

Union Calendar No. 92

114TH CONGRESS
1ST SESSION

H. R. 2577

[Report No. 114-129]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2015

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

A BILL

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

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

1 RESEARCH AND TECHNOLOGY

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

15 NATIONAL INFRASTRUCTURE INVESTMENTS

16 (INCLUDING TRANSFER OF FUNDS)

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

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

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

1 FINANCIAL MANAGEMENT CAPITAL

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

6 CYBER SECURITY INITIATIVES

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

18 OFFICE OF CIVIL RIGHTS

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

21 TRANSPORTATION PLANNING, RESEARCH, AND

22 DEVELOPMENT

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

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

3 WORKING CAPITAL FUND

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

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

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

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

7 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
8 OUTREACH

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

15 PAYMENTS TO AIR CARRIERS

16 (AIRPORT AND AIRWAY TRUST FUND)

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

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

16 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

13 FEDERAL AVIATION ADMINISTRATION

14 OPERATIONS

15 (AIRPORT AND AIRWAY TRUST FUND)

16 For necessary expenses of the Federal Aviation Ad-
17 ministration, not otherwise provided for, including oper-
18 ations and research activities related to commercial space
19 transportation, administrative expenses for research and
20 development, establishment of air navigation facilities, the
21 operation (including leasing) and maintenance of aircraft,
22 subsidizing the cost of aeronautical charts and maps sold
23 to the public, lease or purchase of passenger motor vehi-
24 cles for replacement only, in addition to amounts made
25 available by Public Law 112–95, \$9,847,700,000 of which

1 \$8,831,250,000 shall be derived from the Airport and Air-
2 way Trust Fund, of which not to exceed \$7,505,293,000
3 shall be available for air traffic organization activities; not
4 to exceed \$1,258,411,000 shall be available for aviation
5 safety activities; not to exceed \$16,605,000 shall be avail-
6 able for commercial space transportation activities; not to
7 exceed \$725,000,000 shall be available for finance and
8 management activities; not to exceed \$60,089,000 shall be
9 available for NextGen and operations planning activities;
10 and not to exceed \$282,302,000 shall be available for staff
11 offices: *Provided*, That not to exceed 2 percent of any
12 budget activity, except for aviation safety budget activity,
13 may be transferred to any budget activity under this head-
14 ing: *Provided further*, That no transfer may increase or
15 decrease any appropriation by more than 2 percent: *Pro-*
16 *vided further*, That any transfer in excess of 2 percent
17 shall be treated as a reprogramming of funds under sec-
18 tion 405 of this Act and shall not be available for obliga-
19 tion or expenditure except in compliance with the proce-
20 dures set forth in that section: *Provided further*, That not
21 later than March 31 of each fiscal year hereafter, the Ad-
22 ministrator of the Federal Aviation Administration shall
23 transmit to Congress an annual update to the report sub-
24 mitted to Congress in December 2004 pursuant to section
25 221 of Public Law 108–176: *Provided further*, That the

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

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

16 FACILITIES AND EQUIPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

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

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

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

5 RESEARCH, ENGINEERING, AND DEVELOPMENT

6 (AIRPORT AND AIRWAY TRUST FUND)

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

19 GRANTS-IN-AID FOR AIRPORTS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (LIMITATION ON OBLIGATIONS)

22 (AIRPORT AND AIRWAY TRUST FUND)

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

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

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

3 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 FEDERAL HIGHWAY ADMINISTRATION

10 LIMITATION ON ADMINISTRATIVE EXPENSES

11 (HIGHWAY TRUST FUND)

12 (INCLUDING TRANSFER OF FUNDS)

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

1 FEDERAL-AID HIGHWAYS
2 (LIMITATION ON OBLIGATIONS)
3 (HIGHWAY TRUST FUND)

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

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

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

10 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

11 ADMINISTRATION

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

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

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

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

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

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

1 (A) made available from the Highway
2 Trust Fund (other than the Mass Transit Ac-
3 count) for Federal-aid highway and highway
4 safety construction programs for previous fiscal
5 years the funds for which are allocated by the
6 Secretary (or apportioned by the Secretary
7 under sections 202 or 204 of title 23, United
8 States Code); and

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

11 (3) determine the proportion that—

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

16 (B) the total of the sums authorized to be
17 appropriated for the Federal-aid highway and
18 highway safety construction programs (other
19 than sums authorized to be appropriated for
20 provisions of law described in paragraphs (1)
21 through (11) of subsection (b) and sums au-
22 thorized to be appropriated for section 119 of
23 title 23, United States Code, equal to the
24 amount referred to in subsection (b)(12) for
25 such fiscal year), less the aggregate of the

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

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

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

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

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

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

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

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

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

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

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

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

1 (4) subsections (b) and (j) of section 131 of the
2 Surface Transportation Assistance Act of 1982 (96
3 Stat. 2119);

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

7 (6) sections 1103 through 1108 of the Inter-
8 modal Surface Transportation Efficiency Act of
9 1991 (105 Stat. 2027);

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

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

16 (9) Federal-aid highway programs for which ob-
17 ligation authority was made available under the
18 Transportation Equity Act for the 21st Century
19 (112 Stat. 107) or subsequent Acts for multiple
20 years or to remain available until expended, but only
21 to the extent that the obligation authority has not
22 lapsed or been used;

23 (10) section 105 of title 23, United States Code
24 (as in effect for fiscal years 2005 through 2012, but

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 SEC. 126. EXEMPTION.—

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

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

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

10 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

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

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

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

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

17 (3) and inserting a semicolon; and

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

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

22 ing “\$350,000,000”.

