of the Act shall  
17 be 25 percent: *Provided further*, That the Secretary may  
18 waive the limitation in the previous proviso to allow public  
19 housing agencies to fund activities authorized under sec-  
20 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-  
21 retary shall notify public housing agencies requesting  
22 waivers under the previous proviso if the request is ap-  
23 proved or denied within 14 days of submitting the request:  
24 *Provided further*, That from the funds made available  
25 under this heading, the Secretary shall provide bonus

1 awards in fiscal year 2016 to public housing agencies that  
2 are designated high performers: *Provided further*, That the  
3 Department shall notify public housing agencies of their  
4 formula allocation within 60 days of enactment of this Act.

5 PUBLIC HOUSING OPERATING FUND

6 For 2016 payments to public housing agencies for the  
7 operation and management of public housing, as author-  
8 ized by section 9(e) of the United States Housing Act of  
9 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain  
10 available until September 30, 2017.

11 CHOICE NEIGHBORHOODS INITIATIVE

12 For competitive grants under the Choice Neighbor-  
13 hoods Initiative (subject to section 24 of the United States  
14 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise  
15 specified under this heading), for transformation, rehabili-  
16 tation, and replacement housing needs of both public and  
17 HUD-assisted housing and to transform neighborhoods of  
18 poverty into functioning, sustainable mixed income neigh-  
19 borhoods with appropriate services, schools, public assets,  
20 transportation and access to jobs, \$65,000,000, to remain  
21 available until September 30, 2018: *Provided*, That grant  
22 funds may be used for resident and community services,  
23 community development, and affordable housing needs in  
24 the community, and for conversion of vacant or foreclosed  
25 properties to affordable housing: *Provided further*, That

1 the use of funds made available under this heading shall  
2 not be deemed to be public housing notwithstanding sec-  
3 tion 3(b)(1) of such Act: *Provided further*, That grantees  
4 shall commit to an additional period of affordability deter-  
5 mined by the Secretary of not fewer than 20 years: *Pro-*  
6 *vided further*, That grantees shall undertake comprehen-  
7 sive local planning with input from residents and the com-  
8 munity, and that grantees shall provide a match in State,  
9 local, other Federal or private funds: *Provided further*,  
10 That grantees may include local governments, tribal enti-  
11 ties, public housing authorities, and nonprofits: *Provided*  
12 *further*, That for-profit developers may apply jointly with  
13 a public entity: *Provided further*, That for purposes of en-  
14 vironmental review, a grantee shall be treated as a public  
15 housing agency under section 26 of the United States  
16 Housing Act of 1937 (42 U.S.C. 1437x), and grants under  
17 this heading shall be subject to the regulations issued by  
18 the Secretary to implement such section: *Provided further*,  
19 That of the amount provided, not less than \$40,000,000  
20 shall be awarded to public housing agencies: *Provided fur-*  
21 *ther*, That such grantees shall create partnerships with  
22 other local organizations including assisted housing own-  
23 ers, service agencies, and resident organizations: *Provided*  
24 *further*, That the Secretary shall consult with the Secre-  
25 taries of Education, Labor, Transportation, Health and

1 Human Services, Agriculture, and Commerce, the Attor-  
2 ney General, and the Administrator of the Environmental  
3 Protection Agency to coordinate and leverage other appro-  
4 priate Federal resources: *Provided further*, That no more  
5 than \$5,000,000 of funds made available under this head-  
6 ing may be provided to assist communities in developing  
7 comprehensive strategies for implementing this program  
8 or implementing other revitalization efforts in conjunction  
9 with community notice and input: *Provided further*, That  
10 the Secretary shall develop and publish guidelines for the  
11 use of such competitive funds, including but not limited  
12 to eligible activities, program requirements, and perform-  
13 ance metrics.

14 FAMILY SELF-SUFFICIENCY

15 For the Family Self-Sufficiency program to support  
16 family self-sufficiency coordinators under section 23 of the  
17 United States Housing Act of 1937, to promote the devel-  
18 opment of local strategies to coordinate the use of assist-  
19 ance under sections 8(o) and 9 of such Act with public  
20 and private resources, and enable eligible families to  
21 achieve economic independence and self-sufficiency,  
22 \$75,000,000, to remain available until September 30,  
23 2017: *Provided*, That the Secretary may, by Federal Reg-  
24 ister notice, waive or specify alternative requirements  
25 under sections b(3), b(4), b(5), or c(1) of section 23 of

1 such Act in order to facilitate the operation of a unified  
2 self-sufficiency program for individuals receiving assist-  
3 ance under different provisions of the Act, as determined  
4 by the Secretary: *Provided further*, That owners of a pri-  
5 vately owned multifamily property with a section 8 con-  
6 tract may voluntarily make a Family Self-Sufficiency pro-  
7 gram available to the assisted tenants of such property  
8 in accordance with procedures established by the Sec-  
9 retary: *Provided further*, That such procedures established  
10 pursuant to the previous proviso shall permit participating  
11 tenants to accrue escrow funds in accordance with section  
12 23(d)(2) and shall allow owners to use funding from resid-  
13 ual receipt accounts to hire coordinators for their own  
14 Family Self-Sufficiency program.

15

## INDIAN BLOCK GRANTS

16 For the Indian Housing Block Grants program, as  
17 authorized under title I of the Native American Housing  
18 Assistance and Self-Determination Act of 1996  
19 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to  
20 remain available until September 30, 2020: *Provided*,  
21 That, notwithstanding the Native American Housing As-  
22 sistance and Self-Determination Act of 1996, to determine  
23 the amount of the allocation under title I of such Act for  
24 each Indian tribe, the Secretary shall apply the formula  
25 under section 302 of such Act with the need component

1 based on single-race census data and with the need compo-  
2 nent based on multi-race census data, and the amount of  
3 the allocation for each Indian tribe shall be the greater  
4 of the two resulting allocation amounts: *Provided further*,  
5 That notwithstanding the previous proviso, no Indian tribe  
6 shall receive an allocation amount greater than 10 percent:  
7 *Provided further*, That of the amount provided under this  
8 heading, \$2,000,000 shall be made available for the cost  
9 of guaranteed notes and other obligations, as authorized  
10 by title VI of NAHASDA: *Provided further*, That such  
11 costs, including the costs of modifying such notes and  
12 other obligations, shall be as defined in section 502 of the  
13 Congressional Budget Act of 1974, as amended: *Provided*  
14 *further*, That these funds are available to subsidize the  
15 total principal amount of any notes and other obligations,  
16 any part of which is to be guaranteed, not to exceed  
17 \$17,452,007: *Provided further*, That the Department will  
18 notify grantees of their formula allocation within 60 days  
19 of the date of enactment of this Act.

20 In addition to amounts made available under the first  
21 paragraph under this heading, \$60,000,000, to remain  
22 available until September 30, 2018, shall be for grants to  
23 Indian tribes for carrying out the Community Develop-  
24 ment Block Grant program under title I of the Housing  
25 and Community Development Act of 1974 notwith-



1 standing section 106(a)(1) of such Act, of which, up to  
2 \$4,000,000 may be used for emergencies that constitute  
3 imminent threats to health and safety notwithstanding  
4 any other provision of law (including section 204 of this  
5 title): *Provided*, That not to exceed 20 percent of any  
6 grant made with funds appropriated under this paragraph  
7 shall be expended for planning and management develop-  
8 ment and administration.

9 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

10 ACCOUNT

11 For the cost of guaranteed loans, as authorized by  
12 section 184 of the Housing and Community Development  
13 Act of 1992 (12 U.S.C. 1715z–13a), \$7,000,000, to re-  
14 main available until expended: *Provided*, That such costs,  
15 including the costs of modifying such loans, shall be as  
16 defined in section 502 of the Congressional Budget Act  
17 of 1974: *Provided further*, That these funds are available  
18 to subsidize total loan principal, any part of which is to  
19 be guaranteed, up to \$1,111,111,000, to remain available  
20 until expended: *Provided further*, That up to \$750,000 of  
21 this amount may be for administrative contract expenses  
22 including management processes and systems to carry out  
23 the loan guarantee program.

## 1 COMMUNITY PLANNING AND DEVELOPMENT

## 2 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

3 For carrying out the Housing Opportunities for Per-  
4 sons with AIDS program, as authorized by the AIDS  
5 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
6 \$330,000,000, to remain available until September 30,  
7 2017, except that amounts allocated pursuant to section  
8 854(c)(3) of such Act shall remain available until Sep-  
9 tember 30, 2018: *Provided*, That the Secretary shall renew  
10 all expiring contracts for permanent supportive housing  
11 that initially were funded under section 854(c)(3) of such  
12 Act from funds made available under this heading in fiscal  
13 year 2010 and prior fiscal years that meet all program  
14 requirements before awarding funds for new contracts  
15 under such section: *Provided further*, That notwith-  
16 standing 42 U.S.C. 12903, the Secretary shall allocate 90  
17 percent of the funds by formula, of which 75 percent shall  
18 be among cities that are the most populous unit of general  
19 local government in a metropolitan statistical area with  
20 a population greater than 500,000 and have more than  
21 2,000 persons living with the human immunodeficiency  
22 virus (HIV), and States with more than 2,000 persons liv-  
23 ing with HIV outside of metropolitan statistical areas, as  
24 reported to and confirmed by the Director of the Centers  
25 for Disease Control and Prevention (CDC) as of December

1 31 of the most recent calendar year for which such data  
2 is available, and of which 25 percent shall be among States  
3 and metropolitan statistical areas based on fair market  
4 rents and area poverty indexes, as determined by the Sec-  
5 retary: *Provided further*, That a grantee's share shall not  
6 reflect a loss greater than 10 percent or a gain greater  
7 than 20 percent of the share of total available formula  
8 funds that the grantee received in the preceding fiscal  
9 year: *Provided further*, That any grantee that received a  
10 formula allocation in fiscal year 2015 shall continue to be  
11 eligible for formula allocation in this fiscal year: *Provided*  
12 *further*, That the Department shall notify grantees of their  
13 formula allocation within 60 days of enactment of this Act.

14 COMMUNITY DEVELOPMENT FUND

15 For carrying out the Community Development Block  
16 Grant program under title I of the Housing and Commu-  
17 nity Development Act of 1974, as amended (the "Act"  
18 herein) (42 U.S.C. 5301 et seq.), \$3,000,000,000, to re-  
19 main available until September 30, 2018: *Provided*, That  
20 unless explicitly provided for under this heading, not to  
21 exceed 20 percent of any grant made with funds appro-  
22 priated under this heading shall be expended for planning  
23 and management development and administration: *Pro-*  
24 *vided further*, That a metropolitan city, urban county, unit  
25 of general local government, or insular area that directly

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1 or indirectly receives funds under this heading may not  
2 sell, trade, or otherwise transfer all or any portion of such  
3 funds to another such entity in exchange for any other  
4 funds, credits or non-Federal considerations, but must use  
5 such funds for activities eligible under title I of the Act:  
6 *Provided further*, That notwithstanding section 105(e)(1)  
7 of the Act, no funds provided under this heading may be  
8 provided to a for-profit entity for an economic develop-  
9 ment project under section 105(a)(17) unless such project  
10 has been evaluated and selected in accordance with guide-  
11 lines required under subparagraph (e)(2): *Provided fur-*  
12 *ther*, That the Department shall notify grantees of their  
13 formula allocation within 60 days of enactment of this Act.

