

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

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.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER)

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **DIVISION A—DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND**
4 **URBAN DEVELOPMENT, AND RELATED**
5 **AGENCIES**
6

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for the
9 Departments of Transportation, and Housing and Urban

1 Development, and related agencies for the fiscal year end-
2 ing September 30, 2017, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,
8 \$116,396,000, of which not to exceed \$2,758,000 shall be
9 available for the immediate Office of the Secretary; not
10 to exceed \$1,040,000 shall be available for the immediate
11 Office of the Deputy Secretary; not to exceed \$20,772,000
12 shall be available for the Office of the General Counsel;
13 not to exceed \$11,108,000 shall be available for the Office
14 of the Under Secretary of Transportation for Policy; not
15 to exceed \$16,020,000 shall be available for the Office of
16 the Assistant Secretary for Budget and Programs; not to
17 exceed \$2,569,000 shall be available for the Office of the
18 Assistant Secretary for Governmental Affairs; not to ex-
19 ceed \$30,054,000 shall be available for the Office of the
20 Assistant Secretary for Administration; not to exceed
21 \$2,142,000 shall be available for the Office of Public Af-
22 fairs; not to exceed \$1,760,000 shall be available for the
23 Office of the Executive Secretariat; not to exceed
24 \$11,089,000 shall be available for the Office of Intel-
25 ligence, Security, and Emergency Response; and not to ex-

1 ceed \$17,084,000 shall be available for the Office of the
2 Chief Information Officer: *Provided*, That the Secretary
3 of Transportation is authorized to transfer funds appro-
4 priated for any office of the Office of the Secretary to any
5 other office of the Office of the Secretary: *Provided fur-*
6 *ther*, That no appropriation for any office shall be in-
7 creased or decreased by more than 5 percent by all such
8 transfers: *Provided further*, That notice of any change in
9 funding greater than 5 percent shall be submitted for ap-
10 proval to the House and Senate Committees on Appropria-
11 tions: *Provided further*, That not to exceed \$60,000 shall
12 be for allocation within the Department for official recep-
13 tion and representation expenses as the Secretary may de-
14 termine: *Provided further*, That notwithstanding any other
15 provision of law, excluding fees authorized in Public Law
16 107–71, there may be credited to this appropriation up
17 to \$2,500,000 in funds received in user fees: *Provided fur-*
18 *ther*, That none of the funds provided in this Act shall
19 be available for the position of Assistant Secretary for
20 Public Affairs.

21 RESEARCH AND TECHNOLOGY

22 For necessary expenses related to the Office of the
23 Assistant Secretary for Research and Technology,
24 \$13,044,000, of which \$8,218,000 shall remain available
25 until September 30, 2019: *Provided*, That there may be

1 credited to this appropriation, to be available until ex-
2 pended, funds received from States, counties, municipali-
3 ties, other public authorities, and private sources for ex-
4 penses incurred for training: *Provided further*, That any
5 reference in law, regulation, judicial proceedings, or else-
6 where to the Research and Innovative Technology Admin-
7 istration shall continue to be deemed to be a reference to
8 the Office of the Assistant Secretary for Research and
9 Technology of the Department of Transportation.

10 NATIONAL INFRASTRUCTURE INVESTMENTS

11 For capital investments in surface transportation in-
12 frastructure, \$525,000,000, to remain available through
13 September 30, 2020: *Provided*, That the Secretary of
14 Transportation shall distribute funds provided under this
15 heading as discretionary grants to be awarded to a State,
16 local government, transit agency, or a collaboration among
17 such entities on a competitive basis for projects that will
18 have a significant impact on the Nation, a metropolitan
19 area, or a region: *Provided further*, That projects eligible
20 for funding provided under this heading shall include, but
21 not be limited to, highway or bridge projects eligible under
22 title 23, United States Code; public transportation
23 projects eligible under chapter 53 of title 49, United
24 States Code; passenger and freight rail transportation
25 projects; and port infrastructure investments (including

1 inland port infrastructure and land ports of entry): *Pro-*
2 *vided further*, That the Secretary may use up to 20 per-
3 cent of the funds made available under this heading for
4 the purpose of paying the subsidy and administrative costs
5 of projects eligible for Federal credit assistance under
6 chapter 6 of title 23, United States Code, if the Secretary
7 finds that such use of the funds would advance the pur-
8 poses of this paragraph: *Provided further*, That in distrib-
9 uting funds provided under this heading, the Secretary
10 shall take such measures so as to ensure an equitable geo-
11 graphic distribution of funds, an appropriate balance in
12 addressing the needs of urban and rural areas, and the
13 investment in a variety of transportation modes: *Provided*
14 *further*, That a grant funded under this heading shall be
15 not less than \$5,000,000 and not greater than
16 \$25,000,000: *Provided further*, That not more than 10
17 percent of the funds made available under this heading
18 may be awarded to projects in a single State: *Provided*
19 *further*, That the Federal share of the costs for which an
20 expenditure is made under this heading shall be, at the
21 option of the recipient, up to 80 percent: *Provided further*,
22 That the Secretary shall give priority to projects that re-
23 quire a contribution of Federal funds in order to complete
24 an overall financing package: *Provided further*, That not
25 less than 30 percent of the funds provided under this

1 heading shall be for projects located in rural areas: *Pro-*
2 *vided further*, That for projects located in rural areas, the
3 minimum grant size shall be \$1,000,000 and the Secretary
4 may increase the Federal share of costs above 80 percent:
5 *Provided further*, That projects conducted using funds pro-
6 vided under this heading must comply with the require-
7 ments of subchapter IV of chapter 31 of title 40, United
8 States Code: *Provided further*, That the Secretary shall
9 conduct a new competition to select the grants and credit
10 assistance awarded under this heading: *Provided further*,
11 That the Secretary may retain up to \$20,000,000 of the
12 funds provided under this heading, and may transfer por-
13 tions of those funds to the Administrators of the Federal
14 Highway Administration, the Federal Transit Administra-
15 tion, the Federal Railroad Administration and the Mari-
16 time Administration, to fund the award and oversight of
17 grants and credit assistance made under the National In-
18 frastructure Investments program.