1 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

2 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 Contingent upon enactment of authorization legisla-
7 tion, for payment of obligations incurred in the implemen-
8 tation, execution and administration of motor carrier safe-
9 ty operations and programs pursuant to section 31104(i)
10 of title 49, United States Code, and sections 4127 and
11 4134 of Public Law 109–59, as amended by Public Law
12 112–141, and as extended by Public Law 113–159,
13 \$259,000,000, to be derived from the Highway Trust
14 Fund (other than the Mass Transit Account), together
15 with advances and reimbursements received by the Fed-
16 eral Motor Carrier Safety Administration, the sum of
17 which shall remain available until expended: *Provided*,
18 That funds available for implementation, execution or ad-
19 ministration of motor carrier safety operations and pro-
20 grams authorized under title 49, United States Code, and
21 sections 4127 and 4134 of Public Law 109–59, as amend-
22 ed by Public Law 112–141, and as extended by Public
23 Law 113–159, shall not exceed total obligations of
24 \$259,000,000 for “Motor Carrier Safety Operations and
25 Programs” for fiscal year 2016, of which \$9,000,000, to

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

9 MOTOR CARRIER SAFETY GRANTS

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (LIMITATION ON OBLIGATIONS)

12 (HIGHWAY TRUST FUND)

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

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

13 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
14 CARRIER SAFETY ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

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

7 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
 8 OPERATIONS AND RESEARCH

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

15 OPERATIONS AND RESEARCH
 16 (LIQUIDATION OF CONTRACT AUTHORIZATION)
 17 (LIMITATION ON OBLIGATIONS)
 18 (HIGHWAY TRUST FUND)

19 Contingent upon enactment of authorization legisla-
 20 tion, for payment of obligations incurred in carrying out
 21 the provisions of 23 U.S.C. 403, and chapter 303 of title
 22 49, United States Code, \$125,000,000, to be derived from
 23 the Highway Trust Fund (other than the Mass Transit
 24 Account) and to remain available until expended: *Pro-*
 25 *vided*, That none of the funds in this Act shall be available

1 for the planning or execution of programs the total obliga-
2 tions for which, in fiscal year 2016, are in excess of
3 \$125,000,000, of which \$120,000,000 shall be for pro-
4 grams authorized under 23 U.S.C. 403 and \$5,000,000
5 shall be for the National Driver Register authorized under
6 chapter 303 of title 49, United States Code: *Provided fur-*
7 *ther*, That within the \$120,000,000 obligation limitation
8 for operations and research, \$20,000,000 shall remain
9 available until September 30, 2017, and shall be in addi-
10 tion to the amount of any limitation imposed on obliga-
11 tions for future years: *Provided further*, That \$6,500,000
12 of the total obligation limitation for operations and re-
13 search in fiscal year 2016 shall be applied toward unobli-
14 gated balances of contract authority provided in prior Acts
15 for carrying out the provisions of 23 U.S.C. 403, and
16 chapter 303 of title 49, United States Code.

17 HIGHWAY TRAFFIC SAFETY GRANTS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 Contingent on the enactment of authorization legisla-
22 tion, for payment of obligations incurred in carrying out
23 provisions of 23 U.S.C. 402 and 405, section 2009 of Pub-
24 lic Law 109–59, as amended by Public Law 112–141, and
25 section 31101(a)(6) of Public Law 112–141, to remain

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

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

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

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

10 FEDERAL RAILROAD ADMINISTRATION

11 SAFETY AND OPERATIONS

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

15 RAILROAD RESEARCH AND DEVELOPMENT

16 For necessary expenses for railroad research and de-
17 velopment, \$39,100,000, to remain available until ex-
18 pended.

19 RAILROAD REHABILITATION AND IMPROVEMENT

20 FINANCING PROGRAM

21 The Secretary of Transportation is authorized to
22 issue direct loans and loan guarantees pursuant to sec-
23 tions 501 through 504 of the Railroad Revitalization and
24 Regulatory Reform Act of 1976 (Public Law 94-210), as
25 amended, such authority to exist as long as any such di-

1 rect loan or loan guarantee is outstanding. *Provided*, That
2 pursuant to section 502 of such Act, as amended, no new
3 direct loans or loan guarantee commitments shall be made
4 using Federal funds for the credit risk premium during
5 fiscal year 2016.

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), \$850,000,000, 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 \$20,000,000 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 *Provided further*, That the Secretary shall approve funding
9 for capital expenditures, including advance purchase or-
10 ders of materials, for the Corporation only after receiving
11 and reviewing a grant request for each specific capital
12 project justifying the Federal support to the Secretary’s
13 satisfaction: *Provided further*, That except as otherwise
14 provided herein, none of the funds under this heading may
15 be used to subsidize operating losses of the Corporation:
16 *Provided further*, That none of the funds under this head-
17 ing may be used for capital projects not approved by the
18 Secretary of Transportation or on the Corporation’s fiscal
19 year 2016 business plan: *Provided further*, That in addi-
20 tion to the project management oversight funds authorized
21 under section 101(d) of division B of Public Law 110–
22 432, the Secretary may retain up to an additional
23 \$3,000,000 of the funds provided under this heading to
24 fund expenses associated with implementing section 212
25 of division B of Public Law 110–432, including the

1 amendments made by section 212 to section 24905 of title
2 49, United States Code: *Provided further*, That Amtrak
3 shall conduct a business case analysis on capital invest-
4 ments that exceed \$10,000,000 in life-cycle costs: *Pro-*
5 *vided further*, That each contract for a capital acquisition
6 that exceeds \$10,000,000 in life cycle costs shall state that
7 funding is subject to the availability of appropriated funds
8 provided by an appropriations Act.

9 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

10 ADMINISTRATION

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

24 SEC. 151. None of the funds provided to the National
25 Railroad Passenger Corporation may be used to fund any

1 overtime costs in excess of \$35,000 for any individual em-
2 ployee: *Provided*, That the President of Amtrak may waive
3 the cap set in the previous proviso for specific employees
4 when the President of Amtrak determines such a cap
5 poses a risk to the safety and operational efficiency of the
6 system: *Provided further*, That Amtrak shall report to the
7 House and Senate Committees on Appropriations each
8 quarter of the calendar year on waivers granted to employ-
9 ees and amounts paid above the cap for each month within
10 such quarter and delineate the reasons each waiver was
11 granted: *Provided further*, That the President of Amtrak
12 shall report to the House and Senate Committees on Ap-
13 propriations by March 1, 2016, a summary of all overtime
14 payments incurred by the Corporation for 2015 and the
15 three prior calendar years: *Provided further*, That such
16 summary shall include the total number of employees that
17 received waivers and the total overtime payments the Cor-
18 poration paid to those employees receiving waivers for
19 each month for 2015 and for the three prior calendar
20 years.