## 14 COMMUNITY DEVELOPMENT LOAN GUARANTEES

## 15 PROGRAM ACCOUNT

16 Subject to section 502 of the Congressional Budget  
17 Act of 1974, during fiscal year 2016, commitments to  
18 guarantee loans under section 108 of the Housing and  
19 Community Development Act of 1974 (42 U.S.C. 5308),  
20 any part of which is guaranteed, shall not exceed a total  
21 principal amount of \$300,000,000, notwithstanding any  
22 aggregate limitation on outstanding obligations guaran-  
23 teed in subsection (k) of such section 108: *Provided*, That  
24 the Secretary shall collect fees from borrowers, notwith-  
25 standing section 108(m), to result in a credit subsidy cost

1 of zero for guaranteeing such loans, and any such fees  
2 shall be collected in accordance with section 502(7) of the  
3 Congressional Budget Act of 1974.

4 HOME INVESTMENT PARTNERSHIPS PROGRAM

5 For the HOME Investment Partnerships program, as  
6 authorized under title II of the Cranston-Gonzalez Na-  
7 tional Affordable Housing Act, as amended,  
8 \$900,000,000, to remain available until September 30,  
9 2019: *Provided*, That notwithstanding the amount made  
10 available under this heading, the threshold reduction re-  
11 quirements in sections 216(10) and 217(b)(4) of such Act  
12 shall not apply to allocations of such amount: *Provided*  
13 *further*, That the requirements under provisos 2 through  
14 6 under this heading for fiscal year 2012 and such re-  
15 quirements applicable pursuant to the “Full-Year Con-  
16 tinuing Appropriations Act, 2013”, shall not apply to any  
17 project to which funds were committed on or after August  
18 23, 2013, but such projects shall instead be governed by  
19 the Final Rule titled “Home Investment Partnerships  
20 Program; Improving Performance and Accountability; Up-  
21 dating Property Standards” which became effective on  
22 such date: *Provided further*, That with respect to funds  
23 made available under this heading pursuant to such Act  
24 and funds provided in prior and subsequent appropriations  
25 acts that were or are used by community land trusts for

1 the development of affordable homeownership housing  
2 pursuant to section 215(b) of such Act, such community  
3 land trusts, notwithstanding section 215(b)(3)(A) of such  
4 Act, may hold and exercise purchase options, rights of  
5 first refusal or other preemptive rights to purchase the  
6 housing to preserve affordability, including but not limited  
7 to the right to purchase the housing in lieu of foreclosure:  
8 *Provided further*, That the Department shall notify grant-  
9 ees of their formula allocation within 60 days of enactment  
10 of this Act.

11 SELF-HELP AND ASSISTED HOMEOWNERSHIP

12 OPPORTUNITY PROGRAM

13 For the Self-Help and Assisted Homeownership Op-  
14 portunity Program, as authorized under section 11 of the  
15 Housing Opportunity Program Extension Act of 1996, as  
16 amended, \$50,000,000, to remain available until Sep-  
17 tember 30, 2018: *Provided*, That of the total amount pro-  
18 vided under this heading, \$10,000,000 shall be made  
19 available to the Self-Help and Assisted Homeownership  
20 Opportunity Program as authorized under section 11 of  
21 the Housing Opportunity Program Extension Act of 1996,  
22 as amended: *Provided further*, That \$35,000,000 shall be  
23 made available for the second, third, and fourth capacity  
24 building activities authorized under section 4(a) of the  
25 HUD Demonstration Act of 1993 (42 U.S.C. 9816 note),

1 of which not less than \$5,000,000 shall be made available  
2 for rural capacity building activities: *Provided further*,  
3 That \$5,000,000 shall be made available for capacity  
4 building by national rural housing organizations with ex-  
5 perience assessing national rural conditions and providing  
6 financing, training, technical assistance, information, and  
7 research to local nonprofits, local governments and Indian  
8 Tribes serving high need rural communities: *Provided fur-*  
9 *ther*, That an additional \$5,700,000, to remain available  
10 until expended, shall be for a program to rehabilitate and  
11 modify homes of disabled and low-income veterans as au-  
12 thorized under section 1079 of Public Law 113–291.

13 HOMELESS ASSISTANCE GRANTS

14 For the Emergency Solutions Grants program as au-  
15 thorized under subtitle B of title IV of the McKinney-  
16 Vento Homeless Assistance Act, as amended; the con-  
17 tinuum of care program as authorized under subtitle C  
18 of title IV of such Act; and the Rural Housing Stability  
19 Assistance program as authorized under subtitle D of title  
20 IV of such Act, \$2,235,000,000, to remain available until  
21 September 30, 2018: *Provided*, That any rental assistance  
22 amounts that are recaptured under such Continuum of  
23 Care program shall remain available until expended: *Pro-*  
24 *vided further*, That not less than \$250,000,000 of the  
25 funds appropriated under this heading shall be available

1 for such Emergency Solutions Grants program: *Provided*  
2 *further*, That not less than \$1,918,000,000 of the funds  
3 appropriated under this heading shall be available for such  
4 Continuum of Care and Rural Housing Stability Assist-  
5 ance programs: *Provided further*, That up to \$7,000,000  
6 of the funds appropriated under this heading shall be  
7 available for the national homeless data analysis project:  
8 *Provided further*, That up to \$2,000,000 of the funds ap-  
9 propriated under this heading shall be available to the Sec-  
10 retary, in coordination with the Secretary of Health and  
11 Human Services, for a national study on the prevalence,  
12 needs, and characteristics of homelessness among youth  
13 as authorized under section 345 of the Runaway Homeless  
14 Youth Act (42 U.S.C. 5714–25), notwithstanding section  
15 204 of this title: *Provided further*, That up to \$33,000,000  
16 of the funds appropriated under this heading shall be to  
17 implement projects to demonstrate how a comprehensive  
18 approach to serving homeless youth, age 24 and under,  
19 in up to 10 communities, including at least four rural com-  
20 munities, can dramatically reduce youth homelessness:  
21 *Provided further*, That such projects shall be eligible for  
22 renewal under the Continuum of Care program subject to  
23 the same terms and conditions as other renewal appli-  
24 cants: *Provided further*, That up to \$5,000,000 of the  
25 funds appropriated under this heading shall be available



1 to provide technical assistance on youth homelessness, and  
2 collection, analysis, and reporting of data and performance  
3 measures under the comprehensive approaches to serve  
4 homeless youth, in addition to and in coordination with  
5 other technical assistance funds provided under this title:  
6 *Provided further*, That all funds awarded for supportive  
7 services under the Continuum of Care program and the  
8 Rural Housing Stability Assistance program shall be  
9 matched by not less than 25 percent in cash or in kind  
10 by each grantee: *Provided further*, That for all match re-  
11 quirements applicable to funds made available under this  
12 heading for this fiscal year and prior years, a grantee may  
13 use (or could have used) as a source of match funds other  
14 funds administered by the Secretary and other Federal  
15 agencies unless a specific statutory prohibition on any  
16 such use of any such funds exists: *Provided further*, That  
17 the Secretary may renew on an annual basis expiring con-  
18 tracts or amendments to contracts funded under the Con-  
19 tinuum of Care program if the program is determined to  
20 be needed under the applicable Continuum of Care and  
21 meets appropriate program requirements, performance  
22 measures, and financial standards, as determined by the  
23 Secretary: *Provided further*, That all awards of assistance  
24 under this heading shall be required to coordinate and in-  
25 tegrate homeless programs with other mainstream health,

1 social services, and employment programs for which home-  
2 less populations may be eligible: *Provided further*, That  
3 with respect to funds provided under this heading for the  
4 Continuum of Care program for fiscal years 2016 and  
5 2017, permanent housing rental assistance may be admin-  
6 istered by private nonprofit organizations: *Provided fur-*  
7 *ther*, That youth aged 24 and under seeking assistance  
8 under this heading shall not be required to provide third  
9 party documentation to establish their eligibility under 42  
10 U.S.C. 11302(a) or (b) to receive services: *Provided fur-*  
11 *ther*, That unaccompanied youth aged 24 and under or  
12 families headed by youth aged 24 and under who are living  
13 in unsafe situations may be served by youth-serving pro-  
14 viders funded under this heading: *Provided further*, That  
15 in awarding grants with funds appropriated under this  
16 heading, the Secretary shall ensure that incentives created  
17 through the application process fairly balance priorities for  
18 different populations, including youth, families, veterans,  
19 and people experiencing chronic homelessness: *Provided*  
20 *further*, That any unobligated amounts remaining from  
21 funds appropriated under this heading in fiscal year 2012  
22 and prior years for project-based rental assistance for re-  
23 habilitation projects with 10-year grant terms may be used  
24 for purposes under this heading, notwithstanding the pur-  
25 poses for which such funds were appropriated: *Provided*

1 *further*, That all balances for Shelter Plus Care renewals  
2 previously funded from the Shelter Plus Care Renewal ac-  
3 count and transferred to this account shall be available,  
4 if recaptured, for Continuum of Care renewals in fiscal  
5 year 2016: *Provided further*, That the Department shall  
6 notify grantees of their formula allocation from amounts  
7 allocated (which may represent initial or final amounts al-  
8 located) for the Emergency Solutions Grant program with-  
9 in 60 days of enactment of this Act.

10

## HOUSING PROGRAMS

11

## PROJECT-BASED RENTAL ASSISTANCE

12 For activities and assistance for the provision of  
13 project-based subsidy contracts under the United States  
14 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the  
15 Act”), not otherwise provided for, \$10,426,000,000, to re-  
16 main available until expended, shall be available on Octo-  
17 ber 1, 2015 (in addition to the \$400,000,000 previously  
18 appropriated under this heading that became available Oc-  
19 tober 1, 2015), and \$400,000,000, to remain available  
20 until expended, shall be available on October 1, 2016: *Pro-*  
21 *vided*, That the amounts made available under this head-  
22 ing shall be available for expiring or terminating section  
23 8 project-based subsidy contracts (including section 8  
24 moderate rehabilitation contracts), for amendments to sec-  
25 tion 8 project-based subsidy contracts (including section

1 8 moderate rehabilitation contracts), for contracts entered  
2 into pursuant to section 441 of the McKinney-Vento  
3 Homeless Assistance Act (42 U.S.C. 11401), for renewal  
4 of section 8 contracts for units in projects that are subject  
5 to approved plans of action under the Emergency Low In-  
6 come Housing Preservation Act of 1987 or the Low-In-  
7 come Housing Preservation and Resident Homeownership  
8 Act of 1990, and for administrative and other expenses  
9 associated with project-based activities and assistance  
10 funded under this paragraph: *Provided further*, That of  
11 the total amounts provided under this heading, not to ex-  
12 ceed \$215,000,000 shall be available for performance-  
13 based contract administrators for section 8 project-based  
14 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*  
15 *further*, That the Secretary of Housing and Urban Devel-  
16 opment may also use such amounts in the previous proviso  
17 for performance-based contract administrators for the ad-  
18 ministration of: interest reduction payments pursuant to  
19 section 236(a) of the National Housing Act (12 U.S.C.  
20 1715z-1(a)); rent supplement payments pursuant to sec-  
21 tion 101 of the Housing and Urban Development Act of  
22 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-  
23 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental  
24 assistance contracts for the elderly under section  
25 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);

1 project rental assistance contracts for supportive housing  
2 for persons with disabilities under section 811(d)(2) of the  
3 Cranston-Gonzalez National Affordable Housing Act (42  
4 U.S.C. 8013(d)(2)); project assistance contracts pursuant  
5 to section 202(h) of the Housing Act of 1959 (Public Law  
6 86–372; 73 Stat. 667); and loans under section 202 of  
7 the Housing Act of 1959 (Public Law 86–372; 73 Stat.  
8 667): *Provided further*, That amounts recaptured under  
9 this heading, the heading “Annual Contributions for As-  
10 sisted Housing”, or the heading “Housing Certificate  
11 Fund”, may be used for renewals of or amendments to  
12 section 8 project-based contracts or for performance-based  
13 contract administrators, notwithstanding the purposes for  
14 which such amounts were appropriated: *Provided further*,  
15 That, notwithstanding any other provision of law, upon  
16 the request of the Secretary of Housing and Urban Devel-  
17 opment, project funds that are held in residual receipts  
18 accounts for any project subject to a section 8 project-  
19 based Housing Assistance Payments contract that author-  
20 izes HUD or a Housing Finance Agency to require that  
21 surplus project funds be deposited in an interest-bearing  
22 residual receipts account and that are in excess of an  
23 amount to be determined by the Secretary, shall be remit-  
24 ted to the Department and deposited in this account, to  
25 be available until expended: *Provided further*, That

1 amounts deposited pursuant to the previous proviso shall  
2 be available in addition to the amount otherwise provided  
3 by this heading for uses authorized under this heading.

