

The motion was agreed to.

The Presiding Officer appointed Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. PAUL, Ms. COLLINS, Ms. MURKOWSKI, Mr. KIRK, Mr. SCOTT, Mr. HATCH, Mr. ROBERTS, Mr. CASSIDY, Mrs. MURRAY, Ms. MIKULSKI, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN conferees on the part of the Senate.

The PRESIDING OFFICER. The majority leader.

#### TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. McCONNELL. Mr. President, pursuant to the previous order, I ask that the Senate proceed to the consideration of H.R. 2577.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) 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.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 2577

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

#### TITLE I

##### DEPARTMENT OF TRANSPORTATION

##### OFFICE OF THE SECRETARY

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$110,738,000, of which not to exceed \$2,734,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,109,000 shall be available for the Office of the General Counsel; not to exceed \$10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,029,000 shall be available for the Office of Public Affairs; not to exceed \$1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed \$1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$16,880,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office

of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112-141: Provided further, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by \$100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

##### RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,000,000, of which \$8,218,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

##### NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$500,000,000, to remain available through September 30, 2019: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs

of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than \$10,000,000 and not greater than \$100,000,000: Provided further, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That of the amount made available under this heading, the Secretary may use an amount not to exceed \$25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: Provided further, That grants awarded under the previous proviso shall not be subject to a minimum grant size: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

##### FINANCIAL MANAGEMENT CAPITAL

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

##### CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, \$8,000,000, to remain available through September 30, 2017.

##### OFFICE OF CIVIL RIGHTS

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

##### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$6,000,000.

##### INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation

infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, \$4,000,000, to remain available until expended: Provided, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

#### WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,039,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

#### MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

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

#### MINORITY BUSINESS OUTREACH

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

#### PAYMENTS TO AIR CARRIERS

##### (AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of

title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

#### ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

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

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

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

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

#### FEDERAL AVIATION ADMINISTRATION OPERATIONS

##### (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$9,897,818,000 of which \$8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,505,293,000 shall be available for air traffic organization activities; not to exceed \$1,258,411,000 shall be available for aviation safety activities; not to exceed \$17,425,000 shall be available for commercial space transportation activities; not to exceed \$748,969,000 shall be available for finance and management activities; not to exceed \$60,089,000 shall be available for NextGen and operations planning activities; not to exceed \$100,880,000 shall be available for security and hazardous materials safety; and not to exceed \$206,751,000 shall be available for staff offices: Provided, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to

any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 2 percent: Provided further, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: Provided further, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than \$154,400,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

#### FACILITIES AND EQUIPMENT

##### (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,600,000,000, of which

\$467,000,000 shall remain available until September 30, 2016, and \$2,133,000,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

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

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

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

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of

funds limited under this heading, not more than \$107,100,000 shall be obligated for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,000,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section 48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

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

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

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

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

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

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

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

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for

an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the non-commercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

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

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

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

FEDERAL HIGHWAY ADMINISTRATION  
LIMITATION ON ADMINISTRATIVE EXPENSES  
(HIGHWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

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

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112-141 shall not exceed total obligations of \$40,256,000,000 for fiscal year 2016: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, \$40,995,000,000 derived from the Highway Trust

Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

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

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

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

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

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

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

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

(3) determine the proportion that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

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

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

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

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

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

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

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

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

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

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

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

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

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

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

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 30 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141), the amount of \$22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: Provided, That this provision shall not apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109-59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112-141): Provided further, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: Provided further, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

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

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

“(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate

Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

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

“(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

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

“(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.”

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

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

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 3112(c)(5) of title 49, United States Code, is amended—

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

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

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3112(c) of such title is amended—

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

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

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

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

FEDERAL MOTOR CARRIER SAFETY  
ADMINISTRATION  
MOTOR CARRIER SAFETY OPERATIONS AND  
PROGRAMS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

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

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

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

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR  
CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and condi-

tions stipulated in section 350 of Public Law 107-87 and section 6901 of Public Law 110-28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107-87) is hereby repealed.

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

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

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

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

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

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

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

(2) in subsection (15) by striking “.” and inserting “; or”;

(3) by inserting at the end, “(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.”