19 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
20 FINANCE BUREAU

21 For necessary expenses for the establishment and ad-
22 ministration of a new National Surface Transportation
23 and Innovative Finance Bureau (the Bureau) within the
24 Office of the Secretary of Transportation, \$3,000,000, to
25 remain available until expended: *Provided*, That the Sec-

1 retary of Transportation shall use such amount for the
2 necessary expenses to establish the Bureau and to fulfill
3 the responsibilities of the Bureau, as detailed in section
4 9001 of the Fixing America’s Surface Transportation
5 (FAST) Act (Public Law 114–94) (49 U.S.C. 116): *Pro-*
6 *vided further*, That the Secretary is required to receive the
7 advance approval of the House and Senate Committees on
8 Appropriations prior to exercising the authorities of 49
9 U.S.C. 116(h): *Provided further*, That the program be
10 available to other Federal agencies, States, municipalities
11 and project sponsors seeking Federal transportation ex-
12 pertise in obtaining financing.

13 FINANCIAL MANAGEMENT CAPITAL

14 For necessary expenses for upgrading and enhancing
15 the Department of Transportation’s financial systems and
16 re-engineering business processes, \$4,000,000, to remain
17 available through September 30, 2018.

18 CYBER SECURITY INITIATIVES

19 For necessary expenses for cyber security initiatives,
20 including necessary upgrades to wide area network and
21 information technology infrastructure, improvement of
22 network perimeter controls and identity management,
23 testing and assessment of information technology against
24 business, security, and other requirements, implementa-
25 tion of Federal cyber security initiatives and information

1 infrastructure enhancements, implementation of enhanced
2 security controls on network devices, \$15,000,000, to re-
3 main available through September 30, 2018.

4 OFFICE OF CIVIL RIGHTS

5 For necessary expenses of the Office of Civil Rights,
6 \$9,751,000.

7 TRANSPORTATION PLANNING, RESEARCH, AND

8 DEVELOPMENT

9 For necessary expenses for conducting transportation
10 planning, research, systems development, development ac-
11 tivities, and making grants, to remain available until ex-
12 pended, \$12,043,000: *Provided*, That of such amount,
13 \$3,000,000 shall be for necessary expenses of the Inter-
14 agency Infrastructure Permitting Improvement Center
15 (IIPIC): *Provided further*, That there may be transferred
16 to this appropriation, to remain available until expended,
17 amounts from other Federal agencies for expenses in-
18 curred under this heading for IIPIC activities not related
19 to transportation infrastructure: *Provided further*, That
20 the tools and analysis developed by the IIPIC shall be
21 available to other Federal agencies for the permitting and
22 review of major infrastructure projects not related to
23 transportation to the extent that other Federal agencies
24 provide funding to the Department as provided for under
25 the previous proviso.

1 WORKING CAPITAL FUND

2 For necessary expenses for operating costs and cap-
3 ital outlays of the Working Capital Fund, not to exceed
4 \$190,389,000 shall be paid from appropriations made
5 available to the Department of Transportation: *Provided*,
6 That such services shall be provided on a competitive basis
7 to entities within the Department of Transportation: *Pro-*
8 *vided further*, That the above limitation on operating ex-
9 penses shall not apply to non-DOT entities: *Provided fur-*
10 *ther*, That no funds appropriated in this Act to an agency
11 of the Department shall be transferred to the Working
12 Capital Fund without majority approval of the Working
13 Capital Fund Steering Committee and approval of the
14 Secretary: *Provided further*, That no assessments may be
15 levied against any program, budget activity, subactivity or
16 project funded by this Act unless notice of such assess-
17 ments and the basis therefor are presented to the House
18 and Senate Committees on Appropriations and are ap-
19 proved by such Committees.

20 MINORITY BUSINESS RESOURCE CENTER PROGRAM

21 For the cost of guaranteed loans, \$339,000, as au-
22 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
23 cluding the cost of modifying such loans, shall be as de-
24 fined in section 502 of the Congressional Budget Act of
25 1974: *Provided further*, That these funds are available to

1 subsidize total loan principal, any part of which is to be
2 guaranteed, not to exceed \$18,367,000.

3 In addition, for administrative expenses to carry out
4 the guaranteed loan program, \$602,000.

5 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
6 OUTREACH

7 For the necessary expenses to establish Small and
8 Disadvantaged Business Utilization and Outreach, that
9 will ensure small and disadvantaged business policies of
10 the Secretary of Transportation are developed and imple-
11 mented in a fair, efficient and effective manner,
12 \$4,646,000, to remain available until September 30, 2018:
13 *Provided*, That notwithstanding 49 U.S.C. 332, these
14 funds may be used for business opportunities related to
15 any mode of transportation.