4 HOUSING FOR THE ELDERLY

5 For amendments to capital advance contracts for  
6 housing for the elderly, as authorized by section 202 of  
7 the Housing Act of 1959, as amended, and for project  
8 rental assistance for the elderly under section 202(e)(2)  
9 of such Act, including amendments to contracts for such  
10 assistance and renewal of expiring contracts for such as-  
11 sistance for up to a 1-year term, and for senior preserva-  
12 tion rental assistance contracts, including renewals, as au-  
13 thorized by section 811(e) of the American Housing and  
14 Economic Opportunity Act of 2000, as amended, and for  
15 supportive services associated with the housing,  
16 \$420,000,000 to remain available until September 30,  
17 2019: *Provided*, That of the amount provided under this  
18 heading, up to \$77,000,000 shall be for service coordina-  
19 tors and the continuation of existing congregate service  
20 grants for residents of assisted housing projects: *Provided*  
21 *further*, That amounts under this heading shall be avail-  
22 able for Real Estate Assessment Center inspections and  
23 inspection-related activities associated with section 202  
24 projects: *Provided further*, That the Secretary may waive  
25 the provisions of section 202 governing the terms and con-

1 ditions of project rental assistance, except that the initial  
2 contract term for such assistance shall not exceed 5 years  
3 in duration: *Provided further*, That upon request of the  
4 Secretary of Housing and Urban Development, project  
5 funds that are held in residual receipts accounts for any  
6 project subject to a section 202 project rental assistance  
7 contract, and that upon termination of such contract are  
8 in excess of an amount to be determined by the Secretary,  
9 shall be remitted to the Department and deposited in this  
10 account, to be available until September 30, 2019: *Pro-*  
11 *vided further*, That amounts deposited in this account pur-  
12 suant to the previous proviso shall be available, in addition  
13 to the amounts otherwise provided by this heading, for the  
14 purposes funded under this heading, and if such purposes  
15 have been fully funded, may be used by the Secretary to  
16 support demonstration programs to test housing with serv-  
17 ices models for the elderly: *Provided further*, That unobli-  
18 gated balances, including recaptures and carryover, re-  
19 maining from funds transferred to or appropriated under  
20 this heading may be used for the current purposes author-  
21 ized under this heading notwithstanding the purposes for  
22 which such funds originally were appropriated.

23 HOUSING FOR PERSONS WITH DISABILITIES

24 For amendments to capital advance contracts for  
25 supportive housing for persons with disabilities, as author-

1 ized by section 811 of the Cranston-Gonzalez National Af-  
2 fordable Housing Act (42 U.S.C. 8013), for project rental  
3 assistance for supportive housing for persons with disabil-  
4 ities under section 811(d)(2) of such Act and for project  
5 assistance contracts pursuant to section 202(h) of the  
6 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),  
7 including amendments to contracts for such assistance  
8 and renewal of expiring contracts for such assistance for  
9 up to a 1-year term, for project rental assistance to State  
10 housing finance agencies and other appropriate entities as  
11 authorized under section 811(b)(3) of the Cranston-Gon-  
12 zalez National Housing Act, and for supportive services  
13 associated with the housing for persons with disabilities  
14 as authorized by section 811(b)(1) of such Act,  
15 \$137,000,000, to remain available until September 30,  
16 2019: *Provided*, That amounts made available under this  
17 heading shall be available for Real Estate Assessment  
18 Center inspections and inspection-related activities associ-  
19 ated with section 811 projects: *Provided further*, That, in  
20 this fiscal year, upon the request of the Secretary of Hous-  
21 ing and Urban Development, project funds that are held  
22 in residual receipts accounts for any project subject to a  
23 section 811 project rental assistance contract and that  
24 upon termination of such contract are in excess of an  
25 amount to be determined by the Secretary shall be remit-



1 ted to the Department and deposited in this account, to  
2 be available until September 30, 2019: *Provided further*,  
3 That amounts deposited in this account pursuant to the  
4 previous proviso shall be available in addition to the  
5 amounts otherwise provided by this heading for the pur-  
6 poses authorized under this heading: *Provided further*,  
7 That unobligated balances, including recaptures and car-  
8 ryover, remaining from funds transferred to or appro-  
9 priated under this heading may be used for the current  
10 purposes authorized under this heading notwithstanding  
11 the purposes for which such funds originally were appro-  
12 priated.

13 HOUSING COUNSELING ASSISTANCE

14 For contracts, grants, and other assistance excluding  
15 loans, as authorized under section 106 of the Housing and  
16 Urban Development Act of 1968, as amended,  
17 \$47,000,000, to remain available until September 30,  
18 2017, including up to \$4,500,000 for administrative con-  
19 tract services: *Provided*, That grants made available from  
20 amounts provided under this heading shall be awarded  
21 within 180 days of enactment of this Act: *Provided further*,  
22 That funds shall be used for providing counseling and ad-  
23 vice to tenants and homeowners, both current and pro-  
24 spective, with respect to property maintenance, financial  
25 management/literacy, and such other matters as may be

1 appropriate to assist them in improving their housing con-  
2 ditions, meeting their financial needs, and fulfilling the re-  
3 sponsibilities of tenancy or homeownership; for program  
4 administration; and for housing counselor training: *Pro-*  
5 *vided further*, That for purposes of providing such grants  
6 from amounts provided under this heading, the Secretary  
7 may enter into multiyear agreements as appropriate, sub-  
8 ject to the availability of annual appropriations.

9 RENTAL HOUSING ASSISTANCE

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

## 123

1 MANUFACTURED HOUSING STANDARDS PROGRAM

2 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

3 FUND

4 For necessary expenses as authorized by the National  
5 Manufactured Housing Construction and Safety Stand-  
6 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to  
7 \$10,000,000, to remain available until expended, of which  
8 \$10,000,000 is to be derived from the Manufactured  
9 Housing Fees Trust Fund: *Provided*, That not to exceed  
10 the total amount appropriated under this heading shall be  
11 available from the general fund of the Treasury to the ex-  
12 tent necessary to incur obligations and make expenditures  
13 pending the receipt of collections to the Fund pursuant  
14 to section 620 of such Act: *Provided further*, That the  
15 amount made available under this heading from the gen-  
16 eral fund shall be reduced as such collections are received  
17 during fiscal year 2016 so as to result in a final fiscal  
18 year 2016 appropriation from the general fund estimated  
19 at zero, and fees pursuant to such section 620 shall be  
20 modified as necessary to ensure such a final fiscal year  
21 2016 appropriation: *Provided further*, That for the dispute  
22 resolution and installation programs, the Secretary of  
23 Housing and Urban Development may assess and collect  
24 fees from any program participant: *Provided further*, That  
25 such collections shall be deposited into the Fund, and the

1 Secretary, as provided herein, may use such collections,  
2 as well as fees collected under section 620, for necessary  
3 expenses of such Act: *Provided further*, That, notwith-  
4 standing the requirements of section 620 of such Act, the  
5 Secretary may carry out responsibilities of the Secretary  
6 under such Act through the use of approved service pro-  
7 viders that are paid directly by the recipients of their serv-  
8 ices.

9 FEDERAL HOUSING ADMINISTRATION

10 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

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

1 extent guaranteed loan commitments exceed  
2 \$200,000,000,000 on or before April 1, 2016, an addi-  
3 tional \$1,400 for administrative contract expenses shall be  
4 available for each \$1,000,000 in additional guaranteed  
5 loan commitments (including a pro rata amount for any  
6 amount below \$1,000,000), but in no case shall funds  
7 made available by this proviso exceed \$30,000,000.

8 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

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

1 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION  
2 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN  
3 GUARANTEE PROGRAM ACCOUNT

4 New commitments to issue guarantees to carry out  
5 the purposes of section 306 of the National Housing Act,  
6 as amended (12 U.S.C. 1721(g)), shall not exceed  
7 \$500,000,000,000, to remain available until September  
8 30, 2017: *Provided*, That \$23,000,000 shall be available  
9 for necessary salaries and expenses of the Office of Gov-  
10 ernment National Mortgage Association: *Provided further*,  
11 That to the extent that guaranteed loan commitments ex-  
12 ceed \$155,000,000,000 on or before April 1, 2016, an ad-  
13 ditional \$100 for necessary salaries and expenses shall be  
14 available until expended for each \$1,000,000 in additional  
15 guaranteed loan commitments (including a pro rata  
16 amount for any amount below \$1,000,000), but in no case  
17 shall funds made available by this proviso exceed  
18 \$3,000,000: *Provided further*, That receipts from Commit-  
19 ment and Multiclass fees collected pursuant to title III of  
20 the National Housing Act, as amended, shall be credited  
21 as offsetting collections to this account.

1 POLICY DEVELOPMENT AND RESEARCH  
2 RESEARCH AND TECHNOLOGY  
3 (INCLUDING TRANSFER OF FUNDS)

4 For contracts, grants, and necessary expenses of pro-  
5 grams of research and studies relating to housing and  
6 urban problems, not otherwise provided for, as authorized  
7 by title V of the Housing and Urban Development Act  
8 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying  
9 out the functions of the Secretary of Housing and Urban  
10 Development under section 1(a)(1)(i) of Reorganization  
11 Plan No. 2 of 1968, \$50,000,000, to remain available  
12 until September 30, 2017.

13 Of the amounts made available in this title under  
14 each of the headings specified in the report accompanying  
15 this Act, the Secretary may transfer to this account up  
16 to 0.1 percent from each such account, and such trans-  
17 ferred amounts shall be available until September 30,  
18 2017, for (1) technical assistance and capacity building;  
19 and (2) research, evaluation, and program metrics: *Pro-*  
20 *vided*, That the Secretary may not transfer more than  
21 \$40,000,000 to this account.

22 With respect to amounts made available under this  
23 heading, notwithstanding section 204 of this title, the Sec-  
24 retary may enter into cooperative agreements funded with  
25 philanthropic entities, other Federal agencies, or State or

1 local governments and their agencies for research projects:  
2 *Provided*, That any such partners to any such cooperative  
3 agreements must contribute at least 50 percent of the cost  
4 of the project: *Provided further*, That for any such cooper-  
5 ative agreements, the Secretary of Housing and Urban  
6 Development shall comply with section 2(b) of the Federal  
7 Funding Accountability and Transparency Act of 2006  
8 (Public Law 109–282, 31 U.S.C. note) in lieu of compli-  
9 ance with section 102(a)(4)(C) with respect to documenta-  
10 tion of award decisions.