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

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



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

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION  
OPERATIONS AND RESEARCH

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

OPERATIONS AND RESEARCH  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$118,500,000, of which \$113,500,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the \$118,500,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER  
PURPOSES  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, \$575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which \$235,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; \$272,000,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; \$29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109-59, as amended by Public Law 112-141; \$25,500,000 shall be for "Administrative Expenses" under section 31101(a)(6) of Public Law 112-141: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed \$500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection

(d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: Provided further, That \$10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: Provided further, That \$4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: Provided further, That the additional \$14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109-59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL  
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

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

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

FEDERAL RAILROAD ADMINISTRATION  
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$199,000,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

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

RAILROAD REHABILITATION AND IMPROVEMENT  
FINANCING PROGRAM

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

RAILROAD SAFETY GRANTS

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

OPERATING GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

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

CAPITAL AND DEBT SERVICE GRANTS TO THE  
NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$1,101,500,000, to remain available until expended, of which not to exceed \$160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: Provided, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: Provided further, That after an initial distribution of up to \$200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided

to the Corporation only on a reimbursable basis: Provided further, That of the amounts made available under this heading, up to \$50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2016: Provided further, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(e) of division B of Public Law 110-432, of which up to \$500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110-432: Provided further, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: Provided further, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: Provided further, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: Provided further, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110-432, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110-432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL  
RAILROAD ADMINISTRATION

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

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

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Rail Line Relocation and Improvement Program", \$2,241,385; and "Railroad Research and Development", \$1,960,000: Provided, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended: Provided further, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: Provided further, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110-432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and \$11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Grants to the National Railroad Passenger Corporation", \$267,019; "Next Generation High-Speed Rail", \$4,944,504; and "Safety and Operations", \$6,710,477: Provided, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: Provided further, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION  
ADMINISTRATIVE EXPENSES

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

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, \$9,500,000,000, to be derived

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

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, \$32,500,000, to remain available until expended: Provided, That \$30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and \$2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

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

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,585,000,000, to remain available until expended: Provided, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

GRANTS TO THE WASHINGTON METROPOLITAN  
AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT  
ADMINISTRATION

(INCLUDING RESCISSION)

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

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by

September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

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

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

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

- (1) in the areas of Arctic research;
- (2) to map the Arctic;
- (3) to collect and analyze data in the Arctic;
- (4) to support activities that further Arctic exploration, research, or development; or
- (5) for educational purposes or humanitarian relief efforts.

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

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

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

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

MARITIME ADMINISTRATION MARITIME SECURITY PROGRAM

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

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$170,000,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$5,000,000 shall remain

available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which \$1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): Provided, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: Provided further, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

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

SHIP DISPOSAL

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

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appro-

priation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$22,500,000: Provided, That \$1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code: Provided further, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: Provided, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

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

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

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



develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$87,472,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Provided further, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD  
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$32,375,000: Provided, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than \$31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

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

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more

than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

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

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

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

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

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

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

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

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

(2) to pay contractors for services provided in recovering improper payments or contractor sup-

port in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

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

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

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

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

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

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

## TITLE II

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### MANAGEMENT AND ADMINISTRATION

##### EXECUTIVE OFFICES

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

##### ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$568,244,000, of which not to exceed \$44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed \$96,000,000 shall be available for the Office of the General Counsel; not to exceed \$208,604,000 shall be available for the Office of Administration; not to exceed \$61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed \$50,000,000 shall be available for the Office of Field Policy and Management; not to exceed \$17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed \$3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed \$4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed \$82,802,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

##### PROGRAM OFFICE SALARIES AND EXPENSES

##### PUBLIC AND INDIAN HOUSING

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

##### COMMUNITY PLANNING AND DEVELOPMENT

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

##### HOUSING

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

##### POLICY DEVELOPMENT AND RESEARCH

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

##### FAIR HOUSING AND EQUAL OPPORTUNITY

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

##### OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

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

##### PUBLIC AND INDIAN HOUSING

##### TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided fur-

ther, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary:

(2) \$130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and

carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110-329;

(3) \$1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That not less than \$1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities:

(4) \$107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any stat-

ute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) \$20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

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

#### HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

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

#### PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") \$1,742,870,000, to remain available until September 30, 2019: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That up to \$3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: Provided further, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed \$23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emer-

gencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Provided further, That of the amount made available under the previous proviso, not less than \$6,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

#### PUBLIC HOUSING OPERATING FUND

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

#### CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$65,000,000, to remain available until September 30, 2018: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the

community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less than \$40,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than \$5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: Provided further, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

#### FAMILY SELF-SUFFICIENCY

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

#### INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to remain available until September 30, 2020: Provided, That, not-

withstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: Provided further, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,452,007: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, \$60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

#### INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

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

#### COMMUNITY PLANNING AND DEVELOPMENT

##### HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and

have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: Provided further, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: Provided further, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.), \$2,900,000,000, to remain available until September 30, 2018: Provided, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

#### HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$66,000,000, to remain available until September 30, 2019: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not

apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which became effective on such date: Provided further, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2018: Provided, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: Provided further, That \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: Provided further, That an additional \$5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113–291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,235,000,000, to remain available until September 30, 2018: Provided, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: Provided further, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than \$1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That up to \$2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway

Homeless Youth Act (42 U.S.C. 5714–25), notwithstanding section 204 of this title: Provided further, That up to \$33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: Provided further, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to \$5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: Provided further, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2015), and \$400,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That of the total amounts provided under this heading, not to exceed \$215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

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



under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$420,000,000 to remain available until September 30, 2019: Provided, That of the amount provided under this heading, up to \$77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$137,000,000, to remain available until September 30, 2019: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the pur-

poses authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING COUNSELING ASSISTANCE

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

#### RENTAL HOUSING ASSISTANCE

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

#### MANUFACTURED HOUSING STANDARDS PROGRAM PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000, to remain available until expended, of which \$10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use

of approved service providers that are paid directly by the recipients of their services.

#### FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2017: Provided, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2017: Provided further, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2016, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

#### GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: Provided, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

#### GOVERNMENT NATIONAL MORTGAGE ASSOCIATION GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2017: Provided, That \$23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2016, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

#### POLICY DEVELOPMENT AND RESEARCH RESEARCH AND TECHNOLOGY (INCLUDING TRANSFER OF FUNDS)

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

Of the amounts made available in this title under each of the headings specified in the report accompanying this Act, the Secretary may transfer to this account up to 0.1 percent from each such account, and such transferred amounts shall be available until September 30, 2017, for (1) technical assistance and capacity building; and (2) research, evaluation, and program metrics: Provided, That the Secretary may not transfer more than \$40,000,000 to this account.

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: Provided further, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

#### FAIR HOUSING AND EQUAL OPPORTUNITY

##### FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2017, of which \$38,600,000 shall be to carry out activities pursuant to such section 561: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

#### OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

##### LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$110,000,000, to remain available until September 30, 2017, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, \$45,000,000 shall be made available on a competi-

tive basis for areas with the highest lead paint abatement needs: Provided further, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

#### INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$250,000,000, shall remain available until September 30, 2017: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

#### OFFICE OF INSPECTOR GENERAL

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

#### GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (INCLUDING TRANSFER OF FUNDS) (INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

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

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison,

NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

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

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

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

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

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

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

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

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

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

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

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

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

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

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

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

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

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

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the

statute and/or regulations governing the program under which the project is insured or assisted;

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

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

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

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

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

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

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

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

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

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

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

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

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

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

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

under such section 8 as of November 30, 2005; and

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

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

SEC. 213. The funds made available under NAHASDA for Native Alaskans under the heading "Indian Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading "Community Development Loan Guarantees Program Account" may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all

funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations for "Program Office Salaries and Expenses", "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account", and "Office of Inspector General" within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: Provided, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or

\$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: Provided further, That no appropriation for any account funded under the general heading "Program Office Salaries and Expenses" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

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

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

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

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

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

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

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

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

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

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

(A) impose civil money penalties;

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

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

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

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

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

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

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

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

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

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

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

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, non-profit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

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

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected

under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: “Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).”.

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

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

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

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

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

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

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

“(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(n).”; and

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

“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency’s Capital Fund into a replacement reserve subject to the following:

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

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

“(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the

size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

“(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

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

“(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.”.

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

(1) inserting “(A)” immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: “; and”; and

(3) inserting the following new paragraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.”.

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

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

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines



that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

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

“(6) REVIEWS OF FAMILY INCOME.—

“(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

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

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

“(B) FIXED-INCOME FAMILIES.—

“(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

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

“(iii) FIXED INCOME.—For purposes of this subparagraph, the term ‘fixed income’ includes income from—

“(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93-66;

“(II) Social Security payments;

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

“(IV) other periodic payments received from annuities, insurance policies, retirement funds,

disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

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

“(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.”.

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

SEC. 242. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall establish a demonstration program during the period beginning on the date of enactment of this Act, and ending on September 30, 2020, entering into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 150,000 residential units in multifamily buildings participating in—

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

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

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

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

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

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

(I) be contingent on documented utility savings; and

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

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

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

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

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

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

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

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

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

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

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

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

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

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

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

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) **USE OF UTILITY COST SAVINGS.**—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

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

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

(7) **EVALUATION.**—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

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

**SEC. 244. (a) AUTHORITY.**—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

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

(c) **PHASED AND PROPORTIONAL TRANSFERS.**—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

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

(1) The owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) The owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) The owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) The owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

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

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) **PUBLIC NOTICE.**—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

**SEC. 245. (a)** Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "General and Special Risk Program Account", and for the cost of guaranteed notes and other obligations under the heading "Native American Housing Block Grants", \$12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings "Rural Housing and Economic Development", and "Homeownership and Opportunity for People Everywhere Grants" are hereby rescinded.