16 PAYMENTS TO AIR CARRIERS

17 (AIRPORT AND AIRWAY TRUST FUND)

18 In addition to funds made available from any other
19 source to carry out the essential air service program under
20 49 U.S.C. 41731 through 41742, \$150,000,000, to be de-
21 rived from the Airport and Airway Trust Fund, to remain
22 available until expended: *Provided*, That in determining
23 between or among carriers competing to provide service
24 to a community, the Secretary may consider the relative
25 subsidy requirements of the carriers: *Provided further*,

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

17 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
18 SECRETARY OF TRANSPORTATION

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

1 have completed the normal reprogramming process for
2 Congressional notification.

3 SEC. 102. Notwithstanding section 3324 of title 31,
4 United States Code, in addition to authority provided by
5 section 327 of title 49, United States Code, the Depart-
6 ment's Working Capital Fund is hereby authorized to pro-
7 vide payments in advance to vendors that are necessary
8 to carry out the Federal transit pass transportation fringe
9 benefit program under Executive Order 13150 and section
10 3049 of Public Law 109–59: *Provided*, That the Depart-
11 ment shall include adequate safeguards in the contract
12 with the vendors to ensure timely and high-quality per-
13 formance under the contract.

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

20 FEDERAL AVIATION ADMINISTRATION

21 OPERATIONS

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For necessary expenses of the Federal Aviation Ad-
24 ministration, not otherwise provided for, including oper-
25 ations and research activities related to commercial space

1 transportation, administrative expenses for research and
2 development, establishment of air navigation facilities, the
3 operation (including leasing) and maintenance of aircraft,
4 subsidizing the cost of aeronautical charts and maps sold
5 to the public, lease or purchase of passenger motor vehi-
6 cles for replacement only, in addition to amounts made
7 available by Public Law 112–95, \$10,048,352,000 of
8 which \$9,190,000,000 shall be derived from the Airport
9 and Airway Trust Fund, of which not to exceed
10 \$7,593,785,000 shall be available for air traffic organiza-
11 tion activities; not to exceed \$1,286,982,000 shall be avail-
12 able for aviation safety activities; not to exceed
13 \$19,826,000 shall be available for commercial space trans-
14 portation activities; not to exceed \$771,342,000 shall be
15 available for finance and management activities; not to ex-
16 ceed \$60,155,000 shall be available for NextGen and oper-
17 ations planning activities; not to exceed \$107,161,000
18 shall be available for security and hazardous materials
19 safety; and not to exceed \$209,101,000 shall be available
20 for staff offices: *Provided*, That not to exceed 2 percent
21 of any budget activity, except for aviation safety budget
22 activity, may be transferred to any budget activity under
23 this heading: *Provided further*, That no transfer may in-
24 crease or decrease any appropriation by more than 2 per-
25 cent: *Provided further*, That any transfer in excess of 2

1 percent shall be treated as a reprogramming of funds
2 under section 405 of this Act and shall not be available
3 for obligation or expenditure except in compliance with the
4 procedures set forth in that section: *Provided further*, That
5 not later than March 31 of each fiscal year hereafter, the
6 Administrator of the Federal Aviation Administration
7 shall transmit to Congress an annual update to the report
8 submitted to Congress in December 2004 pursuant to sec-
9 tion 221 of Public Law 108–176: *Provided further*, That
10 not later than March 31 of each fiscal year hereafter, the
11 Administrator shall transmit to Congress a companion re-
12 port that describes a comprehensive strategy for staffing,
13 hiring, and training flight standards and aircraft certifi-
14 cation staff in a format similar to the one utilized for the
15 controller staffing plan, including stated attrition esti-
16 mates and numerical hiring goals by fiscal year: *Provided*
17 *further*, That the amount herein appropriated shall be re-
18 duced by \$100,000 per day for each day after March 31
19 that such report has not been submitted to Congress: *Pro-*
20 *vided further*, That funds may be used to enter into a
21 grant agreement with a nonprofit standard-setting organi-
22 zation to assist in the development of aviation safety
23 standards: *Provided further*, That none of the funds in this
24 Act shall be available for new applicants for the second
25 career training program: *Provided further*, That none of

1 the funds in this Act shall be available for the Federal
2 Aviation Administration to finalize or implement any regu-
3 lation that would promulgate new aviation user fees not
4 specifically authorized by law after the date of the enact-
5 ment of this Act: *Provided further*, That there may be
6 credited to this appropriation, as offsetting collections,
7 funds received from States, counties, municipalities, for-
8 eign authorities, other public authorities, and private
9 sources for expenses incurred in the provision of agency
10 services, including receipts for the maintenance and oper-
11 ation of air navigation facilities, and for issuance, renewal
12 or modification of certificates, including airman, aircraft,
13 and repair station certificates, or for tests related thereto,
14 or for processing major repair or alteration forms: *Pro-*
15 *vided further*, That of the funds appropriated under this
16 heading, not less than \$159,000,000 shall be for the con-
17 tract tower program, including the contract tower cost
18 share program: *Provided further*, That none of the funds
19 in this Act for aeronautical charting and cartography are
20 available for activities conducted by, or coordinated
21 through, the Working Capital Fund: *Provided further*,
22 That none of the funds appropriated or otherwise made
23 available by this Act or any other Act may be used to
24 eliminate the Contract Weather Observers program at any
25 airport.