11 FAIR HOUSING AND EQUAL OPPORTUNITY

12 FAIR HOUSING ACTIVITIES

13 For contracts, grants, and other assistance, not oth-  
14 erwise provided for, as authorized by title VIII of the Civil  
15 Rights Act of 1968, as amended by the Fair Housing  
16 Amendments Act of 1988, and section 561 of the Housing  
17 and Community Development Act of 1987, as amended,  
18 \$65,300,000, to remain available until September 30,  
19 2017, of which \$38,600,000 shall be to carry out activities  
20 pursuant to such section 561: *Provided*, That notwith-  
21 standing 31 U.S.C. 3302, the Secretary may assess and  
22 collect fees to cover the costs of the Fair Housing Training  
23 Academy, and may use such funds to provide such train-  
24 ing: *Provided further*, That no funds made available under  
25 this heading shall be used to lobby the executive or legisla-



1 tive branches of the Federal Government in connection  
2 with a specific contract, grant, or loan: *Provided further*,  
3 That of the funds made available under this heading,  
4 \$300,000 shall be available to the Secretary of Housing  
5 and Urban Development for the creation and promotion  
6 of translated materials and other programs that support  
7 the assistance of persons with limited English proficiency  
8 in utilizing the services provided by the Department of  
9 Housing and Urban Development.

10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

11 HOMES

12 LEAD HAZARD REDUCTION

13 For the Lead Hazard Reduction Program, as author-  
14 ized by section 1011 of the Residential Lead-Based Paint  
15 Hazard Reduction Act of 1992, \$110,000,000, to remain  
16 available until September 30, 2017, of which \$25,000,000  
17 shall be for the Healthy Homes Initiative, pursuant to sec-  
18 tions 501 and 502 of the Housing and Urban Develop-  
19 ment Act of 1970 that shall include research, studies, test-  
20 ing, and demonstration efforts, including education and  
21 outreach concerning lead-based paint poisoning and other  
22 housing-related diseases and hazards: *Provided*, That for  
23 purposes of environmental review, pursuant to the Na-  
24 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
25 et seq.) and other provisions of the law that further the

1 purposes of such Act, a grant under the Healthy Homes  
2 Initiative, or the Lead Technical Studies program under  
3 this heading or under prior appropriations Acts for such  
4 purposes under this heading, shall be considered to be  
5 funds for a special project for purposes of section 305(c)  
6 of the Multifamily Housing Property Disposition Reform  
7 Act of 1994: *Provided further*, That of the total amount  
8 made available under this heading, \$45,000,000 shall be  
9 made available on a competitive basis for areas with the  
10 highest lead paint abatement needs: *Provided further*,  
11 That each recipient of funds provided under the previous  
12 proviso shall contribute an amount not less than 25 per-  
13 cent of the total: *Provided further*, That each applicant  
14 shall certify adequate capacity that is acceptable to the  
15 Secretary to carry out the proposed use of funds pursuant  
16 to a notice of funding availability: *Provided further*, That  
17 amounts made available under this heading in this or prior  
18 appropriations Acts, and that still remain available, may  
19 be used for any purpose under this heading notwith-  
20 standing the purpose for which such amounts were appro-  
21 priated if a program competition is undersubscribed and  
22 there are other program competitions under this heading  
23 that are oversubscribed.

## 1                   INFORMATION TECHNOLOGY FUND

2           For the development of, modifications to, and infra-  
3 structure for Department-wide and program-specific infor-  
4 mation technology systems, for the continuing operation  
5 and maintenance of both Department-wide and program-  
6 specific information systems, and for program-related  
7 maintenance activities, \$250,000,000, shall remain avail-  
8 able until September 30, 2017: *Provided*, That any  
9 amounts transferred to this Fund under this Act shall re-  
10 main available until expended: *Provided further*, That any  
11 amounts transferred to this Fund from amounts appro-  
12 priated by previously enacted appropriations Acts may be  
13 used for the purposes specified under this Fund, in addi-  
14 tion to any other information technology purposes for  
15 which such amounts were appropriated.

## 16                   OFFICE OF INSPECTOR GENERAL

17           For necessary salaries and expenses of the Office of  
18 Inspector General in carrying out the Inspector General  
19 Act of 1978, as amended, \$126,000,000: *Provided*, That  
20 the Inspector General shall have independent authority  
21 over all personnel issues within this office.

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

5 SEC. 201. Fifty percent of the amounts of budget au-  
6 thority, or in lieu thereof 50 percent of the cash amounts  
7 associated with such budget authority, that are recaptured  
8 from projects described in section 1012(a) of the Stewart  
9 B. McKinney Homeless Assistance Amendments Act of  
10 1988 (42 U.S.C. 1437 note) shall be rescinded or in the  
11 case of cash, shall be remitted to the Treasury, and such  
12 amounts of budget authority or cash recaptured and not  
13 rescinded or remitted to the Treasury shall be used by  
14 State housing finance agencies or local governments or  
15 local housing agencies with projects approved by the Sec-  
16 retary of Housing and Urban Development for which set-  
17 tlement occurred after January 1, 1992, in accordance  
18 with such section. Notwithstanding the previous sentence,  
19 the Secretary may award up to 15 percent of the budget  
20 authority or cash recaptured and not rescinded or remitted  
21 to the Treasury to provide project owners with incentives  
22 to refinance their project at a lower interest rate.

23 SEC. 202. None of the funds made available under  
24 this title may be used during fiscal year 2016 to inves-  
25 tigate or prosecute under the Fair Housing Act any other-

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

6 SEC. 203. (a) Notwithstanding any other provision  
7 of law, the amount allocated for fiscal year 2016 under  
8 section 854(c) of the AIDS Housing Opportunity Act (42  
9 U.S.C. 12903(c)), to the city of New York, New York,  
10 on behalf of the New York–Wayne–White Plains, New  
11 York–New Jersey Metropolitan Division (hereafter “met-  
12 ropolitan division”) of the New York–Newark–Edison,  
13 NY–NJ–PA Metropolitan Statistical Area, shall be ad-  
14 justed by the Secretary of Housing and Urban Develop-  
15 ment by:

16 (1) allocating to the city of Jersey City, New  
17 Jersey, the proportion of the metropolitan area’s or  
18 division’s amount that is based on the number of  
19 persons living with HIV, poverty and fair market  
20 rents, in the portion of the metropolitan area or divi-  
21 sion that is located in Hudson County, New Jersey;  
22 and

23 (2) allocating to the city of Paterson, New Jer-  
24 sey, the proportion of the metropolitan area’s or di-  
25 vision’s amount that is based on the number of per-

1       sons living with HIV, poverty and fair market rents,  
2       in the portion of the metropolitan area or division  
3       that is located in Bergen County and Passaic Coun-  
4       ty, New Jersey. The recipient cities shall use  
5       amounts allocated under this subsection to carry out  
6       eligible activities under section 855 of the AIDS  
7       Housing Opportunity Act (42 U.S.C. 12904) in their  
8       respective portions of the metropolitan division that  
9       is located in New Jersey.

10       (b) Notwithstanding any other provision of law, the  
11       amount allocated for fiscal year 2016 under section 854(c)  
12       of the AIDS Housing Opportunity Act (42 U.S.C.  
13       12903(c)), to the city of Wilmington, Delaware, on behalf  
14       of the Wilmington, Delaware–Maryland–New Jersey Met-  
15       ropolitan Division (hereafter “metropolitan division”),  
16       shall be adjusted by the Secretary of Housing and Urban  
17       Development by allocating to the State of New Jersey the  
18       proportion of the metropolitan division’s amount that is  
19       based on the number of persons living with HIV, poverty  
20       and fair market rents, in the portion of the metropolitan  
21       division that is located in New Jersey. The State of New  
22       Jersey shall use amounts allocated to the State under this  
23       subsection to carry out eligible activities under section 855  
24       of the AIDS Housing Opportunity Act (42 U.S.C. 12904)

1 in the portion of the metropolitan division that is located  
2 in New Jersey.

3 (c) Notwithstanding any other provision of law, the  
4 Secretary of Housing and Urban Development shall allo-  
5 cate to Wake County, North Carolina, the amounts that  
6 otherwise would be allocated for fiscal year 2016 under  
7 section 854(c) of the AIDS Housing Opportunity Act (42  
8 U.S.C. 12903(c)) to the city of Raleigh, North Carolina,  
9 on behalf of the Raleigh-Cary North Carolina Metropoli-  
10 tan Statistical Area. Any amounts allocated to Wake  
11 County shall be used to carry out eligible activities under  
12 section 855 of such Act (42 U.S.C. 12904) within such  
13 metropolitan statistical area.

14 (d) Notwithstanding section 854(c) of the AIDS  
15 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-  
16 retary of Housing and Urban Development may adjust the  
17 allocation of the amounts that otherwise would be allo-  
18 cated for fiscal year 2016 under section 854(c) of such  
19 Act, upon the written request of an applicant, in conjunc-  
20 tion with the State(s), for a formula allocation on behalf  
21 of a metropolitan statistical area, to designate the State  
22 or States in which the metropolitan statistical area is lo-  
23 cated as the eligible grantee(s) of the allocation. In the  
24 case that a metropolitan statistical area involves more  
25 than one State, such amounts allocated to each State shall

1 be based on the proportion of the metropolitan statistical  
2 area's amount that is based on the number of persons liv-  
3 ing with HIV, poverty and fair market rents, in the por-  
4 tion of the metropolitan statistical area that is located in  
5 that State. Any amounts allocated to a State under this  
6 section shall be used to carry out eligible activities within  
7 the portion of the metropolitan statistical area located in  
8 that State.

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

15       SEC. 205. Funds of the Department of Housing and  
16 Urban Development subject to the Government Corpora-  
17 tion Control Act or section 402 of the Housing Act of  
18 1950 shall be available, without regard to the limitations  
19 on administrative expenses, for legal services on a contract  
20 or fee basis, and for utilizing and making payment for  
21 services and facilities of the Federal National Mortgage  
22 Association, Government National Mortgage Association,  
23 Federal Home Loan Mortgage Corporation, Federal Fi-  
24 nancing Bank, Federal Reserve banks or any member  
25 thereof, Federal Home Loan banks, and any insured bank



1 within the meaning of the Federal Deposit Insurance Cor-  
2 poration Act, as amended (12 U.S.C. 1811–1).

3 SEC. 206. Unless otherwise provided for in this title  
4 or through a reprogramming of funds, no part of any ap-  
5 propriation for the Department of Housing and Urban  
6 Development shall be available for any program, project  
7 or activity in excess of amounts set forth in the budget  
8 estimates submitted to Congress.

9 SEC. 207. Corporations and agencies of the Depart-  
10 ment of Housing and Urban Development which are sub-  
11 ject to the Government Corporation Control Act are here-  
12 by authorized to make such expenditures, within the limits  
13 of funds and borrowing authority available to each such  
14 corporation or agency and in accordance with law, and to  
15 make such contracts and commitments without regard to  
16 fiscal year limitations as provided by section 104 of such  
17 Act as may be necessary in carrying out the programs set  
18 forth in the budget for fiscal year 2016 for such corpora-  
19 tion or agency except as hereinafter provided: *Provided,*  
20 That collections of these corporations and agencies may  
21 be used for new loan or mortgage purchase commitments  
22 only to the extent expressly provided for in this Act (unless  
23 such loans are in support of other forms of assistance pro-  
24 vided for in this or prior appropriations Acts), except that  
25 this proviso shall not apply to the mortgage insurance or

1 guaranty operations of these corporations, or where loans  
2 or mortgage purchases are necessary to protect the finan-  
3 cial interest of the United States Government.