**SEC. 246.** Funds made available in this title under the heading "Homeless Assistance Grants" may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

**SEC. 247.** Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: Provided, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

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

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

## TITLE III

## RELATED AGENCIES

## ACCESS BOARD

## SALARIES AND EXPENSES

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

## FEDERAL MARITIME COMMISSION

## SALARIES AND EXPENSES

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

## NATIONAL RAILROAD PASSENGER CORPORATION

## OFFICE OF INSPECTOR GENERAL

## SALARIES AND EXPENSES

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

## NATIONAL TRANSPORTATION SAFETY BOARD

## SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$105,170,000, of which not to exceed \$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

## NEIGHBORHOOD REINVESTMENT CORPORATION

## PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42

U.S.C. 8101–8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON  
HOMELESSNESS  
OPERATING EXPENSES

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

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

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

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

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

(1) creates a new program;

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

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

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

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

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

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

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

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

(C) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

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

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

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

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

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

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

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

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

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

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016”.

The PRESIDING OFFICER. The Senator from Maine.

COMMITTEE-REPORTED AMENDMENT WITHDRAWN

Ms. COLLINS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. WICKER. Mr. President, reserving the right to object, I understand that we are moving to consideration of the Transportation and HUD appropriations bill. Is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. Reserving the right to object, just for point of clarification, I am under the assumption that the bill will move under regular order requiring a 50-vote threshold for all amendments.

I ask, through the Chair, if the Senator from Maine can tell me if I am operating under the correct assumption.

Ms. COLLINS. Mr. President, I want to assure the Senator from Mississippi that for germane amendments, regular order will be in effect.

Mr. WICKER. Mr. President, I thank the Senator for her assurance, and I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 2812

(Purpose: In the nature of a substitute)

Ms. COLLINS. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 2813 TO AMENDMENT NO. 2812

Ms. COLLINS. Mr. President, I send a first-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2813 to amendment No. 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical amendment)

On page 55, line 22, strike "2015" and insert "2016".

Ms. COLLINS. Mr. President, I am pleased to begin the floor consideration of the fiscal year 2016 appropriations bill for Transportation, Housing and Urban Development, and related agencies. This bill funds programs that are essential to the American people. Our bill provides \$18.5 billion for the Department of Transportation and \$38.5 billion for the Department of Housing and Urban Development to meet the

housing needs of low-income, disabled, and older Americans, to shelter the homeless and to boost our economy and to create jobs through much-needed investments in our roads, bridges, seaports, railroads, transit systems, and airports.

Let me begin my remarks by thanking the chairman of the full committee, Senator COCHRAN, and the vice chairman, Senator MIKULSKI, for their leadership in advancing these appropriations bills. As Chairman COCHRAN has previously noted, this is the first time in 6 years that the Appropriations Committee has approved all 12 of the funding bills, and I will point out that we did so months ago. I also wish to thank and acknowledge the hard work of the ranking member of the subcommittee, Senator JACK REED. I am very pleased that he is cosponsoring this legislation and that we are offering these substitute amendments that have just been filed together. The two of us have worked very closely in drafting this bill, and we have listened to the recommendations from Members on both sides of the aisle. Through considerable negotiation and compromise, we have crafted a bipartisan bill that targets limited resources to those programs that meet our most essential transportation and housing needs.

As a result of hard work and compromise by many of our colleagues and the administration, the recent bipartisan budget bill allows the legislation before us today to be made even more effective. As I mentioned, I have offered on behalf of Senator REED and myself a substitute that reflects the new allocation made possible by the budget agreement. This additional funding has allowed for further investments in key programs, such as increasing the HOME Program by \$830 million for a total of \$900 million, increasing the Community Development Block Grant Program by \$100 million for a total of \$3 billion. I must note that those are the current funding levels.

The bill also provides \$255 million in additional funds for the FAA's facilities and equipment account for a total of \$2.8 billion, which is the budget-requested level to ensure that critical aviation programs are not delayed. These programs offer a wide range of support, from space-based surveillance, data communications, to everyday basic needs, ensuring that power systems are fully supplied to support the aviation and air traffic systems that operate 24 hours, 7 days a week.

We have also allocated an additional \$100 million for the TIGER Program for a total of \$600 million for this important and much-in-demand program that supports infrastructure, economic development, and job creation throughout the Nation. In fact, every State in the Nation has benefited from the TIGER Program.

We are bringing the Maritime Security Program up by \$24 million for a total of \$210 million to match the recently passed authorized level.

Finally, we are providing an additional \$311 million for FTA's Capital Investment Grants Program, for a total of approximately \$1.9 billion, which supports transit systems across the country.