16

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, technical support services,
5 improvement by contract or purchase, and hire of national
6 airspace systems and experimental facilities and equip-
7 ment, as authorized under part A of subtitle VII of title
8 49, United States Code, including initial acquisition of
9 necessary sites by lease or grant; engineering and service
10 testing, including construction of test facilities and acqui-
11 sition of necessary sites by lease or grant; construction
12 and furnishing of quarters and related accommodations
13 for officers and employees of the Federal Aviation Admin-
14 istration stationed at remote localities where such accom-
15 modations are not available; and the purchase, lease, or
16 transfer of aircraft from funds available under this head-
17 ing, including aircraft for aviation regulation and certifi-
18 cation; to be derived from the Airport and Airway Trust
19 Fund, \$2,838,000,000, of which \$489,000,000 shall re-
20 main available until September 30, 2017, and
21 \$2,349,000,000 shall remain available until September 30,
22 2019: *Provided*, That there may be credited to this appro-
23 priation funds received from States, counties, municipali-
24 ties, other public authorities, and private sources, for ex-
25 penses incurred in the establishment, improvement, and

1 modernization of national airspace systems: *Provided fur-*
2 *ther*, That no later than March 31, the Secretary of Trans-
3 portation shall transmit to the Congress an investment
4 plan for the Federal Aviation Administration which in-
5 cludes funding for each budget line item for fiscal years
6 2018 through 2022, with total funding for each year of
7 the plan constrained to the funding targets for those years
8 as estimated and approved by the Office of Management
9 and Budget: *Provided further*, That the amount herein ap-
10 propriated shall be reduced by \$100,000 per day for each
11 day after March 31 that such report has not been sub-
12 mitted to Congress.

13 RESEARCH, ENGINEERING, AND DEVELOPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,
16 for research, engineering, and development, as authorized
17 under part A of subtitle VII of title 49, United States
18 Code, including construction of experimental facilities and
19 acquisition of necessary sites by lease or grant,
20 \$176,002,000, to be derived from the Airport and Airway
21 Trust Fund and to remain available until September 30,
22 2018: *Provided*, That there may be credited to this appro-
23 priation as offsetting collections, funds received from
24 States, counties, municipalities, other public authorities,

1 and private sources, which shall be available for expenses
2 incurred for research, engineering, and development.

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

8 For liquidation of obligations incurred for grants-in-
9 aid for airport planning and development, and noise com-
10 patibility planning and programs as authorized under sub-
11 chapter I of chapter 471 and subchapter I of chapter 475
12 of title 49, United States Code, and under other law au-
13 thorizing such obligations; for procurement, installation,
14 and commissioning of runway incursion prevention devices
15 and systems at airports of such title; for grants authorized
16 under section 41743 of title 49, United States Code; and
17 for inspection activities and administration of airport safe-
18 ty programs, including those related to airport operating
19 certificates under section 44706 of title 49, United States
20 Code, \$3,750,000,000, to be derived from the Airport and
21 Airway Trust Fund and to remain available until ex-
22 pended: *Provided*, That none of the funds under this head-
23 ing shall be available for the planning or execution of pro-
24 grams the obligations for which are in excess of
25 \$3,350,000,000 in fiscal year 2017, notwithstanding sec-

1 tion 47117(g) of title 49, United States Code: *Provided*
2 *further*, That none of the funds under this heading shall
3 be available for the replacement of baggage conveyor sys-
4 tems, reconfiguration of terminal baggage areas, or other
5 airport improvements that are necessary to install bulk ex-
6 plosive detection systems: *Provided further*, That notwith-
7 standing section 47109(a) of title 49, United States Code,
8 the Government's share of allowable project costs under
9 paragraph (2) for subgrants or paragraph (3) of that sec-
10 tion shall be 95 percent for a project at other than a large
11 or medium hub airport that is a successive phase of a
12 multi-phased construction project for which the project
13 sponsor received a grant in fiscal year 2011 for the con-
14 struction project: *Provided further*, That notwithstanding
15 any other provision of law, of funds limited under this
16 heading, not more than \$107,691,000 shall be available
17 for administration, not less than \$15,000,000 shall be
18 available for the Airport Cooperative Research Program,
19 not less than \$31,375,000 shall be available for Airport
20 Technology Research, and \$10,000,000, to remain avail-
21 able until expended, shall be available and transferred to
22 "Office of the Secretary, Salaries and Expenses" to carry
23 out the Small Community Air Service Development Pro-
24 gram: *Provided further*, That in addition to airports eligi-
25 ble under section 41743 of title 49, such program may

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

6 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

7 ADMINISTRATION

8 SEC. 110. None of the funds in this Act may be used
9 to compensate in excess of 600 technical staff-years under
10 the federally funded research and development center con-
11 tract between the Federal Aviation Administration and the
12 Center for Advanced Aviation Systems Development dur-
13 ing fiscal year 2017.

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

1 land without cost to the FAA for air traffic control facili-
2 ties.

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

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

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

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

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

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

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

1 data that is made available to the public, except data made
2 available to a Government agency, for the noncommercial
3 flights of that owner or operator.

4 SEC. 119. None of the funds in this Act shall be avail-
5 able for salaries and expenses of more than nine political
6 and Presidential appointees in the Federal Aviation Ad-
7 ministration.