4       SEC. 208. The Secretary of Housing and Urban De-  
5 velopment shall provide quarterly reports to the House  
6 and Senate Committees on Appropriations regarding all  
7 uncommitted, unobligated, recaptured and excess funds in  
8 each program and activity within the jurisdiction of the  
9 Department and shall submit additional, updated budget  
10 information to these Committees upon request.

11       SEC. 209. A public housing agency or such other enti-  
12 ty that administers Federal housing assistance for the  
13 Housing Authority of the county of Los Angeles, Cali-  
14 fornia, and the States of Alaska, Iowa, and Mississippi  
15 shall not be required to include a resident of public hous-  
16 ing or a recipient of assistance provided under section 8  
17 of the United States Housing Act of 1937 on the board  
18 of directors or a similar governing board of such agency  
19 or entity as required under section (2)(b) of such Act.  
20 Each public housing agency or other entity that admin-  
21 isters Federal housing assistance under section 8 for the  
22 Housing Authority of the county of Los Angeles, Cali-  
23 fornia and the States of Alaska, Iowa and Mississippi that  
24 chooses not to include a resident of public housing or a  
25 recipient of section 8 assistance on the board of directors

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

8       SEC. 210. No funds provided under this title may be  
9 used for an audit of the Government National Mortgage  
10 Association that makes applicable requirements under the  
11 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

12       SEC. 211. (a) Notwithstanding any other provision  
13 of law, subject to the conditions listed under this section,  
14 for fiscal years 2016 and 2017, the Secretary of Housing  
15 and Urban Development may authorize the transfer of  
16 some or all project-based assistance, debt held or insured  
17 by the Secretary and statutorily required low-income and  
18 very low-income use restrictions if any, associated with one  
19 or more multifamily housing project or projects to another  
20 multifamily housing project or projects.

21       (b) PHASED TRANSFERS.—Transfers of project-  
22 based assistance under this section may be done in phases  
23 to accommodate the financing and other requirements re-  
24 lated to rehabilitating or constructing the project or  
25 projects to which the assistance is transferred, to ensure

1 that such project or projects meet the standards under  
2 subsection (c).

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

5 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

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

23 (2) The transferring project shall, as deter-  
24 mined by the Secretary, be either physically obsolete  
25 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. 212. (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. 213. The funds made available under  
25 NAHASDA for Native Alaskans under the heading “In-

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

4       SEC. 214. 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. 215. 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. 216. 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. 217. 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. 218. 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. 219. 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. 220. The Secretary of the Department of Hous-  
24 ing and Urban Development shall, for fiscal year 2016 and  
25 subsequent fiscal years, notify the public through the Fed-

1 eral Register and other means, as determined appropriate,  
2 of the issuance of a notice of the availability of assistance  
3 or notice of funding availability (NOFA) for any program  
4 or discretionary fund administered by the Secretary that  
5 is to be competitively awarded. Notwithstanding any other  
6 provision of law, for fiscal year 2016 and subsequent fiscal  
7 years, the Secretary may make the NOFA available only  
8 on the Internet at the appropriate Government Web site  
9 or through other electronic media, as determined by the  
10 Secretary.

11 SEC. 221. Payment of attorney fees in program-re-  
12 lated litigation shall be paid from the individual program  
13 office and Office of General Counsel salaries and expenses  
14 appropriations. The annual budget submission for the pro-  
15 gram offices and the Office of General Counsel shall in-  
16 clude any such projected litigation costs for attorney fees  
17 as a separate line item request. No funds provided in this  
18 title may be used to pay any such litigation costs for attor-  
19 ney fees until the Department submits for review and ap-  
20 proval a spending plan for such costs to the House and  
21 Senate Committees on Appropriations.

22 SEC. 222. The Secretary of the Department of Hous-  
23 ing and Urban Development is authorized to transfer up  
24 to 5 percent or \$5,000,000, whichever is less, of the funds  
25 appropriated for any office funded under the heading “Ad-

1 ministrative Support Offices” to any other office funded  
2 under such heading: *Provided*, That no appropriation for  
3 any office funded under the heading “Administrative Sup-  
4 port Offices” shall be increased or decreased by more than  
5 5 percent or \$5,000,000, whichever is less, without prior  
6 written approval of the House and Senate Committees on  
7 Appropriations: *Provided further*, That the Secretary is  
8 authorized to transfer up to 5 percent or \$5,000,000,  
9 whichever is less, of the funds appropriated for any ac-  
10 count funded under the general heading “Program Office  
11 Salaries and Expenses” to any other account funded  
12 under such heading: *Provided further*, That no appropria-  
13 tion for any account funded under the general heading  
14 “Program Office Salaries and Expenses” shall be in-  
15 creased or decreased by more than 5 percent or  
16 \$5,000,000, whichever is less, without prior written ap-  
17 proval of the House and Senate Committees on Appropria-  
18 tions: *Provided further*, That the Secretary may transfer  
19 funds made available for salaries and expenses between  
20 any office funded under the heading “Administrative Sup-  
21 port Offices” and any account funded under the general  
22 heading “Program Office Salaries and Expenses”, but  
23 only with the prior written approval of the House and Sen-  
24 ate Committees on Appropriations.



1        SEC. 223. The Disaster Housing Assistance Pro-  
2 grams, administered by the Department of Housing and  
3 Urban Development, shall be considered a “program of  
4 the Department of Housing and Urban Development”  
5 under section 904 of the McKinney Act for the purpose  
6 of income verifications and matching.

7        SEC. 224. (a) The Secretary of Housing and Urban  
8 Development shall take the required actions under sub-  
9 section (b) when a multifamily housing project with a sec-  
10 tion 8 contract or contract for similar project-based assist-  
11 ance:

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

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

16                    (A) fails to certify in writing to HUD with-  
17                    in 60 days that all deficiencies have been cor-  
18                    rected; or

19                    (B) receives consecutive scores of less than  
20                    60 on REAC inspections.

21 Such requirements shall apply to insured and noninsured  
22 projects with assistance attached to the units under sec-  
23 tion 8 of the United States Housing Act of 1937 (42  
24 U.S.C. 1437f), but do not apply to such units assisted  
25 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to

1 public housing units assisted with capital or operating  
2 funds under section 9 of the United States Housing Act  
3 of 1937 (42 U.S.C. 1437g).

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

6 (1) The Secretary shall notify the owner and  
7 provide an opportunity for response within 30 days.  
8 If the violations remain, the Secretary shall develop  
9 a Compliance, Disposition and Enforcement Plan  
10 within 60 days, with a specified timetable for cor-  
11 recting all deficiencies. The Secretary shall provide  
12 notice of the Plan to the owner, tenants, the local  
13 government, any mortgagees, and any contract ad-  
14 ministrators.

15 (2) At the end of the term of the Compliance,  
16 Disposition and Enforcement Plan, if the owner fails  
17 to fully comply with such plan, the Secretary may  
18 require immediate replacement of project manage-  
19 ment with a management agent approved by the  
20 Secretary, and shall take one or more of the fol-  
21 lowing actions, and provide additional notice of those  
22 actions to the owner and the parties specified above:

23 (A) impose civil money penalties;

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

4 (C) pursue transfer of the project to an  
5 owner, approved by the Secretary under estab-  
6 lished procedures, which will be obligated to  
7 promptly make all required repairs and to ac-  
8 cept renewal of the assistance contract as long  
9 as such renewal is offered; or

10 (D) seek judicial appointment of a receiver  
11 to manage the property and cure all project de-  
12 ficiencies or seek a judicial order of specific per-  
13 formance requiring the owner to cure all project  
14 deficiencies.

15 (e) The Secretary shall also take appropriate steps  
16 to ensure that project-based contracts remain in effect,  
17 subject to the exercise of contractual abatement remedies  
18 to assist relocation of tenants for imminent major threats  
19 to health and safety after written notice to and informed  
20 consent of the affected tenants and use of other remedies  
21 set forth above. To the extent the Secretary determines,  
22 in consultation with the tenants and the local government,  
23 that the property is not feasible for continued rental as-  
24 sistance payments under such section 8 or other programs,  
25 based on consideration of (1) the costs of rehabilitating

1 and operating the property and all available Federal,  
2 State, and local resources, including rent adjustments  
3 under section 524 of the Multifamily Assisted Housing  
4 Reform and Affordability Act of 1997 (“MAHRAA”) and  
5 (2) environmental conditions that cannot be remedied in  
6 a cost-effective fashion, the Secretary may, in consultation  
7 with the tenants of that property, contract for project-  
8 based rental assistance payments with an owner or owners  
9 of other existing housing properties, or provide other rent-  
10 al assistance. The Secretary shall report semi-annually on  
11 all properties covered by this section that are assessed  
12 through the Real Estate Assessment Center and have  
13 physical inspection scores of less than 30 or have consecu-  
14 tive physical inspection scores of less than 60. The report  
15 shall include:

16 (1) The enforcement actions being taken to ad-  
17 dress such conditions, including imposition of civil  
18 money penalties and termination of subsidies, and  
19 identify properties that have such conditions mul-  
20 tiple times; and

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

24 SEC. 225. None of the funds made available by this  
25 Act, or any other Act, for purposes authorized under sec-

1 tion 8 (only with respect to the tenant-based rental assist-  
2 ance program) and section 9 of the United States Housing  
3 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by  
4 any public housing agency for any amount of salary, in-  
5 cluding bonuses, for the chief executive officer of which,  
6 or any other official or employee of which, that exceeds  
7 the annual rate of basic pay payable for a position at level  
8 IV of the Executive Schedule at any time during any pub-  
9 lic housing agency fiscal year 2016.

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

13 SEC. 227. Section 24 of the United States Housing  
14 Act of 1937 (42 U.S.C. 1437v) is amended—

15 (1) in subsection (m)(1), by striking “fiscal  
16 year” and all that follows through the period at the  
17 end and inserting “fiscal year 2016.”; and

18 (2) in subsection (o), by striking “September”  
19 and all that follows through the period at the end  
20 and inserting “September 30, 2016.”.

21 SEC. 228. None of the funds in this Act provided to  
22 the Department of Housing and Urban Development may  
23 be used to make a grant award unless the Secretary noti-  
24 fies the House and Senate Committees on Appropriations  
25 not less than 3 full business days before any project,

1 State, locality, housing authority, tribe, nonprofit organi-  
2 zation, or other entity selected to receive a grant award  
3 is announced by the Department or its offices.

4       SEC. 229. Of the amounts made available for salaries  
5 and expenses under all accounts under this title (except  
6 for the Office of Inspector General account), a total of  
7 up to \$5,000,000 may be transferred to and merged with  
8 amounts made available in the “Information Technology  
9 Fund” account under this title.

10       SEC. 230. None of the funds made available by this  
11 Act nor any receipts or amounts collected under any Fed-  
12 eral Housing Administration program may be used to im-  
13 plement the Homeowners Armed with Knowledge  
14 (HAWK) program.

15       SEC. 231. 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. 232. 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. 233. Subsection (b) of section 225 of the Cran-  
6 ston-Gonzalez National Affordable Housing Act (42  
7 U.S.C. 12755) is amended by adding at the end the fol-  
8 lowing new sentence: “Such 30-day waiting period is not  
9 required if the grounds for the termination or refusal to  
10 renew involve a direct threat to the safety of the tenants  
11 or employees of the housing, or an imminent and serious  
12 threat to the property (and the termination or refusal to  
13 renew is in accordance with the requirements of State or  
14 local law).”.