This bill is critical to meeting the vast needs of our Nation's crumbling infrastructure. We have all heard of the low grades that the American Association of Civil Engineers has given to our bridges and highways. Many of us—particularly those of us who represent large rural States—know about the deplorable conditions of far too many of our roads and highways and the need for the State departments of transportation to post bridges that are no longer able to accommodate weight loads and modern traffic.

The TIGER Program will help us meet the needs of our crumbling infrastructure. This highly competitive program creates jobs and supports economic growth in every one of our States. The need for the program is demonstrated by the statistics. Listen to this, my colleagues: The Department of Transportation has received 627 eligible applications requesting more than \$10 billion for fiscal year 2015 from all over the country, but only 39 of those 627 eligible applications were able to be funded. Only \$500 million of the more than \$10.1 billion in requested funds could be granted. This is a successful program with an overwhelming demand, and I am happy that the new allocation allows us to give it a modest increase. It doesn't begin to match the application level for this program, which, again, is a reflection of our infrastructure needs in this country.

Turning to air travel, the aviation investments will continue to modernize our Nation's air traffic system and help to keep rural communities connected to the transportation network. These investments are creating safer skies and a more efficient airspace to move the flying public.

I have been very troubled by the devastating rail accidents that have occurred in recent years. In 2013, the runaway train near the Maine border in the Province of Quebec, Canada, devastated the community of Lac-Mégantic, and the inferno killed 47 people. First responders from Maine responded to the calls for help from their Canadian counterparts and helped to put out that terrible fire. More recently, we saw an Amtrak train in Pennsylvania derail, killing eight passengers. We have seen case after case of railcars turning over and spilling hazardous substances. This is a real problem, and it is one this bill addresses. To improve rail safety, our legislation provides \$50 million in new funding for infrastructure improvements, rail grade crossings, and positive train control safety technology.

In addition to rail, we have included several important provisions to enhance truck safety on our Nation's

highways. For example, our bill requires the Department of Transportation to finalize a rule mandating electronic logging devices within 60 days of enactment. This rule is critical to ensuring that bad actors will not be able to falsify their records. It will bring greater accountability to the industry. It helps those good truck drivers, the vast majority of our truck drivers. It separates them from the bad apples who are falsifying their logs.

The bill also requires the Department of Transportation to publish a proposed rule on speed governors, which limit the speed at which trucks can operate. The Department has delayed this important rulemaking 22 times since 2011. It is far past time to get this important safety rule completed and to implement it. It isn't just the ranking member and I who think so, this is also supported by the trucking industry itself.

We need to make progress in both the areas of electronic logs and speed governors, and our bill will ensure that that occurs.

We also provide funding for the Office of Defects Investigation at the National Highway Traffic Safety Administration to analyze consumers' complaints and trends related to vehicle safety defects. The Presiding Officer may recall that this agency came under scrutiny this past year for failing to discover and act on defective airbags, as well as faulty ignition safety switches. We must ensure that remedies are implemented promptly and make certain the public is better informed of critical defects.

Our bill also provides for critical housing programs. It preserves existing rental assistance for vulnerable families and individuals, and it improves the Federal response to the problem of youth homelessness. Both of these were priorities for me. I wanted to make sure that those vulnerable, low-income families, our disabled citizens, and low-income seniors did not lose the subsidized housing to which they are entitled and in which they are already living. So that is a very important provision. I would note, when we look at the budget of the Department of Housing and Urban Development, that more than 83 percent of the budget is devoted to these programs that are so vital to ensuring safe and affordable housing for some of the most vulnerable Americans.

Improving the Federal response to homelessness is also an important priority for me. That is why we placed a special emphasis in this bill on the growing problem of youth homelessness, and we have funded additional vouchers for what is known as the VASH Program that is aimed at our homeless veterans. Sufficient funding is provided to keep pace with the rising cost of housing vulnerable families. I will note that doing so this year has been especially challenging, given the administration's decision to lower mortgage insurance premiums, because that reduced FHA receipts by nearly

\$1.1 billion, but despite this challenge, this bill, by setting priorities, ensures that the more than 4.7 million individuals and families currently housed will not have to worry about losing their assistance. Again, let me emphasize, without this assistance, many of these families, many of our disabled Americans, and many of our low-income seniors could become homeless. We are preventing that.

The increase in youth homelessness is especially troubling and warrants more attention. Reflecting this concern, \$40 million is provided to expand efforts to reduce youth homelessness. In addition, the bill includes funding for more than 2,500 family unification vouchers to assist our young people who are exiting the foster care system, and it extends the amount of time these youth can use their vouchers.