21 FEDERAL TRANSIT ADMINISTRATION

22 ADMINISTRATIVE EXPENSES

23 For necessary administrative expenses of the Federal
24 Transit Administration's programs authorized by chapter
25 53 of title 49, United States Code, \$102,933,000, of which

1 not more than \$4,000,000 shall be available to carry out
2 the provisions of 49 U.S.C. 5329 and not less than
3 \$750,000 shall be available to carry out the provisions of
4 49 U.S.C. 5326: *Provided*, That none of the funds pro-
5 vided or limited in this Act may be used to create a perma-
6 nent office of transit security under this heading: *Provided*
7 *further*, That upon submission to the Congress of the fiscal
8 year 2017 President's budget, the Secretary of Transpor-
9 tation shall transmit to Congress the annual report on
10 New Starts, including proposed allocations for fiscal year
11 2017.

12 TRANSIT FORMULA GRANTS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 Contingent upon enactment of authorization legisla-
17 tion, for payment of obligations incurred in the Federal
18 Public Transportation Assistance Program in this ac-
19 count, and for payment of obligations incurred in carrying
20 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
21 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340,
22 as amended by Public Law 112-141, and section
23 20005(b) of Public Law 112-141, \$9,500,000,000, to be
24 derived from the Mass Transit Account of the Highway
25 Trust Fund and to remain available until expended: *Pro-*

1 quest for each specific project: *Provided further*, That
2 prior to approving such grants, the Secretary shall certify
3 that the Washington Metropolitan Area Transit Authority
4 is making significant progress in eliminating the material
5 weaknesses, significant deficiencies, and minor control de-
6 ficiencies identified in the most recent Financial Manage-
7 ment Oversight Review: *Provided further*, That the Sec-
8 retary shall determine that the Washington Metropolitan
9 Area Transit Authority has placed the highest priority on
10 those investments that will improve the safety of the sys-
11 tem before approving such grants: *Provided further*, That
12 the Secretary, in order to ensure safety throughout the
13 rail system, may waive the requirements of section
14 601(e)(1) of title VI of Public Law 110–432 (112 Stat.
15 4968).

16 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

17 ADMINISTRATION

18 SEC. 160. The limitations on obligations for the pro-
19 grams of the Federal Transit Administration shall not
20 apply to any authority under 49 U.S.C. 5338, previously
21 made available for obligation, or to any other authority
22 previously made available for obligation.

23 SEC. 161. Notwithstanding any other provision of
24 law, funds appropriated or limited by this Act under the
25 heading Fixed Guideway Capital Investment of the Fed-

1 eral Transit Administration for projects specified in this
2 Act or identified in reports accompanying this Act not ob-
3 ligated by September 30, 2020, and other recoveries, shall
4 be directed to projects eligible to use the funds for the
5 purposes for which they were originally provided.

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

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

16 SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as pro-
17 vided in subsection (b), none of the funds in this or any
18 other Act may be available to advance in any way a new
19 light or heavy rail project towards a full funding grant
20 agreement as defined by 49 U.S.C. 5309 for the Metro-
21 politan Transit Authority of Harris County, Texas if the
22 proposed capital project is constructed on or planned to
23 be constructed on Richmond Avenue west of South Shep-
24 herd Drive or on Post Oak Boulevard north of Richmond
25 Avenue in Houston, Texas.

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

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

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

22 SAINT LAWRENCE SEAWAY DEVELOPMENT
23 CORPORATION

24 The Saint Lawrence Seaway Development Corpora-
25 tion is hereby authorized to make such expenditures, with-

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

8 OPERATIONS AND MAINTENANCE
9 (HARBOR MAINTENANCE TRUST FUND)

10 For necessary expenses to conduct the operations,
11 maintenance, and capital asset renewal activities of those
12 portions of the Saint Lawrence Seaway owned, operated,
13 and maintained by the Saint Lawrence Seaway Develop-
14 ment Corporation, \$32,042,000, to be derived from the
15 Harbor Maintenance Trust Fund, pursuant to Public Law
16 99-662.

17 MARITIME ADMINISTRATION
18 MARITIME SECURITY PROGRAM

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

23 OPERATIONS AND TRAINING

24 For necessary expenses of operations and training ac-
25 tivities authorized by law, \$164,158,000, of which

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

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

13 SHIP DISPOSAL

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

18 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

19 ACCOUNT

20 (INCLUDING TRANSFER OF FUNDS)

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

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

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

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

1 *vided*, That such sales offers must be consistent with the
2 solicitation and provide that the work will be performed
3 in a timely manner at a facility qualified within the mean-
4 ing of section 3502 of Public Law 106–398: *Provided fur-*
5 *ther*, That nothing contained herein shall affect the Mari-
6 time Administration’s authority to award contracts at
7 least cost to the Federal Government and consistent with
8 the requirements of 54 U.S.C. 308704, section 3502, or
9 otherwise authorized under the Federal Acquisition Regu-
10 lation.

11 PIPELINE AND HAZARDOUS MATERIALS SAFETY

12 ADMINISTRATION

13 OPERATIONAL EXPENSES

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

17 HAZARDOUS MATERIALS SAFETY

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

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

7 PIPELINE SAFETY

8 (PIPELINE SAFETY FUND)

9 (OIL SPILL LIABILITY TRUST FUND)

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

1 EMERGENCY PREPAREDNESS GRANTS
2 (EMERGENCY PREPAREDNESS FUND)

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

18 OFFICE OF INSPECTOR GENERAL
19 SALARIES AND EXPENSES

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

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

22 SURFACE TRANSPORTATION BOARD

23 SALARIES AND EXPENSES

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

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

12 GENERAL PROVISIONS—DEPARTMENT OF

13 TRANSPORTATION

14 SEC. 180. During the current fiscal year, applicable
15 appropriations to the Department of Transportation shall
16 be available for maintenance and operation of aircraft;
17 hire of passenger motor vehicles and aircraft; purchase of
18 liability insurance for motor vehicles operating in foreign
19 countries on official department business; and uniforms or
20 allowances therefor, as authorized by law (5 U.S.C. 5901–
21 5902).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 TITLE II

13 DEPARTMENT OF HOUSING AND URBAN

14 DEVELOPMENT

15 MANAGEMENT AND ADMINISTRATION

16 EXECUTIVE OFFICES

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

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

3 ADMINISTRATIVE SUPPORT OFFICES

4 (INCLUDING TRANSFER OF FUNDS)