15 SEC. 234. None of the funds under this title may be  
16 used for awards, including performance, special act, or  
17 spot, for any employee of the Department of Housing and  
18 Urban Development who is subject to administrative dis-  
19 cipline in fiscal year 2016, including suspension from  
20 work.

21 SEC. 235. The language under the heading “Rental  
22 Assistance Demonstration” in the Department of Housing  
23 and Urban Development Appropriations Act, 2012 (Public  
24 Law 112–55) is amended:

1 (1) in proviso four, by striking “185,000” and  
2 inserting “200,000”;

3 (2) in proviso eighteen, by inserting “for fiscal  
4 year 2012 and hereafter,” after “*Provided further,*  
5 *That*”; and

6 (3) In proviso nineteen, by striking “, which  
7 may extend beyond fiscal year 2016 as necessary to  
8 allow processing of all timely applications,”.

9 SEC. 236. Section 9 of the United States Housing  
10 Act of 1937 (42 U.S.C. 1437g) is amended by—

11 (1) inserting at the end of subsection (j)—

12 “(7) TREATMENT OF REPLACEMENT RE-  
13 SERVE.—The requirements of this subsection shall  
14 not apply to funds held in replacement reserves es-  
15 tablished in subsection (9)(n).”; and

16 (2) inserting at the end of subsection (m)—

17 “(n) ESTABLISHMENT OF REPLACEMENT RE-  
18 SERVES.—

19 “(1) IN GENERAL.—Public Housing authorities  
20 shall be permitted to establish a Replacement Re-  
21 serve to fund any of the capital activities listed in  
22 subparagraph (d)(1).

23 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-  
24 PLACEMENT RESERVE.—At any time, a public hous-  
25 ing authority may deposit funds from that agency’s



1 Capital Fund into a replacement reserve subject to  
2 the following:

3 “(A) At the discretion of the Secretary,  
4 public housing agencies may transfer and hold  
5 in a Replacement Reserve, funds originating  
6 from additional sources.

7 “(B) No minimum transfer of funds to a  
8 replacement reserve shall be required.

9 “(C) At any time, a public housing author-  
10 ity may not hold in a replacement reserve more  
11 than the amount the public housing authority  
12 has determined necessary to satisfy the antici-  
13 pated capital needs of properties in its portfolio  
14 assisted under 42 U.S.C. 1437g as outlined in  
15 its Capital Fund 5 Year Action Plan, or a com-  
16 parable plan, as determined by the Secretary.

17 “(D) The Secretary may establish by regu-  
18 lation a maximum replacement reserve level or  
19 levels that are below amounts determined under  
20 subparagraph (C), which may be based upon  
21 the size of the portfolio assisted under 42  
22 U.S.C. 1437g or other factors.

23 “(3) In first establishing a replacement reserve,  
24 the Secretary may allow public housing agencies to

1 transfer more than 20 percent of its operating funds  
2 into its replacement reserve.

3 “(4) EXPENDITURE.—Funds in a replacement  
4 reserve may be used for purposes authorized by sub-  
5 paragraph (d)(1) and contained in its Capital Fund  
6 5 Year Action Plan.

7 “(5) MANAGEMENT AND REPORT.—The Sec-  
8 retary shall establish appropriate accounting and re-  
9 porting requirements to ensure that public housing  
10 agencies are spending funds on eligible projects and  
11 that funds in the replacement reserve are connected  
12 to capital needs.”.

13 SEC. 237. Section 9(g)(1) of the United States Hous-  
14 ing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

15 (1) inserting “(A)” immediately after the para-  
16 graph designation;

17 (2) by striking the period and inserting the fol-  
18 lowing at the end: “; and”; and

19 (3) inserting the following new paragraph:

20 “(B) FLEXIBILITY FOR OPERATING FUND  
21 AMOUNTS.—Of any amounts appropriated for  
22 fiscal year 2016 or any fiscal year thereafter  
23 that are allocated for fiscal year 2016 or any  
24 fiscal year thereafter from the Operating Fund  
25 for any public housing agency, the agency may

1 use not more than 20 percent for activities that  
2 are eligible under subsection (d) for assistance  
3 with amounts from the Capital Fund, but only  
4 if the public housing plan for the agency pro-  
5 vides for such use.”.

6 SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the  
7 National Housing Act is amended by inserting at the end  
8 of subsection (b)—

9 “(c) The Secretary may establish an exception to any  
10 minimum property standard established under this section  
11 in order to address alternative water systems, including  
12 cisterns, which meet requirements of State and local build-  
13 ing codes that ensure health and safety standards.”.

14 SEC. 239. The Secretary of Housing and Urban De-  
15 velopment shall increase, pursuant to this section, the  
16 number of Moving-to-Work agencies authorized under sec-  
17 tion 204, title II, of the Departments of Veterans Affairs  
18 and Housing and Urban Development and Independent  
19 Agencies Appropriations Act, 1996 (Public Law 104–134;  
20 110 Stat. 1321) by adding to the program 300 public  
21 housing agencies that are designated as high performing  
22 agencies under the Public Housing Assessment System  
23 (PHAS). No public housing agency shall be granted this  
24 designation through this section that administers in excess  
25 of 22,000 aggregate housing vouchers and public housing

1 units. Of the agencies selected under this section, no less  
2 than 150 shall administer 600 or fewer aggregate housing  
3 voucher and public housing units, no less than 125 shall  
4 administer 601–5,000 aggregate housing voucher and  
5 public housing units, and no more than 20 shall admin-  
6 ister 5,001–22,000 aggregate housing voucher and public  
7 housing units. Of the 300 agencies selected under this sec-  
8 tion, five shall be agencies with portfolio awards under the  
9 Rental Assistance Demonstration that meet the other re-  
10 quirements of this section. Selection of agencies under this  
11 section shall be based on ensuring the geographic diversity  
12 of Moving-to-Work agencies. The Secretary may, at the  
13 request of a Moving-to-Work agency and one or more ad-  
14 jacent public housing agencies in the same area, designate  
15 that Moving-to-Work agency as a regional agency. A re-  
16 gional Moving-to-Work agency may administer the assist-  
17 ance under sections 8 and 9 of the United States Housing  
18 Act of 1937 (42 U.S.C. 1437f and g) for the participating  
19 agencies within its region pursuant to the terms of its  
20 Moving-to-Work agreement with the Secretary. The Sec-  
21 retary may agree to extend the term of the agreement and  
22 to make any necessary changes to accommodate regional-  
23 ization. A Moving-to-Work agency may be selected as a  
24 regional agency if the Secretary determines that unified  
25 administration of assistance under sections 8 and 9 by

1 that agency across multiple jurisdictions will lead to effi-  
2 ciencies and to greater housing choice for low-income per-  
3 sons in the region. For purposes of this expansion, in addi-  
4 tion to the provisions of the Act retained in section 204,  
5 section 8(r)(1) of the Act shall continue to apply unless  
6 the Secretary determines that waiver of this section is nec-  
7 essary to implement comprehensive rent reform and occu-  
8 pancy policies subject to evaluation by the Secretary, and  
9 the waiver contains, at a minimum, exceptions for requests  
10 to port due to employment, education, health and safety.  
11 No public housing agency granted this designation  
12 through this section shall receive more funding under sec-  
13 tions 8 or 9 of the United States Housing Act of 1937  
14 than it otherwise would have received absent this designa-  
15 tion. The Secretary shall extend the current Moving-to-  
16 Work agreements of previously designated participating  
17 agencies until the end of each such agency's fiscal year  
18 2028 under the same terms and conditions of such current  
19 agreements, except for any changes to such terms or con-  
20 ditions otherwise mutually agreed upon by the Secretary  
21 and any such agency and such extension agreements shall  
22 prohibit any statutory offset of any reserve balances equal  
23 to four months of operating expenses. Any such reserve  
24 balances that exceed such amount shall remain available  
25 to any such agency for all permissible purposes under such

1 agreement unless subject to a statutory offset. In addition  
2 to other reporting requirements, all Moving-to-Work agen-  
3 cies shall report financial data to the Department of Hous-  
4 ing and Urban Development as specified by the Secretary,  
5 so that the effect of Moving-to-Work policy changes can  
6 be measured.

7       SEC. 240. Section 3(a) of the United States Housing  
8 Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding  
9 at the end the following new paragraph:

10           “(6) REVIEWS OF FAMILY INCOME.—

11                   “(A) FREQUENCY.—Reviews of family in-  
12 come for purposes of this section shall be  
13 made—

14                           “(i) in the case of all families, upon  
15 the initial provision of housing assistance  
16 for the family; and

17                           “(ii) no less than annually thereafter,  
18 except as provided in subparagraph (B)(i);

19           “(B) FIXED-INCOME FAMILIES.—

20                           “(i) SELF CERTIFICATION AND 3-YEAR  
21 REVIEW.—In the case of any family de-  
22 scribed in clause (ii), after the initial re-  
23 view of the family’s income pursuant to  
24 subparagraph (A)(i), the public housing  
25 agency or owner shall not be required to

1           conduct a review of the family’s income  
2           pursuant to subparagraph (A)(ii) for any  
3           year for which such family certifies, in ac-  
4           cordance with such requirements as the  
5           Secretary shall establish, that the income  
6           of the family meets the requirements of  
7           clause (ii) of this subparagraph and that  
8           the sources of such income have not  
9           changed since the previous year, except  
10          that the public housing agency or owner  
11          shall conduct a review of each such fam-  
12          ily’s income not less than once every 3  
13          years.

14                 “(ii) ELIGIBLE FAMILIES.—A family  
15          described in this clause is a family who has  
16          an income, as of the most recent review  
17          pursuant to subparagraph (A) or clause (i)  
18          of this subparagraph, of which 90 percent  
19          or more consists of fixed income, as such  
20          term is defined in clause (iii).

21                 “(iii) FIXED INCOME.—For purposes  
22          of this subparagraph, the term ‘fixed in-  
23          come’ includes income from—

24                         “(I) the supplemental security in-  
25                         come program under title XVI of the

1 Social Security Act, including supple-  
2 mentary payments pursuant to an  
3 agreement for Federal administration  
4 under section 1616(a) of the Social  
5 Security Act and payments pursuant  
6 to an agreement entered into under  
7 section 212(b) of Public Law 93–66;

8 “(II) Social Security payments;

9 “(III) Federal, State, local and  
10 private pension plans; and

11 “(IV) other periodic payments re-  
12 ceived from annuities, insurance poli-  
13 cies, retirement funds, disability or  
14 death benefits, and other similar types  
15 of periodic receipts that are of sub-  
16 stantially the same amounts from year  
17 to year.

18 “(C) INFLATIONARY ADJUSTMENT FOR  
19 FIXED INCOME FAMILIES.—

20 “(i) IN GENERAL.—In any year in  
21 which a public housing agency or owner  
22 does not conduct a review of income for  
23 any family described in clause (ii) of sub-  
24 paragraph (B) pursuant to the authority  
25 under clause (i) of such paragraph to



1 waive such a review, such family's prior  
2 year's income determination shall, subject  
3 to clauses (ii) and (iii), be adjusted by ap-  
4 plying an inflationary factor as the Sec-  
5 retary shall, by regulation or notice, estab-  
6 lish.

7 “(ii) EXEMPTION FROM ADJUST-  
8 MENT.—A public housing agency or owner  
9 may exempt from an adjustment pursuant  
10 to clause (i) any income source for which  
11 income does not increase from year to  
12 year.”.

13 SEC. 241. Section 8(x)(2) of the United States Hous-  
14 ing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by  
15 striking “18 months” and inserting “36 months”.