I am sure if the Presiding Officer talked to foster youth in his State, the situation would be the same as mine. He would find that when they reach a certain age, they are no longer eligible for care by foster families and they have nowhere to go. Oftentimes, they end up in shelters. That is not an acceptable situation. So by expanding these family unification vouchers, we are hoping to ensure that these youth are not homeless or forced to live in shelters.

These efforts build on our success in reducing veterans' homelessness. We have had real success in this area. VASH is a program that actually works. We have reduced the number of homeless veterans by one-third, but the job is not done. We have a goal in this country of ending homelessness among our veterans who have served our country. We provide an additional 10,000 vouchers for our homeless veterans so we can complete our work and reach that goal.

Our bill is also an important source for local development. We worked hard to provide \$3 billion for the Community Development Block Grant Programs. This is an extremely popular program with the States and communities because it allows them to tailor Federal funds to support local economic and job creation projects. In fact, in my State, it is one of the most popular economic development programs—and I think that is true across America—because it isn't a top-down Federal Government dictating how the funds are used; instead, there is great flexibility in providing funds to States and communities, and they decide what is needed. They match the funds. There is often private sector money involved as well which may be used to revitalize the downtown to build affordable housing or whatever that particular community decides will spur economic development and create jobs. This is a job creation program, and it is one that is flexible and recognizes that those at the local and State level know best what their economic development and job creation priorities are.

The bill before us does not solve all of the problems facing housing and

transportation in this country. We simply do not have the money to do that, even with the higher allocation, in this era where we are facing a \$17 trillion debt. This is a fiscally responsible bill. It reflects priorities. We cannot fund every good program out there. We have to make choices. We certainly don't want to fund programs that are not effective. We have put our money on our priority programs that will make a real difference.

I appreciate the opportunity to present our appropriations bill to this Chamber. Again, I want to thank my ranking member, Senator JACK REED, with whom we have worked very closely on the substitute amendment.

As we begin debate on the Transportation-HUD appropriations bill, I urge my colleagues to consider the careful balance struck by the compromise that our subcommittee and our full committee worked so hard to achieve.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise with my colleague Senator COLLINS in support of the Transportation, Housing and Urban Development appropriations bill before us.

I begin first by commending the chairman for her extraordinary work, her thoughtful, careful consideration of all of these issues, and her willingness to include priorities of members on both sides. As always, she did this in a fair, considerate, and transparent manner, along with the staff who also did a remarkable job. So I thank her for her leadership and for her consideration.

As a result of the budget agreement, we have a higher allocation—an allocation that will allow us to make more responsible investments in key transportation and housing initiatives that will help grow our economy, create jobs, strengthen neighborhoods, and better meet our affordable housing goals throughout the country. We need to improve housing stability for our most vulnerable citizens, and this allocation will allow us to preserve HUD's housing and homeless assistance programs, which are vital to our Nation's security and the progress and opportunity for all of our people.

Over half of HUD's rental assistance goes to support someone who is elderly or disabled or both, so these programs are particularly important for seniors and for Americans with disabilities who need the kind of security that only adequate housing can give. Without these programs, frankly, many of these individuals would be homeless or paying more than half of their income in rent alone and, as a result, unable to support the other basics of life, including food and clothing and just basically getting around.

Overall, this bill makes important contributions toward improving the safety of our roads—another area of our responsibility is transportation—in helping people better connect to jobs and opportunities. It is often overlooked that housing is critical in every



aspect, particularly in being able to get and maintain a job, and that certainly is something we want to encourage. Also, these investments can serve as a catalyst for economic development, enhancing the community, preserving community assets, allowing Federal resources to leverage—many times over, in some cases—private resources and local resources.

Among the critical transportation investments that this bill provides is \$16 billion to the Federal Aviation Administration, fully funding the agency's budget request for air traffic control, safety oversight, and its facilities and equipment. Again, so much of our commercial activity depends upon a solid aviation infrastructure. We are fully funding their request, ensuring that they have adequate infrastructure, particularly when it comes to air traffic control in an age in which there are technological revolutions, causing them to reinvest constantly in better equipment and better preparation. For the past 3 years, in fact, maintenance on the agency's basic infrastructure has been deferred so the air traffic control challenges could be met and could be fully funded, but that is not a sustainable long-term strategy. The bill in front of us today, under the leadership of the chairman, puts the FAA back on track, and we want to keep it on track.

As the chairman has pointed out, in the transportation area, \$600 million is allocated for the TIGER Program, which fully funds local solutions to transportation problems. One of the commendable aspects—and there are many in this program—is these are localities coming to the Department of Transportation with specific requests that they know will help their economy, that will help move people and goods and services and improve the competitiveness of not only the locality but the Nation.