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

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

21 PROGRAM OFFICE SALARIES AND EXPENSES

22 PUBLIC AND INDIAN HOUSING

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

1 COMMUNITY PLANNING AND DEVELOPMENT

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

4 HOUSING

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

7 POLICY DEVELOPMENT AND RESEARCH

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

10 FAIR HOUSING AND EQUAL OPPORTUNITY

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

13 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

14 HOMES

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

17 PUBLIC AND INDIAN HOUSING PROGRAMS

18 TENANT-BASED RENTAL ASSISTANCE

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

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

6 (1) \$18,151,000,000 shall be available for renewals
7 of expiring section 8 tenant-based annual contributions
8 contracts (including renewals of enhanced vouchers under
9 any provision of law authorizing such assistance under
10 section 8(t) of the Act) and including renewal of other spe-
11 cial purpose *or* incremental vouchers: *Provided*, That not-
12 withstanding any other provision of law, from amounts
13 provided under this paragraph and any carryover, the Sec-
14 retary for the calendar year 2016 funding cycle shall pro-
15 vide renewal funding for each public housing agency based
16 on validated voucher management system (VMS) leasing
17 and cost data for the prior calendar year and by applying
18 an inflation factor as established by the Secretary, by no-
19 tice published in the Federal Register, and by making any
20 necessary adjustments for the costs associated with the
21 first-time renewal of vouchers under this paragraph in-
22 cluding tenant protection, HOPE VI, and Choice Neigh-
23 borhoods vouchers: *Provided further*, That in determining
24 calendar year 2016 funding allocations under this heading
25 for public housing agencies, including agencies partici-

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

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

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

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

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

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

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

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

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

10 PUBLIC HOUSING CAPITAL FUND

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

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

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

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

13 PUBLIC HOUSING OPERATING FUND

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

18 CHOICE NEIGHBORHOODS INITIATIVE

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

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

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

16 FAMILY SELF-SUFFICIENCY

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

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

18 NATIVE AMERICAN HOUSING BLOCK GRANTS

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

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

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

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

6 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

7 ACCOUNT

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

21 COMMUNITY PLANNING AND DEVELOPMENT

22 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

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

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

13 COMMUNITY DEVELOPMENT FUND

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

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

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

6 COMMUNITY DEVELOPMENT LOAN GUARANTEES

7 PROGRAM ACCOUNT

8 (INCLUDING RESCISSION)

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

1 opment under this heading are hereby permanently re-
2 scinded.

3 HOME INVESTMENT PARTNERSHIPS PROGRAM
4 (INCLUDING TRANSFER OF FUNDS)

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 \$767,000,000, 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 notwithstanding para-
23 graphs (1)(B)(i) or (2)(B)(i) of section 1337(a) of the
24 Housing and Community Development Act of 1992 (12
25 U.S.C. 4567(a)), amounts allocated under such para-

1 graphs shall be credited to, made available, and merged
2 with this account: *Provided further*, That no amounts
3 made available by any provision of law may be transferred,
4 reprogrammed, or credited to the Housing Trust Fund.

5 SELF-HELP AND ASSISTED HOMEOWNERSHIP

6 OPPORTUNITY PROGRAM

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

1 assessing national rural conditions and providing financ-
2 ing, training, technical assistance, information, and re-
3 search to local nonprofits, local governments and Indian
4 Tribes serving high need rural communities.

5 HOMELESS ASSISTANCE GRANTS
6 (INCLUDING TRANSFER OF FUNDS)

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

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

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

1 tions grant program within 60 days of enactment of this
2 Act.

3 HOUSING PROGRAMS

4 PROJECT-BASED RENTAL ASSISTANCE

5 For activities and assistance for the provision of
6 project-based subsidy contracts under the United States
7 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
8 Act”), not otherwise provided for, \$10,254,000,000, to re-
9 main available until expended, shall be available on Octo-
10 ber 1, 2015 (in addition to the \$400,000,000 previously
11 appropriated under this heading that became available Oc-
12 tober 1, 2015), and \$400,000,000, to remain available
13 until expended, shall be available on October 1, 2016: *Pro-*
14 *vided*, That the amounts made available under this head-
15 ing shall be available for expiring or terminating section
16 8 project-based subsidy contracts (including section 8
17 moderate rehabilitation contracts), for amendments to sec-
18 tion 8 project-based subsidy contracts (including section
19 8 moderate rehabilitation contracts), for contracts entered
20 into pursuant to section 441 of the McKinney-Vento
21 Homeless Assistance Act (42 U.S.C. 11401), for renewal
22 of section 8 contracts for units in projects that are subject
23 to approved plans of action under the Emergency Low In-
24 come Housing Preservation Act of 1987 or the Low-In-
25 come Housing Preservation and Resident Homeownership

1 Act of 1990, and for administrative and other expenses
2 associated with project-based activities and assistance
3 funded under this paragraph: *Provided further*, That of
4 the total amounts provided under this heading, not to ex-
5 ceed \$150,000,000 shall be available for performance-
6 based contract administrators for section 8 project-based
7 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
8 *further*, That the Secretary of Housing and Urban Devel-
9 opment may also use such amounts in the previous proviso
10 for performance-based contract administrators for the ad-
11 ministration of: interest reduction payments pursuant to
12 section 236(a) of the National Housing Act (12 U.S.C.
13 1715z-1(a)); rent supplement payments pursuant to sec-
14 tion 101 of the Housing and Urban Development Act of
15 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
16 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
17 assistance contracts for the elderly under section
18 202(e)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
19 project rental assistance contracts for supportive housing
20 for persons with disabilities under section 811(d)(2) of the
21 Cranston-Gonzalez National Affordable Housing Act (42
22 U.S.C. 8013(d)(2)); project assistance contracts pursuant
23 to section 202(h) of the Housing Act of 1959 (Public Law
24 86–372; 73 Stat. 667); and loans under section 202 of
25 the Housing Act of 1959 (Public Law 86–372; 73 Stat.