16 SEC. 242. (a) ESTABLISHMENT.—The Secretary of  
17 Housing and Urban Development shall establish a dem-  
18 onstration program during the period beginning on the  
19 date of enactment of this Act, and ending on September  
20 30, 2020, entering into budget-neutral, performance-based  
21 agreements that result in a reduction in energy or water  
22 costs with such entities as the Secretary determines to be  
23 appropriate under which the entities shall carry out  
24 projects for energy or water conservation improvements at

1 not more than 150,000 residential units in multifamily  
2 buildings participating in—

3 (1) the Project-Based Rental Assistance pro-  
4 gram under section 8 of the United States Housing  
5 Act of 1937 (42 U.S.C. 1437f), other than assist-  
6 ance provided under section 8(o) of that Act;

7 (2) the supportive Housing for the Elderly pro-  
8 gram under section 202 of the Housing Act of 1959  
9 (12 U.S.C. 1701q); or

10 (3) the supportive Housing for Persons with  
11 Disabilities program under section 811(d)(2) of the  
12 Cranston-Gonzalez National Affordable Housing Act  
13 (42 U.S.C. 8013(d)(2)).

14 (b) REQUIREMENTS.—

15 (1) PAYMENTS CONTINGENT ON SAVINGS.—

16 (A) IN GENERAL.—The Secretary shall  
17 provide to an entity a payment under an agree-  
18 ment under this section only during applicable  
19 years for which an energy or water cost savings  
20 is achieved with respect to the applicable multi-  
21 family portfolio of properties, as determined by  
22 the Secretary, in accordance with subparagraph  
23 (B).

24 (B) PAYMENT METHODOLOGY.—

1 (i) IN GENERAL.—Each agreement  
2 under this section shall include a pay-for-  
3 success provision—

4 (I) that will serve as a payment  
5 threshold for the term of the agree-  
6 ment; and

7 (II) pursuant to which the De-  
8 partment of Housing and Urban De-  
9 velopment shall share a percentage of  
10 the savings at a level determined by  
11 the Secretary that is sufficient to  
12 cover the administrative costs of car-  
13 rying out this section.

14 (ii) LIMITATIONS.—A payment made  
15 by the Secretary under an agreement  
16 under this section shall—

17 (I) be contingent on documented  
18 utility savings; and

19 (II) not exceed the utility savings  
20 achieved by the date of the payment,  
21 and not previously paid, as a result of  
22 the improvements made under the  
23 agreement.

24 (C) THIRD PARTY VERIFICATION.—Savings  
25 payments made by the Secretary under this sec-

1           tion shall be based on a measurement and  
2           verification protocol that includes at least—

3                   (i) establishment of a weather-normal-  
4                   ized and occupancy-normalized utility con-  
5                   sumption baseline established preretrofit;

6                   (ii) annual third party confirmation of  
7                   actual utility consumption and cost for  
8                   owner-paid utilities;

9                   (iii) annual third party validation of  
10                  the tenant utility allowances in effect dur-  
11                  ing the applicable year and vacancy rates  
12                  for each unit type; and

13                  (iv) annual third party determination  
14                  of savings to the Secretary.

15           (2) **TERM.**—The term of an agreement under  
16           this section shall be not longer than 12 years.

17           (3) **ENTITY ELIGIBILITY.**—The Secretary  
18           shall—

19                   (A) establish a competitive process for en-  
20                   tering into agreements under this section; and

21                   (B) enter into such agreements only with  
22                   entities that demonstrate significant experience  
23                   relating to—

1 (i) financing and operating properties  
2 receiving assistance under a program de-  
3 scribed in subsection (a);

4 (ii) oversight of energy and water con-  
5 servation programs, including oversight of  
6 contractors; and

7 (iii) raising capital for energy and  
8 water conservation improvements from  
9 charitable organizations or private inves-  
10 tors.

11 (4) GEOGRAPHICAL DIVERSITY.—Each agree-  
12 ment entered into under this section shall provide  
13 for the inclusion of properties with the greatest fea-  
14 sible regional and State variance.

15 (c) PLAN AND REPORTS.—

16 (1) PLAN.—Not later than 90 days after the  
17 date of enactment of this Act, the Secretary shall  
18 submit to the House and Senate Committees on Ap-  
19 propriations a detailed plan for the implementation  
20 of this section.

21 (2) REPORTS.—Not later than 1 year after the  
22 date of enactment of this Act, and annually there-  
23 after, the Secretary shall—

24 (A) conduct an evaluation of the program  
25 under this section; and

1                   (B) submit to the House and Senate Com-  
2                   mittees on Appropriations a report describing  
3                   each evaluation conducted under subparagraph  
4                   (A).

5           (d) FUNDING.—For each fiscal year during which an  
6           agreement under this section is in effect, the Secretary  
7           may use to carry out this section any funds appropriated  
8           for the renewal of contracts under a program described  
9           in subsection (a).

10       SEC. 243. (a) ESTABLISHMENT.—The Secretary of  
11       Housing and Urban Development may establish, through  
12       notice in the Federal Register, a demonstration program  
13       to incent public housing agencies, as defined in section  
14       3(b)(6) of the United States Housing Act of 1937 (in this  
15       section referred to as “the Act”), to implement measures  
16       to reduce their energy and water consumption.

17       (b) ELIGIBILITY.—Public housing agencies that oper-  
18       ate public housing programs that meet the demonstration  
19       requirements, as determined by the Secretary, shall be eli-  
20       gible for participation in the demonstration.

21       (c) INCENTIVE.—The Secretary may provide an in-  
22       centive to an eligible public housing agency that uses cap-  
23       ital funds, operating funds, grants, utility rebates, and  
24       other resources to reduce its energy and/or water con-

1 sumption in accordance with a plan approved by the Sec-  
2 retary.

3 (1) BASE UTILITY CONSUMPTION LEVEL.—The  
4 initial base utility consumption level under the ap-  
5 proved plan shall be set at the public housing agen-  
6 cy’s rolling base consumption level immediately prior  
7 to the installation of energy conservation measures.

8 (2) FIRST YEAR UTILITY COST SAVINGS.—For  
9 the first year that an approved plan is in effect, the  
10 Secretary shall allocate the utility consumption level  
11 in the public housing operating fund using the base  
12 utility consumption level.

13 (3) SUBSEQUENT YEAR SAVINGS.—For each  
14 subsequent year that the plan is in effect, the Sec-  
15 retary shall decrease the utility consumption level by  
16 one percent of the initial base utility consumption  
17 level per year until the utility consumption level  
18 equals the public housing agency’s actual consump-  
19 tion level that followed the installation of energy  
20 conservation measures, at which time the plan will  
21 terminate.

22 (4) USE OF UTILITY COST SAVINGS.—The pub-  
23 lic housing agency may use the funds resulting from  
24 the energy conservation measures, in accordance  
25 with paragraphs (2) and (3), for either operating ex-

1       penses, as defined by section 9(e)(1) of the Act, or  
2       capital improvements, as defined by section 9(d)(1)  
3       of the Act.

4           (5) DURATION OF PLAN.—The length in years  
5       of the utility conservation plan shall not exceed the  
6       number of percentage points in utility consumption  
7       reduction a public housing agency achieves through  
8       the energy conservation measures implemented  
9       under this demonstration, but in no case shall it ex-  
10      ceed 20 years.

11          (6) OTHER REQUIREMENTS.—The Secretary  
12      may establish such other requirements as necessary  
13      to further the purposes of this demonstration.

14          (7) EVALUATION.—Each public housing agency  
15      participating in the demonstration shall submit to  
16      the Secretary such performance and evaluation re-  
17      ports concerning the reduction in energy consump-  
18      tion and compliance with the requirements of this  
19      section as the Secretary may require.

20          (d) TERMINATION.—Public housing agencies may  
21      enter into this demonstration for 5 years after the date  
22      on which the demonstration program is commenced.

23      SEC. 244. (a) AUTHORITY.—Subject to the conditions  
24      in subsection (d), the Secretary of Housing and Urban De-  
25      velopment may authorize, in response to requests received



1 in fiscal years 2016 through 2020, the transfer of some  
2 or all project-based assistance, tenant-based assistance,  
3 capital advances, debt, and statutorily required use re-  
4 strictions from housing assisted under section 811 of the  
5 Cranston-Gonzalez National Affordable Housing Act (42  
6 U.S.C. 8013) to other new or existing housing, which may  
7 include projects, units, and other types of housing, as per-  
8 mitted by the Secretary.

9 (b) CAPITAL ADVANCES.—Interest shall not be due  
10 and repayment of a capital advance shall not be triggered  
11 by a transfer pursuant to this section.

12 (c) PHASED AND PROPORTIONAL TRANSFERS.—

13 (1) Transfers under this section may be done in  
14 phases to accommodate the financing and other re-  
15 quirements related to rehabilitating or constructing  
16 the housing to which the assistance is transferred, to  
17 ensure that such housing meets the conditions under  
18 subsection (d).

19 (2) The capital advance repayment require-  
20 ments, use restrictions, rental assistance, and debt  
21 shall transfer proportionally from the transferring  
22 housing to the receiving housing.

23 (d) CONDITIONS.—The transfers authorized by this  
24 section shall be subject to the following conditions:

1           (1) the owner of the transferring housing shall  
2 demonstrate that the transfer is in compliance with  
3 applicable Federal, State, and local requirements re-  
4 garding Housing for Persons with Disabilities and  
5 shall provide the Secretary with evidence of obtain-  
6 ing any approvals related to housing disabled per-  
7 sons that are necessary under Federal, State, and  
8 local government requirements;

9           (2) the owner of the transferring housing shall  
10 demonstrate to the Secretary that any transfer is in  
11 the best interest of the disabled residents by offering  
12 opportunities for increased integration or less con-  
13 centration of individuals with disabilities;

14           (3) the owner of the transferring housing shall  
15 continue to provide the same number of units as ap-  
16 proved for rental assistance by the Secretary in the  
17 receiving housing;

18           (4) the owner of the transferring housing shall  
19 consult with the disabled residents in the transfer-  
20 ring housing about any proposed transfer under this  
21 section and shall notify the residents of the transfer-  
22 ring housing who are eligible for assistance to be  
23 provided in the receiving housing that they shall not  
24 be required to vacate the transferring housing until  
25 the receiving housing is available for occupancy;

1           (5) the receiving housing shall meet or exceed  
2           applicable physical standards established or adopted  
3           by the Secretary; and

4           (6) if the receiving housing has a mortgage in-  
5           sured under title II of the National Housing Act,  
6           any lien on the receiving housing resulting from ad-  
7           ditional financing shall be subordinate to any feder-  
8           ally insured mortgage lien transferred to, or placed  
9           on, such housing, except that the Secretary may  
10          waive this requirement upon determination that such  
11          a waiver is necessary to facilitate the financing of  
12          acquisition, construction, or rehabilitation of the re-  
13          ceiving housing.

14          (e) PUBLIC NOTICE.—The Secretary shall publish a  
15          notice in the Federal Register of the terms and conditions,  
16          including criteria for the Department’s approval of trans-  
17          fers pursuant to this section no later than 30 days before  
18          the effective date of such notice.

19          SEC. 245. (a) Of the unobligated balances, including  
20          recaptures and carryover, remaining from funds appro-  
21          priated to the Department of Housing and Urban Devel-  
22          opment under the heading “General and Special Risk Pro-  
23          gram Account”, and for the cost of guaranteed notes and  
24          other obligations under the heading “Native American  
25          Housing Block Grants”, \$12,000,000 is hereby rescinded.