8 SEC. 119A. None of the funds made available under
9 this Act may be used to increase fees pursuant to section
10 44721 of title 49, United States Code, until the Federal
11 Aviation Administration provides to the House and Senate
12 Committees on Appropriations a report that justifies all
13 fees related to aeronautical navigation products and ex-
14 plains how such fees are consistent with Executive Order
15 13642.

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

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

1 SEC. 119D. None of the funds provided under this
2 Act may be used by the Administrator of the Federal Avia-
3 tion Administration to withhold from consideration and
4 approval any application for participation in the Contract
5 Tower Program, pending as of January 1, 2016, including
6 applications from Cost-share Program participants if the
7 Administrator determines such tower is eligible under the
8 criteria set forth in the Federal Aviation report, Establish-
9 ment and Discontinuance Criteria for Airport Traffic Con-
10 trol Towers (FAA–APO–90–7).

11 SEC. 119E. For fiscal year 2017, the Secretary of
12 Transportation shall apportion to the sponsor of a primary
13 airport under section 47114(c)(1)(A) of title 49, United
14 States Code, an amount based on the number of passenger
15 boardings at the airport during calendar year 2012 if the
16 airport had—

17 (1) fewer than 10,000 passenger boardings dur-
18 ing the calendar year used to calculate the appor-
19 tionment for fiscal year 2017 under section 116; and

20 (2) 10,000 or more passenger boardings during
21 calendar year 2012.

22 SEC. 119F. Section 47109(c)(2) of title 49, United
23 States Code, is amended to read as follows: “The Govern-
24 ment’s share of allowable project costs determined under
25 this subsection shall not exceed the lesser of 93.75 percent

1 or the highest percentage Government share applicable to
2 any project in any State under subsection (b), except that
3 at a primary non-hub and non-primary commercial service
4 airport located in a State as set forth in paragraph (1)
5 of this subsection that is within 15 miles of another State
6 as set forth in paragraph (1) of this subsection, the Gov-
7 ernment’s share shall be an average of the Government
8 share applicable to any project in each of the States.”.

9 SEC. 119G. Section 911 of the FAA Modernization
10 and Reform Act of 2012 (Public Law 112–95) is amended
11 by inserting after subsection (b) the following new sub-
12 section:

13 “(c) COLLABORATION AND REPORTING.—

14 “(1) The Administrator, in coordination with
15 NASA, the Department of Energy, U.S. Department
16 of Agriculture, and after consultation with other rel-
17 evant agencies shall develop a joint plan to carry out
18 the research under subsection (a) and report back to
19 Congress within 180 days.

20 “(2) The Administrator, in coordination with
21 the Administrator of NASA, the Secretary of En-
22 ergy, and the Secretary of Agriculture, shall con-
23 tinue research and development activities into the
24 development and deployment of jet fuels as outlined
25 in subsection (a).”.

1 SEC. 119H. Section 332(c) of the FAA Moderniza-
2 tion and Reform Act of 2012 (Public Law 112–95; 49
3 U.S.C. 40101 note) is amended by adding at the end the
4 following:

5 “(6) INCLUSION OF CERTAIN FLIGHT TEST FA-
6 CILITIES.—The Administrator shall expand the pro-
7 gram established under paragraph (1) to permit
8 projects under the program to be carried out at any
9 public entity authorized by the Federal Aviation Ad-
10 ministration as an unmanned aircraft system flight
11 test center before January 1, 2009.”.

12 SEC. 119I. Notwithstanding Section 40117(b)(1) of
13 title 49, United States Code, the Secretary of Transpor-
14 tation may authorize use of a passenger facility charge
15 to finance an eligible airport-related project if the eligible
16 agency seeking to impose the new charge controls an air-
17 port where a \$2 passenger facility charge became effective
18 on January 1, 2013; and the airport where the passenger
19 facility charge is collected and the airport at which the
20 project will be carried out were under the control of the
21 same eligible agency on October 1, 2015.

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

5 Not to exceed \$433,295,000, together with advances
6 and reimbursements received by the Federal Highway Ad-
7 ministration, shall be obligated for necessary expenses for
8 administration and operation of the Federal Highway Ad-
9 ministration. In addition, not to exceed \$2,500,000 shall
10 be transferred to the Appalachian Regional Commission
11 in accordance with section 104(a) of title 23, United
12 States Code.

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

16 Funds available for the implementation or execution
17 of Federal-aid highway and highway safety construction
18 programs authorized under titles 23 and 49, United States
19 Code, and the provisions of the Fixing America's Surface
20 Transportation Act shall not exceed total obligations of
21 \$43,266,100,000 for fiscal year 2017: *Provided*, That the
22 Secretary may collect and spend fees, as authorized by
23 title 23, United States Code, to cover the costs of services
24 of expert firms, including counsel, in the field of municipal
25 and project finance to assist in the underwriting and serv-

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

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (HIGHWAY TRUST FUND)

12 For the payment of obligations incurred in carrying
13 out Federal-aid highway and highway safety construction
14 programs authorized under title 23, United States Code,
15 \$44,005,100,000 derived from the Highway Trust Fund
16 (other than the Mass Transit Account), to remain avail-
17 able until expended.