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

22 HOUSING FOR THE ELDERLY

23 For amendments to capital advance contracts for
24 housing for the elderly, as authorized by section 202 of
25 the Housing Act of 1959, as amended, and for project

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

1 in excess of an amount to be determined by the Secretary,
2 shall be remitted to the Department and deposited in this
3 account, to be available until September 30, 2019, for pur-
4 poses under this heading, and shall be in addition to the
5 amounts otherwise provided under this heading for such
6 purposes: *Provided further*, That in addition, of the prior
7 year unobligated balances of funds, including recaptures
8 and carryover, made available under this heading,
9 \$47,000,000 shall be used for an additional amount for
10 the purposes provided under this heading, notwithstanding
11 any purpose for which originally appropriated.

12 HOUSING FOR PERSONS WITH DISABILITIES

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

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

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

3 HOUSING COUNSELING ASSISTANCE

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

1 RENTAL HOUSING ASSISTANCE

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

16 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

17 FUND

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

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

1 FEDERAL HOUSING ADMINISTRATION

2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

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

18 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

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

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

8 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
9 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
10 GUARANTEE PROGRAM ACCOUNT

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

22 POLICY DEVELOPMENT AND RESEARCH
23 RESEARCH AND TECHNOLOGY

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

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

1 on Appropriations on how it will allocate funding for this
2 activity.

3 FAIR HOUSING AND EQUAL OPPORTUNITY

4 FAIR HOUSING ACTIVITIES

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

1 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
2 HOMES
3 LEAD HAZARD REDUCTION

4 For the Lead Hazard Reduction Program, as author-
5 ized by section 1011 of the Residential Lead-Based Paint
6 Hazard Reduction Act of 1992, \$75,000,000, to remain
7 available until September 30, 2017: *Provided*, That up to
8 \$15,000,000 of that amount shall be for the Healthy
9 Homes Initiative, pursuant to sections 501 and 502 of the
10 Housing and Urban Development Act of 1970 that shall
11 include research, studies, testing, and demonstration ef-
12 forts, including education and outreach concerning lead-
13 based paint poisoning and other housing-related diseases
14 and hazards: *Provided further*, That for purposes of envi-
15 ronmental review, pursuant to the National Environ-
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
17 other provisions of the law that further the purposes of
18 such Act, a grant under the Healthy Homes Initiative, or
19 the Lead Technical Studies program under this heading
20 or under prior appropriations Acts for such purposes
21 under this heading, shall be considered to be funds for
22 a special project for purposes of section 305(c) of the Mul-
23 tifamily Housing Property Disposition Reform Act of
24 1994: *Provided further*, That amounts made available
25 under this heading in this or prior appropriations Acts,

1 and that still remain available, may be used for any pur-
2 pose under this heading notwithstanding the purpose for
3 which such amounts were appropriated if a program com-
4 petition is undersubscribed and there are other program
5 competitions under this heading that are oversubscribed.

6 INFORMATION TECHNOLOGY FUND

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

20 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT
3 (INCLUDING RESCISSIONS)

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

20 SEC. 202. None of the amounts made available under
21 this Act may be used during fiscal year 2016 to investigate
22 or prosecute under the Fair Housing Act any otherwise
23 lawful activity engaged in by one or more persons, includ-
24 ing the filing or maintaining of a nonfrivolous legal action,
25 that is engaged in solely for the purpose of achieving or

1 preventing action by a Government official or entity, or
2 a court of competent jurisdiction.

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

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

20 SEC. 205. Funds of the Department of Housing and
21 Urban Development subject to the Government Corpora-
22 tion Control Act or section 402 of the Housing Act of
23 1950 shall be available, without regard to the limitations
24 on administrative expenses, for legal services on a contract
25 or fee basis, and for utilizing and making payment for the

1 services and facilities of the Federal National Mortgage
2 Association, Government National Mortgage Association,
3 Federal Home Loan Mortgage Corporation, Federal Fi-
4 nancing Bank, Federal Reserve banks or any member
5 thereof, Federal Home Loan banks, and any insured bank
6 within the meaning of the Federal Deposit Insurance Cor-
7 poration Act, as amended (12 U.S.C. 1811-11).

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

14 SEC. 207. Corporations and agencies of the Depart-
15 ment of Housing and Urban Development which are sub-
16 ject to the Government Corporation Control Act are here-
17 by authorized to make such expenditures, within the limits
18 of funds and borrowing authority available to each such
19 corporation or agency and in accordance with law, and to
20 make such contracts and commitments without regard to
21 fiscal year limitations as provided by section 104 of such
22 Act as may be necessary in carrying out the programs set
23 forth in the budget for 2016 for such corporation or agen-
24 cy except as hereinafter provided: *Provided*, That collec-
25 tions of these corporations and agencies may be used for

1 new loan or mortgage purchase commitments only to the
2 extent expressly provided for in this Act (unless such loans
3 are in support of other forms of assistance provided for
4 in this or prior appropriations Acts), except that this pro-
5 viso shall not apply to the mortgage insurance or guaranty
6 operations of these corporations, or where loans or mort-
7 gage purchases are necessary to protect the financial in-
8 terest of the United States Government.

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

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

23 SEC. 210. A public housing agency or such other enti-
24 ty that administers Federal housing assistance for the
25 Housing Authority of the county of Los Angeles, Cali-

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

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

24 SEC. 212. (a) Notwithstanding any other provision
25 of law, subject to the conditions listed under this section,

1 for fiscal years 2016 and 2017, the Secretary of Housing
2 and Urban Development may authorize the transfer of
3 some or all project-based assistance, debt held or insured
4 by the Secretary and statutorily required low-income and
5 very low-income use restrictions if any, associated with one
6 or more multifamily housing project or projects to another
7 multifamily housing project or projects.

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

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

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

17 (A) For occupied units in the transferring
18 project: the number of low-income and very low-
19 income units and the configuration (i.e., bed-
20 room size) provided by the transferring project
21 shall be no less than when transferred to the re-
22 ceiving project or projects and the net dollar
23 amount of Federal assistance provided to the
24 transferring project shall remain the same in
25 the receiving project or projects.

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

9 (2) The transferring project shall, as deter-
10 mined by the Secretary, be either physically obsolete
11 or economically nonviable.

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

15 (4) The owner or mortgagor of the transferring
16 project shall notify and consult with the tenants re-
17 siding in the transferring project and provide a cer-
18 tification of approval by all appropriate local govern-
19 mental officials.