1 (b) All unobligated balances, including recaptures  
2 and carryover, remaining from funds appropriated to the  
3 Department of Housing and Urban Development under  
4 the headings “Rural Housing and Economic Develop-  
5 ment”, and “Homeownership and Opportunity for People  
6 Everywhere Grants” are hereby rescinded.

7 SEC. 246. Funds made available in this title under  
8 the heading “Homeless Assistance Grants” may be used  
9 to participate in Performance Partnership Pilots author-  
10 ized under section 526 of division H of Public Law 113–  
11 76, section 524 of division G of Public Law 113–235, and  
12 such authorities enacted for Performance Partnership Pi-  
13 lots in an appropriations Act for fiscal year 2016. Such  
14 participation shall be targeted to improving the housing  
15 situation of disconnected youth.

16 SEC. 247. Unobligated balances, including recaptures  
17 and carryover, remaining from funds appropriated to the  
18 Department of Housing and Urban Development for ad-  
19 ministrative costs associated with funds appropriated to  
20 the Department for specific disaster relief and related pur-  
21 poses and designated by Congress as an emergency re-  
22 quirement pursuant to a Concurrent Resolution on the  
23 Budget or the Balanced Budget and Emergency Deficit  
24 Control Act, including information technology costs and  
25 costs for administering and overseeing such specific dis-

1 aster related funds, shall be transferred to the Program  
2 Office Salaries and Expenses, Community Planning and  
3 Development account for the Department, shall remain  
4 available until expended, and may be used for such admin-  
5 istrative costs for administering any funds appropriated  
6 to the Department for any disaster relief and related pur-  
7 poses in any prior or future act, notwithstanding the pur-  
8 poses for which such funds were appropriated: *Provided*,  
9 That amounts transferred pursuant to this section that  
10 were previously designated by the Congress as an emer-  
11 gency requirement pursuant to a Concurrent Resolution  
12 on the Budget or the Balanced Budget and Emergency  
13 Deficit Control Act are designated by the Congress as an  
14 emergency requirement pursuant to section  
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985 and shall be transferred only  
17 if the President subsequently so designates the entire  
18 transfer and transmits such designation to the Congress.

19 SEC. 248. None of the funds made available under  
20 this title shall be used to enforce compliance with the  
21 Green Physical Needs Assessment for public housing  
22 agencies with 250 housing units or less.

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

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1 TITLE III  
2 RELATED AGENCIES  
3 ACCESS BOARD  
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-  
6 thorized by section 502 of the Rehabilitation Act of 1973,  
7 as amended, \$8,023,000: *Provided*, That, notwithstanding  
8 any other provision of law, there may be credited to this  
9 appropriation funds received for publications and training  
10 expenses.

11 FEDERAL MARITIME COMMISSION  
12 SALARIES AND EXPENSES

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

1 NATIONAL RAILROAD PASSENGER CORPORATION  
2 OFFICE OF INSPECTOR GENERAL  
3 SALARIES AND EXPENSES

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

1 *vided further*, That concurrent with the President’s budget  
2 request for fiscal year 2017, the Inspector General shall  
3 submit to the House and Senate Committees on Appro-  
4 priations a budget request for fiscal year 2017 in similar  
5 format and substance to those submitted by executive  
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-  
10 tation Safety Board, including hire of passenger motor ve-  
11 hicles and aircraft; services as authorized by 5 U.S.C.  
12 3109, but at rates for individuals not to exceed the per  
13 diem rate equivalent to the rate for a GS–15; uniforms,  
14 or allowances therefor, as authorized by law (5 U.S.C.  
15 5901–5902), \$105,170,000, of which not to exceed \$2,000  
16 may be used for official reception and representation ex-  
17 penses. The amounts made available to the National  
18 Transportation Safety Board in this Act include amounts  
19 necessary to make lease payments on an obligation in-  
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-  
25 poration for use in neighborhood reinvestment activities,



1 as authorized by the Neighborhood Reinvestment Corpora-  
2 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which  
3 \$5,000,000 shall be for a multi-family rental housing pro-  
4 gram.

5 UNITED STATES INTERAGENCY COUNCIL ON  
6 HOMELESSNESS  
7 OPERATING EXPENSES

8 For necessary expenses (including payment of sala-  
9 ries, authorized travel, hire of passenger motor vehicles,  
10 the rental of conference rooms, and the employment of ex-  
11 perts and consultants under section 3109 of title 5, United  
12 States Code) of the United States Interagency Council on  
13 Homelessness in carrying out the functions pursuant to  
14 title II of the McKinney-Vento Homeless Assistance Act,  
15 as amended, \$3,530,000. Title II of the McKinney-Vento  
16 Homeless Assistance Act (42 U.S.C. 11314) is amended  
17 in section 204(a) by striking “level V” and inserting “level  
18 IV”.

## 1 TITLE IV

## 2 GENERAL PROVISIONS—THIS ACT

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

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

12 SEC. 403. The expenditure of any appropriation  
13 under this Act for any consulting service through a pro-  
14 curement contract pursuant to section 3109 of title 5,  
15 United States Code, shall be limited to those contracts  
16 where such expenditures are a matter of public record and  
17 available for public inspection, except where otherwise pro-  
18 vided under existing law, or under existing Executive order  
19 issued pursuant to existing law.

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

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

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

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

7           (4) contains any methods or content associated  
8           with religious or quasi-religious belief systems or  
9           “new age” belief systems as defined in Equal Em-  
10          ployment Opportunity Commission Notice N-  
11          915.022, dated September 2, 1988; or

12          (5) is offensive to, or designed to change, par-  
13          ticipants’ personal values or lifestyle outside the  
14          workplace.

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

18          SEC. 405. Except as otherwise provided in this Act,  
19          none of the funds provided in this Act, provided by pre-  
20          vious appropriations Acts to the agencies or entities fund-  
21          ed in this Act that remain available for obligation or ex-  
22          penditure in fiscal year 2016, or provided from any ac-  
23          counts in the Treasury derived by the collection of fees  
24          and available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-  
2 programming of funds that:

3 (1) creates a new program;

4 (2) eliminates a program, project, or activity;

5 (3) increases funds or personnel for any pro-  
6 gram, project, or activity for which funds have been  
7 denied or restricted by the Congress;

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

11 (5) augments existing programs, projects, or ac-  
12 tivities in excess of \$5,000,000 or 10 percent, which-  
13 ever is less;

14 (6) reduces existing programs, projects, or ac-  
15 tivities by \$5,000,000 or 10 percent, whichever is  
16 less; or

17 (7) creates, reorganizes, or restructures a  
18 branch, division, office, bureau, board, commission,  
19 agency, administration, or department different from  
20 the budget justifications submitted to the Commit-  
21 tees on Appropriations or the table accompanying  
22 the explanatory statement accompanying this Act,  
23 whichever is more detailed, unless prior approval is  
24 received from the House and Senate Committees on  
25 Appropriations: *Provided*, That not later than 60

1 days after the date of enactment of this Act, each  
2 agency funded by this Act shall submit a report to  
3 the House and Senate Committees on Appropria-  
4 tions to establish the baseline for application of re-  
5 programming and transfer authorities for the cur-  
6 rent fiscal year: *Provided further*, That the report  
7 shall include:

8 (A) a table for each appropriation with a  
9 separate column to display the prior year en-  
10 acted level, the President's budget request, ad-  
11 justments made by Congress, adjustments due  
12 to enacted rescissions, if appropriate, and the  
13 fiscal year enacted level;

14 (B) a delineation in the table for each ap-  
15 propriation and its respective prior year enacted  
16 level by object class and program, project, and  
17 activity as detailed in the budget appendix for  
18 the respective appropriation; and

19 (C) an identification of items of special  
20 congressional interest: *Provided further*, That  
21 the amount appropriated or limited for salaries  
22 and expenses for an agency shall be reduced by  
23 \$100,000 per day for each day after the re-  
24 quired date that the report has not been sub-

1           mitted to the House and Senate Committees on  
2           Appropriations.

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

15           SEC. 407. No funds in this Act may be used to sup-  
16 port any Federal, State, or local projects that seek to use  
17 the power of eminent domain, unless eminent domain is  
18 employed only for a public use: *Provided*, That for pur-  
19 poses of this section, public use shall not be construed to  
20 include economic development that primarily benefits pri-  
21 vate entities: *Provided further*, That any use of funds for  
22 mass transit, railroad, airport, seaport or highway  
23 projects, as well as utility projects which benefit or serve  
24 the general public (including energy-related, communica-  
25 tion-related, water-related and wastewater-related infra-

1 structure), other structures designated for use by the gen-  
2 eral public or which have other common-carrier or public-  
3 utility functions that serve the general public and are sub-  
4 ject to regulation and oversight by the government, and  
5 projects for the removal of an immediate threat to public  
6 health and safety or brownfields as defined in the Small  
7 Business Liability Relief and Brownsfield Revitalization  
8 Act (Public Law 107–118) shall be considered a public  
9 use for purposes of eminent domain.

10       SEC. 408. All Federal agencies and departments that  
11 are funded under this Act shall issue a report to the House  
12 and Senate Committees on Appropriations on all sole-  
13 source contracts by no later than July 30, 2016. Such re-  
14 port shall include the contractor, the amount of the con-  
15 tract and the rationale for using a sole-source contract.

16       SEC. 409. None of the funds made available in this  
17 Act may be transferred to any department, agency, or in-  
18 strumentality of the United States Government, except  
19 pursuant to a transfer made by, or transfer authority pro-  
20 vided in, this Act or any other appropriations Act.

21       SEC. 410. None of the funds made available in this  
22 Act shall be available to pay the salary for any person  
23 filling a position, other than a temporary position, for-  
24 merly held by an employee who has left to enter the Armed  
25 Forces of the United States and has satisfactorily com-

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

9       SEC. 411. None of the funds made available in this  
10 Act may be expended by an entity unless the entity agrees  
11 that in expending the assistance the entity will comply  
12 with sections 2 through 4 of the Act of March 3, 1933  
13 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-  
14 ican Act”).

15       SEC. 412. None of the funds made available in this  
16 Act shall be made available to any person or entity that  
17 has been convicted of violating the Buy American Act (41  
18 U.S.C. 10a–10c).

19       SEC. 413. None of the funds made available in this  
20 Act may be used for first-class airline accommodations in  
21 contravention of sections 301–10.122 and 301–10.123 of  
22 title 41, Code of Federal Regulations.

23       SEC. 414. (a) None of the funds made available in  
24 this Act may be used to approve a new foreign air carrier  
25 permit under sections 41301 through 41305 of title 49,



1 United States Code, or exemption application under sec-  
2 tion 40109 of that title of an air carrier already holding  
3 an air operators certificate issued by a country that is  
4 party to the U.S.–E.U.–Iceland–Norway Air Transport  
5 Agreement where such approval would contravene United  
6 States law or Article 17 bis of the U.S.–E.U.–Iceland–  
7 Norway Air Transport Agreement.

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

14 SEC. 415. None of the funds made available in this  
15 Act may be used to send or otherwise pay for the attend-  
16 ance of more than 50 employees of a single agency or de-  
17 partment of the United States Government, who are sta-  
18 tioned in the United States, at any single international  
19 conference unless the relevant Secretary reports to the  
20 House and Senate Committees on Appropriations at least  
21 5 days in advance that such attendance is important to  
22 the national interest: *Provided*, That for purposes of this  
23 section the term “international conference” shall mean a  
24 conference occurring outside of the United States attended  
25 by representatives of the United States Government and

1 of foreign governments, international organizations, or  
2 nongovernmental organizations.

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