In addition to that, \$41 billion in highway grants and another \$8.6 billion in transit formula grants are allocated that States and local government rely on every year.

In addition to these provisions, the bill makes strong investments in Amtrak and rail safety, providing \$50 million for rail safety grants and targeted new investments along the Northeast corridor, which is one of the major thoroughfares of commerce and travel in our country.

It also allows the Federal Railroad Administration to hire 84 new inspectors and safety staff to address the safe transportation of passengers and energy products. We have seen repeated incidents of tragic accidents caused by outdated equipment and caused by many factors. We hope that with this legislation, we will not only reduce them but eliminate them.

We have also seen accidents in the center of the United States, in the far West, where products were being transported by rail and there were problems there too. Again, these energy products are necessary for the whole economy,

and we need to be on the job inspecting, to ensure that they are moving safely through all of our communities.

These investments are necessary. They are necessary for safety, they are necessary for efficiency, and they are necessary to build the kind of transportation system that supports jobs and economic growth. I think most people—and most people back home, certainly—understand the connection between good infrastructure, good jobs, and a prosperous economy. They get it, and this legislation gets it also.

At the Department of Housing and Urban Development, the bill makes important investments in our communities. Again, as the chairman has pointed out, the Community Development Block Grant Program—CDBG—is an extraordinarily effective tool for local governments to spur innovation and economic investment. Again, as the chairman indicated, it comes from the bottom up, not the top down. It allows mayors and city councils and local planning agencies that are able to utilize this money in combination with other resources to fund projects that make their communities more effective and more efficient. It is based upon their perspective, not our perspective, and it is a very efficient and very helpful program. It gives communities the tools to address their ailing infrastructure problems, and it brings critical services to many who need them the most.

The legislation also includes additional resources for affordable housing production through the HOME Program—an investment we know is necessary as our Nation faces a lack of affordable housing nationwide.

The bill also protects some of our most vulnerable citizens by providing critical resources to prevent and end homelessness, among veterans and youth in particular. This bill provides an additional 10,000 vouchers to move us closer to eliminating homelessness among our Nation's veterans. Just a few days ago we celebrated Veterans Day, but we can't celebrate it 1 day a year, we have to celebrate it every day. One way we can do that is to put the resources where they need to be so every veteran, we hope, can achieve affordable, decent, and safe housing. In that way, we celebrate their service every day, and this bill tries to do that. We have already seen success in this regard—about a 33-percent reduction in veterans' homelessness since 2009—but it is not good enough. There is still work to be done. That is a commitment that Senator COLLINS and I share, and her leadership has helped us move forward to achieve that objective.

Youth experiences in homelessness is another phenomenon, and the chairman spoke very eloquently about the fact that we are able to target resources to help some of these programs for young people to find homes. In particular, the chairman made the point about young people who are aging out of foster care. We have a fairly sub-

stantial system to help young people until they reach their adulthood, and after that it seems to go away. And so with resources we are helping children through foster homes and suddenly they have to go and they are on their own. This legislation is going to help them make a transition, at least to have the housing they need so they can use their skills productively for the benefit of everyone.

It also helps us improve coordination across the government so that these young people don't fall through the cracks. Some of it is resources and some of it is just working together cooperatively in a governmentwide approach and the legislation helps encourage that.

As I said and as I am repeating what the chairman said so well, homelessness is a barrier to education, employment, and opportunity. If you have to move three or four times a year and you are a young child, your education is going to be very challenging from school to school to school. If you are a person who doesn't have an address or moves frequently, how do you get that callback for the job interview if they can't find you and you can't find them? All of this instability can be significantly reduced and opportunity better achieved if we have dependable housing, and that is at the essence of our proposal today. So it applies to youth, families, and it applies to a whole span of Americans. Again, let me thank the Senator for her leadership in crafting this bill. On the whole it achieves a balanced compromise that responds to the priorities of the Members of this Chamber within the allocation we received.

We don't have unlimited resources so we had to figure out innovative ways to deliver better results with what we have, and I think we have gone a long way in doing that. We also have to continue to look to the future: making smart investments today that will help us build a much better tomorrow with a better transportation system, better housing options and, again, this legislation does that.

As with any legislative proposal, there are aspects of the legislation that could be improved. I hope we can improve them going forward. There are provisions, for example, with respect to addressing the safety of double 33 trailers which already passed the Senate on a bipartisan basis. Those are issues that we can and must work on to go forward, but overall this proposal does a great deal to respond to the needs of the American public.