20 (5) The tenants of the transferring project who
21 remain eligible for assistance to be provided by the
22 receiving project or projects shall not be required to
23 vacate their units in the transferring project or
24 projects until new units in the receiving project are
25 available for occupancy.

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

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

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

22 (9) The transfer does not increase the cost (as
23 defined in section 502 of the Congressional Budget
24 Act of 1974, as amended) of any FHA-insured
25 mortgage, except to the extent that appropriations

1 are provided in advance for the amount of any such
2 increased cost.

3 (d) For purposes of this section—

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

8 (2) the term “multifamily housing project”
9 means housing that meets one of the following con-
10 ditions—

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

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

18 (C) housing that is assisted under section
19 202 of the Housing Act of 1959, as amended
20 by section 801 of the Cranston-Gonzales Na-
21 tional Affordable Housing Act;

22 (D) housing that is assisted under section
23 202 of the Housing Act of 1959, as such sec-
24 tion existed before the enactment of the Cran-
25 ston-Gonzales National Affordable Housing Act;

1 (E) housing that is assisted under section
2 811 of the Cranston-Gonzales National Afford-
3 able Housing Act; or

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

6 (3) the term “project-based assistance”
7 means—

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

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

15 (C) rent supplement payments under sec-
16 tion 101 of the Housing and Urban Develop-
17 ment Act of 1965;

18 (D) interest reduction payments under sec-
19 tion 236 and/or additional assistance payments
20 under section 236(f)(2) of the National Hous-
21 ing Act;

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

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

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

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

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

17 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

23 (2) The Secretary shall conduct an evaluation
24 of the transfer authority under this section, includ-
25 ing the effect of such transfers on the operational ef-

1 ficiency, contract rents, physical and financial condi-
2 tions, and long-term preservation of the affected
3 properties.

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

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

11 (2) is under 24 years of age;

12 (3) is not a veteran;

13 (4) is unmarried;

14 (5) does not have a dependent child;

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

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

24 (b) For purposes of determining the eligibility of a
25 person to receive assistance under section 8 of the United

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

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

15 SEC. 215. Notwithstanding the limitation in the first
16 sentence of section 255(g) of the National Housing Act
17 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and
18 Urban Development may, until September 30, 2016, in-
19 sure and enter into commitments to insure mortgages
20 under such section 255.

21 SEC. 216. Notwithstanding any other provision of
22 law, in fiscal year 2016, in managing and disposing of any
23 multifamily property that is owned or has a mortgage held
24 by the Secretary of Housing and Urban Development, and
25 during the process of foreclosure on any property with a

1 contract for rental assistance payments under section 8
2 of the United States Housing Act of 1937 or other Fed-
3 eral programs, the Secretary shall maintain any rental as-
4 sistance payments under section 8 of the United States
5 Housing Act of 1937 and other programs that are at-
6 tached to any dwelling units in the property. To the extent
7 the Secretary determines, in consultation with the tenants
8 and the local government, that such a multifamily prop-
9 erty owned or held by the Secretary is not feasible for con-
10 tinued rental assistance payments under such section 8
11 or other programs, based on consideration of (1) the costs
12 of rehabilitating and operating the property and all avail-
13 able Federal, State, and local resources, including rent ad-
14 justments under section 524 of the Multifamily Assisted
15 Housing Reform and Affordability Act of 1997
16 (“MAHRAA”) and (2) environmental conditions that can-
17 not be remedied in a cost-effective fashion, the Secretary
18 may, in consultation with the tenants of that property,
19 contract for project-based rental assistance payments with
20 an owner or owners of other existing housing properties,
21 or provide other rental assistance. The Secretary shall also
22 take appropriate steps to ensure that project-based con-
23 tracts remain in effect prior to foreclosure, subject to the
24 exercise of contractual abatement remedies to assist relo-
25 cation of tenants for imminent major threats to health and

1 safety after written notice to and informed consent of the
2 affected tenants and use of other available remedies, such
3 as partial abatements or receivership. After disposition of
4 any multifamily property described under this section, the
5 contract and allowable rent levels on such properties shall
6 be subject to the requirements under section 524 of
7 MAHRAA.

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

20 SEC. 218. Public housing agencies that own and oper-
21 ate 400 or fewer public housing units may elect to be ex-
22 empt from any asset management requirement imposed by
23 the Secretary of Housing and Urban Development in con-
24 nection with the operating fund rule: *Provided*, That an
25 agency seeking a discontinuance of a reduction of subsidy

1 under the operating fund formula shall not be exempt
2 from asset management requirements.

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

18 SEC. 220. No official or employee of the Department
19 of Housing and Urban Development shall be designated
20 as an allotment holder unless the Office of the Chief Fi-
21 nancial Officer has determined that such allotment holder
22 has implemented an adequate system of funds control and
23 has received training in funds control procedures and di-
24 rectives. The Chief Financial Officer shall ensure that
25 there is a trained allotment holder for each HUD sub-

1 office under the accounts “Executive Offices” and “Ad-
2 ministrative Support Offices”, as well as each account re-
3 ceiving appropriations for “Program Office Salaries and
4 Expenses”, “Government National Mortgage Associa-
5 tion—Guarantees of Mortgage-Backed Securities Loan
6 Guarantee Program Account”, and “Office of Inspector
7 General” within the Department of Housing and Urban
8 Development.

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

21 SEC. 222. Payment of attorney fees in program-re-
22 lated litigation must be paid from the individual program
23 office and Office of General Counsel personnel funding.
24 The annual budget submissions for program offices and
25 Office of General Counsel personnel funding must include

1 program-related litigation costs for attorney fees as a sep-
2 arate line item request.

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

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

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

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

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

21 (B) receives consecutive scores of less than
22 60 on REAC inspections.

23 Such requirements shall apply to insured and noninsured
24 projects with assistance attached to the units under sec-
25 tion 8 of the United States Housing Act of 1937 (42

1 U.S.C. 1437f), but do not apply to such units assisted
2 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
3 public housing units assisted with capital or operating
4 funds under section 9 of the United States Housing Act
5 of 1937 (42 U.S.C. 1437g).