18 (RESCISSION)

19 (HIGHWAY TRUST FUND)

20 Of the unobligated balances of funds apportioned
21 among the States under chapter 1 of title 23, United
22 States Code, a total of \$2,211,000,000 is hereby re-
23 scinded: *Provided*, That such rescission shall not apply to
24 funds distributed in accordance with sections 104(b)(3)
25 and 130(f) of title 23, United States Code; section

1 133(d)(1)(A) of such title; the first sentence of section
2 133(d)(3)(A) of such title, as in effect on the day before
3 the date of enactment of MAP-21 (Public Law 112-141);
4 sections 133(d)(1) and 163 of such title, as in effect on
5 the day before the date of enactment of SAFETEA-LU
6 (Public Law 109-59); and section 104(b)(5) of such title,
7 as in effect on the day before the date of enactment of
8 MAP-21 (Public Law 112-141): *Provided further*, That
9 such rescission shall not apply to funds that are exempt
10 from the obligation limitation or subject to special no-year
11 obligation limitation: *Provided further*, That the amount
12 to be rescinded from a State shall be determined by multi-
13 plying the total amount of the rescission by the ratio that
14 the unobligated balances subject to the rescission as of
15 September 30, 2016, for the State; bears to the unobli-
16 gated balances subject to the rescission as of September
17 30, 2016, for all States: *Provided further*, That the
18 amount to be rescinded under this section from each pro-
19 gram to which the rescission applies within a State shall
20 be determined by multiplying the rescission amount cal-
21 culated for such State by the ratio that the unobligated
22 balance as of September 30, 2016, for such program in
23 such State; bears to the unobligated balances as of Sep-
24 tember 30, 2016, for all programs to which the rescission
25 applies in such State.

1 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

2 ADMINISTRATION

3 SEC. 120. (a) For fiscal year 2017, the Secretary of
4 Transportation shall—

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

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

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

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

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

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

25 (3) determine the proportion that—

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

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

17 (4) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2), for each
20 of the programs (other than programs to which
21 paragraph (1) applies) that are allocated by the Sec-
22 retary under the Fixing America's Surface Trans-
23 portation Act and title 23, United States Code, or
24 apportioned by the Secretary under sections 202 or
25 204 of that title, by multiplying—

1 (A) the proportion determined under para-
2 graph (3); by

3 (B) the amounts authorized to be appro-
4 priated for each such program for such fiscal
5 year; and

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

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

23 (B) the total of the amounts authorized to
24 be appropriated for the programs that are ap-

1 portioned under title 23, United States Code, to
2 all States for such fiscal year.

3 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

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

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

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

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

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

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

18 (6) sections 1103 through 1108 of the Inter-
19 modal Surface Transportation Efficiency Act of
20 1991 (105 Stat. 2027);

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

23 (8) section 105 of title 23, United States Code
24 (as in effect for fiscal years 1998 through 2004, but

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

3 (9) Federal-aid highway programs for which ob-
4 ligation authority was made available under the
5 Transportation Equity Act for the 21st Century
6 (112 Stat. 107) or subsequent Acts for multiple
7 years or to remain available until expended, but only
8 to the extent that the obligation authority has not
9 lapsed or been used;

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

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

20 (12) section 119 of title 23, United States Code
21 (but, for each of fiscal years 2013 through 2017,
22 only in an amount equal to \$639,000,000).

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

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

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

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

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

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

21 (B) title VI of the Fixing America’s Sur-
22 face Transportation Act.

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

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

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

7 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
8 FUNDS.—

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

15 (A) are authorized to be appropriated for
16 such fiscal year for Federal-aid highway pro-
17 grams; and

18 (B) the Secretary determines will not be
19 allocated to the States (or will not be appor-
20 tioned to the States under section 204 of title
21 23, United States Code), and will not be avail-
22 able for obligation, for such fiscal year because
23 of the imposition of any obligation limitation for
24 such fiscal year.

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

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

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

18 **SEC. 122.** Not less than 15 days prior to waiving,
19 under his or her statutory authority, any Buy America re-
20 quirement for Federal-aid highways projects, the Sec-
21 retary of Transportation shall make an informal public no-
22 tice and comment opportunity on the intent to issue such
23 waiver and the reasons therefor: *Provided*, That the Sec-
24 retary shall provide an annual report to the House and

1 Senate Committees on Appropriations on any waivers
2 granted under the Buy America requirements.

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

19 SEC. 124. (a) A State or territory, as defined in sec-
20 tion 165 of title 23, United States Code, may, hereafter,
21 use for any project eligible under section 133(b) of title
22 23 or section 165 of title 23 and located within the bound-
23 ary of the State or territory any earmarked amount, and
24 any associated obligation limitation, provided that the De-
25 partment of Transportation for the State or territory for

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

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

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

23 (2) a congressional earmark, as defined in rule
24 XXI of the Rules of the House of Representatives
25 identified in a prior law, report, or joint explanatory

1 statement, which was authorized to be appropriated
2 or appropriated more than 10 fiscal years prior to
3 the current fiscal year, and administered by the Fed-
4 eral Highway Administration.

5 (c) The authority under subsection (a) may be exer-
6 cised only for those projects or activities that have obli-
7 gated less than 10 percent of the amount made available
8 for obligation as of October 1 of the current fiscal year,
9 and shall be applied to projects within the same general
10 geographic area within 50 miles for which the funding was
11 designated, except that a State or territory may apply
12 such authority to unexpended balances of funds from
13 projects or activities the State or territory certifies have
14 been closed and for which payments have been made under
15 a final voucher.