Again, let me thank the chairman. It has been very challenging, but it is very enjoyable to work with her. We also have quickly an omnibus we must prepare. So we are literally going from the floor to meet with our colleagues, so hopefully we can pull this all together so we will have the opportunity to present to the full Senate a bill that is thoughtful and achieves the needs of our people.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m., on Monday, November 30, the Senate proceed to executive session to consider the following nomination: Calendar No. 268; that there be 30 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to make a brief announcement before yielding to Senator BLUNT and Senator KLOBUCHAR, and that is that we are open for business as far as amendments are concerned.

I would invite my colleagues to start sharing their proposals with Senator REED, with me, and with our staffs so we can see if there are some that can be cleared, and perhaps, later in the day, we can move by unanimous consent a package of those that are acceptable and noncontroversial to both sides. The sooner we can get going on the review of those amendments, the better. I would encourage my colleagues to proceed.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 315, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 315) expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. I ask unanimous consent that the resolution be agreed to, the

preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. BLUNT. Mr. President, before I start my remarks, let me say how pleased I am to see Senator REED and Senator COLLINS here with this important bill, the opportunity to amend the bill and do the business we should be doing.

This Senator is also glad to be here with Senator KLOBUCHAR. She and I co-chair the Senate side of the congressional caucus on adoption, and the resolution that was just agreed to adopts November as National Adoption Month, and November 21 as National Adoption Day. While we are here talking about this, all of our States have kids who need to be adopted.

If you went to the Missouri Department of Social Services Web site today, you would find 114 foster youth who are ready and waiting to be adopted. If you looked around the country today, you would find that there are 415,000 children in the U.S. foster care system and 108,000 of those kids are waiting to be adopted. Last year 22,000 young men and women aged out of the foster care system and they never got that opportunity for the permanent home, the forever home that could make such a difference in their lives, not only as a kid but their lives as an adult.

I have two or three kids I want to talk about. Austin is 12. He is full of energy. He has a great smile. He is extremely active, as lots of 12-year-old boys are. He loves to be outside. He enjoys, as he would phrase it, "going on adventures." He likes animals. He would like to live on a farm one day. He likes basketball. He likes being on his basketball team, but mostly he would like to have a family. Mostly his dream is the dream that he would have a family to encourage him and support him.

There are two other young brothers, aged 11 and 7. When you first meet Mykez, you can tell he is relaxed. He is laid back. He is an easy guy to be with. In his free time he likes being active. He likes to be on his bike. He likes to play football. If it is possible being outdoors, he would like to be outdoors, but he is also happy with a video game or with the TV. At school he likes history class the best, but his best grade in school is art. His brother Jameer appears to be pretty shy and quiet, but once he gets to know you, he easily turns on the charm. He is a football and basketball guy as well, but he enjoys quiet activities such as drawing, reading, and coloring. He loves being with his brother. He loves video games. His favorite class is math, earning his highest grade there. But what they

would like is a family. They would like a family that would allow them to keep in contact with their siblings but would also give them some structure, some attention, and some consistency that has been missing in their life.

Marissa is 5. She has some challenges. She is a sweet, loving girl. She is happy, curious, and loves to laugh. She has a hard time right now expressing herself in lots of other ways. She is working on building her vowels and consonant sounds. She works on her sign language vocabulary. She has a spunky attitude, but she would melt the heart of a future family if those things ever become connected.

There are tens of thousands of children all over the country just like them who just need a family—tens of thousands of children where a family could make all the difference in the world, not only when they are growing up but when they are adults and they have that family to turn back to.

Nobody is better to work with on these issues than Senator KLOBUCHAR. I ask unanimous consent to enter into a colloquy with her and then come back to me in a little bit after she has had a chance to talk about the importance of National Adoption Month and National Adoption Day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I actually would have a question, first, of Senator BLUNT, because I know he is the parent of an adopted child from Russia.

I heard a rumor they are traveling to every State in the Union; is that correct?

Mr. BLUNT. We are trying.

Ms. KLOBUCHAR. OK, good. I wanted to get that on the record because I know he wanted to come to North Dakota, which is everyone's dream, and so Senator BLUNT asked for some advice from me to go to the great State of North Dakota.

Your child whom you adopted is Russian, and we have so many issues with some of these countries, from Russia to the Congo. I know families in Minnesota who have adopted children from Russia, and they were just ready to adopt the sibling. They met the brother or sister—and of course the kids know the brother or sister—and then the curtain was brought down, and those kids were literally pawns in a political game when Russia stopped all adoptions.

Senator BLUNT is hosting a meeting with the people involved in adoptions in the Congo. We have had a similar situation where the visas were pulled and the parents who visited these kids and are ready to adopt these kids haven't been able to do that.

I wondered if Senator BLUNT could comment on the situation with these countries and what the Senator thinks we can do.

Mr. BLUNT. I think this is a problem, and there are lots of families in the United States who would love to