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

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

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

25 (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. None of the funds in this Act provided to
14 the Department of Housing and Urban Development may
15 be used to make a grant award unless the Secretary noti-
16 fies the House and Senate Committees on Appropriations
17 not less than 3 full business days before any project,
18 State, locality, housing authority, tribe, nonprofit organi-
19 zation, or other entity selected to receive a grant award
20 is announced by the Department or its offices.

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

24 SEC. 229. None of the funds made available in this
25 Act shall be used by the Federal Housing Administration,

1 the Government National Mortgage Administration, or the
2 Department of Housing and Urban Development to in-
3 sure, securitize, or establish a Federal guarantee of any
4 mortgage or mortgage backed security that refinances or
5 otherwise replaces a mortgage that has been subject to
6 eminent domain condemnation or seizure, by a state, mu-
7 nicipality, or any other political subdivision of a state.

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

14 SEC. 231. Amounts made available under this Act
15 which are either appropriated, allocated, advanced on a
16 reimbursable basis, or transferred to the Office of Policy
17 Development and Research in the Department of Housing
18 and Urban Development and functions thereof, for re-
19 search, evaluation, or statistical purposes, and which are
20 unexpended at the time of completion of a contract, grant,
21 or cooperative agreement, may be deobligated and shall
22 immediately become available and may be reobligated in
23 that fiscal year or the subsequent fiscal year for the re-
24 search, evaluation, or statistical purposes for which the

1 amounts are made available to that Office subject to re-
2 programming requirements in Section 405 of this Act.

3 SEC. 232. None of the funds made available by this
4 Act may be used by the Secretary of Housing and Urban
5 Development to require a recipient or sub-recipient of
6 funding for the purpose of land acquisition, affordable
7 housing construction, or affordable housing rehabilitation
8 to meet Energy Star standards or any other energy effi-
9 ciency standards that exceed the requirements of applica-
10 ble State and local building codes.

11 SEC. 233. Of the unobligated balances, including re-
12 captures and carryover, remaining from funds appro-
13 priated in section 1497(a) of the Dodd-Frank Wall Street
14 Reform and Consumer Protection Act (Public Law 111–
15 203; 42 U.S.C. 5301 note) and section 2301(a) of title
16 III of division B of the Housing and Economic Recovery
17 Act of 2008 (Public Law 110–289; 42 U.S.C. 5301 note),
18 \$7,000,000 is hereby rescinded.

19 SEC. 234. (a) All unobligated balances, including re-
20 captures and carryover, remaining from funds appro-
21 priated to the Department of Housing and Urban Devel-
22 opment under the heading “Rural Housing and Economic
23 Development” are hereby rescinded.

24 (b) Effective October 1, 2015, all unobligated bal-
25 ances, including recaptures and carryover, remaining from

1 funds appropriated to the Department of Housing and
2 Urban Development for accounts under the headings
3 “Management and Administration” and “Program Office
4 Salaries and Expenses” in division K of Public Law 113–
5 235 are rescinded.

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

8 TITLE III—RELATED AGENCIES

9 ACCESS BOARD

10 SALARIES AND EXPENSES

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

17 FEDERAL MARITIME COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Maritime
20 Commission as authorized by section 201(d) of the Mer-
21 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
22 cluding services as authorized by 5 U.S.C. 3109; hire of
23 passenger motor vehicles as authorized by 31 U.S.C.
24 1343(b); and uniforms or allowances therefore, as author-
25 ized by 5 U.S.C. 5901–5902, \$25,660,000: *Provided*, That

1 not to exceed \$2,000 shall be available for official recep-
2 tion and representation expenses.

3 NATIONAL RAILROAD PASSENGER CORPORATION OFFICE
4 OF INSPECTOR GENERAL
5 SALARIES AND EXPENSES

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

1 cable laws and regulations that govern such selections, ap-
2 pointments, and employment within Amtrak: *Provided fur-*
3 *ther*, That concurrent with the President's budget request
4 for fiscal year 2017, the Inspector General shall submit
5 to the House and Senate Committees on Appropriations
6 a budget request for fiscal year 2017 in similar format
7 and substance to those submitted by executive agencies
8 of the Federal Government.

9 NATIONAL TRANSPORTATION SAFETY BOARD

10 SALARIES AND EXPENSES

11 For necessary expenses of the National Transpor-
12 tation Safety Board, including hire of passenger motor ve-
13 hicles and aircraft; services as authorized by 5 U.S.C.
14 3109, but at rates for individuals not to exceed the per
15 diem rate equivalent to the rate for a GS-15; uniforms,
16 or allowances therefor, as authorized by law (5 U.S.C.
17 5901-5902), \$103,981,000, of which not to exceed \$2,000
18 may be used for official reception and representation ex-
19 penses. The amounts made available to the National
20 Transportation Safety Board in this Act include amounts
21 necessary to make lease payments on an obligation in-
22 curred in fiscal year 2001 for a capital lease.

1 NEIGHBORHOOD REINVESTMENT CORPORATION
2 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
3 CORPORATION

4 For payment to the Neighborhood Reinvestment Cor-
5 poration for use in neighborhood reinvestment activities,
6 as authorized by the Neighborhood Reinvestment Corpora-
7 tion Act (42 U.S.C. 8101–8107), \$135,000,000, of which
8 \$5,000,000 shall be for a multi-family rental housing pro-
9 gram: *Provided*, That in addition, \$42,000,000 shall be
10 made available until expended to the Neighborhood Rein-
11 vestment Corporation for mortgage foreclosure mitigation
12 activities, under the following terms and conditions:

13 (1) The Neighborhood Reinvestment Corpora-
14 tion (NRC) shall make grants to counseling inter-
15 mediaries approved by the Department of Housing
16 and Urban Development (HUD) (with match to be
17 determined by NRC based on affordability and the
18 economic conditions of an area; a match also may be
19 waived by NRC based on the aforementioned condi-
20 tions) to provide mortgage foreclosure mitigation as-
21 sistance primarily to States and areas with high
22 rates of defaults and foreclosures to help eliminate
23 the default and foreclosure of mortgages of owner-
24 occupied single-family homes that are at risk of such
25 foreclosure. Other than areas with high rates of de-

1 faults and foreclosures, grants may also be provided
2 to approved counseling intermediaries based on a ge-
3 ographic analysis of the Nation by NRC which de-
4 termines where there is a prevalence of mortgages
5 that are risky and likely to fail, including any trends
6 for mortgages that are likely to default and face
7 foreclosure. A State Housing Finance Agency may
8 also be eligible where the State Housing Finance
9 Agency meets all the requirements under this para-
10 graph. A HUD-approved counseling intermediary
11 shall meet certain mortgage foreclosure mitigation
12 assistance counseling requirements, as determined
13 by NRC, and shall be approved by HUD or NRC as
14 meeting these requirements.