16 (d) The Secretary shall—

17 (1) for fiscal year 2017, submit consolidated re-
18 ports of the information provided by the States and
19 territories each quarter to the House and Senate
20 Committees on Appropriations; and

21 (2) for fiscal year 2018 and thereafter, post
22 such information annually on the Department's pub-
23 lic Web site.

24 SEC. 125. None of the funds in this Act may be used
25 to make a grant for a project under section 117 of title

1 23, United States Code, unless the Secretary, at least 60
2 days before making a grant under that section, provides
3 written notification to the House and Senate Committees
4 on Appropriations of the proposed grant, including an
5 evaluation and justification for the project and the amount
6 of the proposed grant award.

7 SEC. 126. (a) IDENTIFICATION OF HIGH PRIORITY
8 CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section
9 1105(e) of the Intermodal Surface Transportation Effi-
10 ciency Act of 1991 is amended by adding at the end the
11 following:

12 “(89) United State Route 67 from Interstate
13 40 in North Little Rock, Arkansas, to United States
14 Route 412.”.

15 (b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON
16 INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the
17 Intermodal Surface Transportation Efficiency Act of 1991
18 is amended in the first sentence by striking “and sub-
19 section (c)(83)” and inserting “subsection (c)(83), and
20 subsection (e)(89)”.

21 (c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the
22 Intermodal Surface Transportation Efficiency Act of 1991
23 is amended by adding at the end the following:

24 “The route referred to in subsection (c)(89) is
25 designated as Interstate Route I–57”.

1 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

2 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred in the implemen-
7 tation, execution and administration of motor carrier safe-
8 ty operations and programs pursuant to section 31110 of
9 title 49, United States Code, as amended by the Fixing
10 America’s Surface Transportation Act, \$277,200,000, to
11 be derived from the Highway Trust Fund (other than the
12 Mass Transit Account), together with advances and reim-
13 bursements received by the Federal Motor Carrier Safety
14 Administration, the sum of which shall remain available
15 until expended: *Provided*, That funds available for imple-
16 mentation, execution or administration of motor carrier
17 safety operations and programs authorized under title 49,
18 United States Code, shall not exceed total obligations of
19 \$277,200,000 for “Motor Carrier Safety Operations and
20 Programs” for fiscal year 2017, of which \$9,180,000, to
21 remain available for obligation until September 30, 2019,
22 is for the research and technology program.

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

5 For payment of obligations incurred in carrying out
6 sections 31102, 31103, 31104, and 31313 of title 49,
7 United States Code, as amended by the Fixing America’s
8 Surface Transportation Act, \$367,000,000, to be derived
9 from the Highway Trust Fund (other than the Mass Tran-
10 sit Account) and to remain available until expended: *Pro-*
11 *vided*, That funds available for the implementation or exe-
12 cution of motor carrier safety programs shall not exceed
13 total obligations of \$367,000,000 in fiscal year 2017 for
14 “Motor Carrier Safety Grants”; of which \$292,600,000
15 shall be available for the motor carrier safety assistance
16 program, \$31,200,000 shall be available for the commer-
17 cial driver’s license program implementation program,
18 \$42,200,000 shall be available for the high priority activi-
19 ties program, and \$1,000,000 shall be available for the
20 commercial motor vehicle operator grant program.

21 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
22 CARRIER SAFETY ADMINISTRATION

23 SEC. 130. Funds appropriated or limited in this Act
24 shall be subject to the terms and conditions stipulated in

1 section 350 of Public Law 107–87 and section 6901 of
2 Public Law 110–28.

3 SEC. 131. Section 133 of division L, title I of the
4 Consolidated Appropriations Act, 2016, Public Law 114–
5 113, is amended to read as follows:

6 “(a) None of the funds appropriated or otherwise
7 made available by this Act or any other Act may be used
8 to implement, administer, or enforce the requirement for
9 two off-duty periods from 1:00 a.m. to 5:00 a.m. under
10 subsection 395.3(c) or the restriction on use of more than
11 one restart during a 168-hour period under subsection
12 395.3(d) of title 49, Code of Federal Regulations, and
13 such provisions shall have no force or effect as of the date
14 of submission of the final report issued by the Secretary
15 of Transportation, as required by section 133 of division
16 K of Public Law 113–235, unless the Secretary and the
17 Inspector General of the Department of Transportation
18 each review and determine that the final report—

19 “(1) meets the statutory requirements set forth
20 in such section; and

21 “(2) establishes that commercial motor vehicle
22 drivers who operated under the restart provisions in
23 operational effect between July 1, 2013, and the day
24 before the date of enactment of such Public Law
25 demonstrated statistically significant improvement in

1 all outcomes related to safety, operator fatigue, driv-
2 er health and longevity, and work schedules, in com-
3 parison to commercial motor vehicle drivers who op-
4 erated under the restart provisions in operational ef-
5 fect on June 30, 2013.

6 “(b) If the Secretary and Inspector General do not
7 each make the determination required by subsection (a),
8 the 34-hour restart rule in operational effect on June 30,
9 2013, shall be restored to full force and effect on the date
10 the Secretary submits the final report to the House and
11 Senate Committees on Appropriations, and funds appro-
12 priated or otherwise made available by this Act or any
13 other Act shall be available to implement, administer, or
14 enforce such rule.

15 “(c) If the 34-hour restart rule in operational effect
16 on June 30, 2013, is restored to full force and effect pur-
17 suant to subsection (b), a driver who uses that restart rule
18 may not drive after being on duty more than 73 hours
19 in any period of 7 consecutive days, where the 7-day meas-
20 urement period moves forward 1 day at midnight each
21 day.”.