15 (2) Mortgage foreclosure mitigation assistance
16 shall only be made available to homeowners of
17 owner-occupied homes with mortgages in default or
18 in danger of default. These mortgages shall likely be
19 subject to a foreclosure action and homeowners will
20 be provided such assistance that shall consist of ac-
21 tivities that are likely to prevent foreclosures and re-
22 sult in the long-term affordability of the mortgage
23 retained pursuant to such activity or another posi-
24 tive outcome for the homeowner. No funds made
25 available under this paragraph may be provided di-

1 rectly to lenders or homeowners to discharge out-
2 standing mortgage balances or for any other direct
3 debt reduction payments.

4 (3) The use of mortgage foreclosure mitigation
5 assistance by approved counseling intermediaries
6 and State Housing Finance Agencies shall involve a
7 reasonable analysis of the borrower's financial situa-
8 tion, an evaluation of the current value of the prop-
9 erty that is subject to the mortgage, counseling re-
10 garding the assumption of the mortgage by another
11 non-Federal party, counseling regarding the possible
12 purchase of the mortgage by a non-Federal third
13 party, counseling and advice of all likely restruc-
14 turing and refinancing strategies or the approval of
15 a work-out strategy by all interested parties.

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

24 (5) HUD-approved counseling entities and
25 State Housing Finance Agencies receiving funds

1 under this paragraph shall have demonstrated expe-
2 rience in successfully working with financial institu-
3 tions as well as borrowers facing default, delin-
4 quency and foreclosure as well as documented coun-
5 seling capacity, outreach capacity, past successful
6 performance and positive outcomes with documented
7 counseling plans (including post mortgage fore-
8 closure mitigation counseling), loan workout agree-
9 ments and loan modification agreements. NRC may
10 use other criteria to demonstrate capacity in under-
11 served areas.

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

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

1 intervening in regulatory or adjudicatory proceedings
2 funded in this Act.

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

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

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

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

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

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

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

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

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

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

24 (1) creates a new program;

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

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

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

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

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

13 (7) creates, reorganizes, or restructures a
14 branch, division, office, bureau, board, commission,
15 agency, administration, or department different from
16 the budget justifications submitted to the Commit-
17 tees on Appropriations or the table accompanying
18 the explanatory statement accompanying this Act,
19 whichever is more detailed, unless prior approval is
20 received from the House and Senate Committees on
21 Appropriations: *Provided*, That not later than 60
22 days after the date of enactment of this Act, each
23 agency funded by this Act shall submit a report to
24 the Committees on Appropriations of the Senate and
25 of the House of Representatives to establish the

1 baseline for application of reprogramming and trans-
2 fer authorities for the current fiscal year: *Provided*
3 *further*, That the report shall include:

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

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

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

17 SEC. 406. Except as otherwise specifically provided
18 by law, not to exceed 50 percent of unobligated balances
19 remaining available at the end of fiscal year 2016 from
20 appropriations made available for salaries and expenses
21 for fiscal year 2016 in this Act, shall remain available
22 through September 30, 2017, for each such account for
23 the purposes authorized: *Provided*, That a request shall
24 be submitted to the House and Senate Committees on Ap-
25 propriations for approval prior to the expenditure of such

1 funds: *Provided further*, That these requests shall be made
2 in compliance with reprogramming guidelines under sec-
3 tion 405 of this Act.

4 SEC. 407. No funds in this Act may be used to sup-
5 port any Federal, State, or local projects that seek to use
6 the power of eminent domain, unless eminent domain is
7 employed only for a public use: *Provided*, That for pur-
8 poses of this section, public use shall not be construed to
9 include economic development that primarily benefits pri-
10 vate entities: *Provided further*, That any use of funds for
11 mass transit, railroad, airport, seaport or highway
12 projects, as well as utility projects which benefit or serve
13 the general public (including energy-related, communica-
14 tion-related, water-related and wastewater-related infra-
15 structure), other structures designated for use by the gen-
16 eral public or which have other common-carrier or public-
17 utility functions that serve the general public and are sub-
18 ject to regulation and oversight by the government, and
19 projects for the removal of an immediate threat to public
20 health and safety or brownfields as defined in the Small
21 Business Liability Relief and Brownfields Revitalization
22 Act (Public Law 107–118) shall be considered a public
23 use for purposes of eminent domain.

24 SEC. 408. None of the funds made available in this
25 Act may be transferred to any department, agency, or in-

1 strumentality of the United States Government, except
2 pursuant to a transfer made by, or transfer authority pro-
3 vided in, this Act or any other appropriations Act.

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

17 SEC. 410. No funds appropriated pursuant to this
18 Act may be expended by an entity unless the entity agrees
19 that in expending the assistance the entity will comply
20 with sections 2 through 4 of the Act of March 3, 1933
21 (41 U.S.C. 10a –10c, popularly known as the “Buy Amer-
22 ican Act”).

23 SEC. 411. No funds appropriated or otherwise made
24 available under this Act shall be made available to any

1 person or entity that has been convicted of violating the
2 Buy American Act (41 U.S.C. 10a –10c).

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

7 SEC. 413. (a) None of the funds made available by
8 this Act may be used to approve a new foreign air carrier
9 permit under sections 41301 through 41305 of title 49,
10 United States Code, or exemption application under sec-
11 tion 40109 of that title of an air carrier already holding
12 an air operators certificate issued by a country that is
13 party to the U.S.-E.U.-Iceland-Norway Air Transport
14 Agreement where such approval would contravene United
15 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
16 way Air Transport Agreement.

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

23 SEC. 414. None of the funds made available by this
24 Act may be used by the Federal Maritime Commission or
25 the Administrator of the Maritime Administration to issue

Union Calendar No. 92

114TH CONGRESS
1ST Session

H. R. 2577

[Report No. 114-129]

A BILL

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

MAY 27, 2015

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