22 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
23 OPERATIONS AND RESEARCH

24 For expenses necessary to discharge the functions of
25 the Secretary, with respect to traffic and highway safety

1 authorized under chapter 301 and part C of subtitle VI
2 of title 49, United States Code, \$160,075,000, of which
3 \$20,000,000 shall remain available through September
4 30, 2018.

5 OPERATIONS AND RESEARCH
6 (LIQUIDATION OF CONTRACT AUTHORIZATION)
7 (LIMITATION ON OBLIGATIONS)
8 (HIGHWAY TRUST FUND)

9 For payment of obligations incurred in carrying out
10 the provisions of 23 U.S.C. 403, and chapter 303 of title
11 49, United States Code, \$145,900,000, to be derived from
12 the Highway Trust Fund (other than the Mass Transit
13 Account) and to remain available until expended: *Pro-*
14 *vided*, That none of the funds in this Act shall be available
15 for the planning or execution of programs the total obliga-
16 tions for which, in fiscal year 2017, are in excess of
17 \$145,900,000, of which \$140,700,000 shall be for pro-
18 grams authorized under 23 U.S.C. 403 and \$5,200,000
19 shall be for the National Driver Register authorized under
20 chapter 303 of title 49, United States Code: *Provided fur-*
21 *ther*, That within the \$145,900,000 obligation limitation
22 for operations and research, \$20,000,000 shall remain
23 available until September 30, 2018, and shall be in addi-
24 tion to the amount of any limitation imposed on obliga-
25 tions for future years.

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

5 For payment of obligations incurred in carrying out
6 provisions of 23 U.S.C. 402, 404, and 405, and section
7 4001(a)(6) of the Fixing America’s Surface Transpor-
8 tation Act, to remain available until expended,
9 \$585,372,000, to be derived from the Highway Trust
10 Fund (other than the Mass Transit Account): *Provided*,
11 That none of the funds in this Act shall be available for
12 the planning or execution of programs the total obligations
13 for which, in fiscal year 2017, are in excess of
14 \$585,372,000 for programs authorized under 23 U.S.C.
15 402, 404, and 405, and section 4001(a)(6) of the Fixing
16 America’s Surface Transportation Act, of which
17 \$252,300,000 shall be for “Highway Safety Programs”
18 under 23 U.S.C. 402; \$277,500,000 shall be for “National
19 Priority Safety Programs” under 23 U.S.C. 405;
20 \$29,500,000 shall be for “High Visibility Enforcement
21 Program” under 23 U.S.C. 404; \$26,072,000 shall be for
22 “Administrative Expenses” under section 4001(a)(6) of
23 the Fixing America’s Surface Transportation Act: *Pro-*
24 *vided further*, That none of these funds shall be used for
25 construction, rehabilitation, or remodeling costs, or for of-

1 fice furnishings and fixtures for State, local or private
2 buildings or structures: *Provided further*, That not to ex-
3 ceed \$500,000 of the funds made available for “National
4 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
5 paired Driving Countermeasures” (as described in sub-
6 section (d) of that section) shall be available for technical
7 assistance to the States: *Provided further*, That with re-
8 spect to the “Transfers” provision under 23 U.S.C.
9 405(a)(1)(8), any amounts transferred to increase the
10 amounts made available under section 402 shall include
11 the obligation authority for such amounts: *Provided fur-*
12 *ther*, That the Administrator shall notify the House and
13 Senate Committees on Appropriations of any exercise of
14 the authority granted under the previous proviso or under
15 23 U.S.C. 405(a)(1)(8) within 5 days.

16 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

17 TRAFFIC SAFETY ADMINISTRATION

18 SEC. 140. An additional \$130,000 shall be made
19 available to the National Highway Traffic Safety Adminis-
20 tration, out of the amount limited for section 402 of title
21 23, United States Code, to pay for travel and related ex-
22 penses for State management reviews and to pay for core
23 competency development training and related expenses for
24 highway safety staff.

1 SEC. 141. The limitations on obligations for the pro-
2 grams of the National Highway Traffic Safety Adminis-
3 tration set in this Act shall not apply to obligations for
4 which obligation authority was made available in previous
5 public laws but only to the extent that the obligation au-
6 thority has not lapsed or been used.

7 FEDERAL RAILROAD ADMINISTRATION

8 SAFETY AND OPERATIONS

9 For necessary expenses of the Federal Railroad Ad-
10 ministration, not otherwise provided for, \$208,500,000, of
11 which \$15,900,000 shall remain available until expended.

12 RAILROAD RESEARCH AND DEVELOPMENT

13 For necessary expenses for railroad research and de-
14 velopment, \$40,100,000, to remain available until ex-
15 pended.

16 RAILROAD REHABILITATION AND IMPROVEMENT

17 FINANCING PROGRAM

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

1 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
2 IMPROVEMENTS GRANTS

3 For necessary expenses related to Consolidated Rail
4 Infrastructure and Safety Improvements Grants as au-
5 thorized by section 24407 of title 49, United States Code,
6 \$50,000,000, to remain available until expended, of which
7 \$25,000,000 shall be available to carry out section 24407
8 (c)(1) of title 49, United States Code; and \$25,000,000
9 shall be available to carry out section 24407 (c)(5), (c)(6),
10 (c)(7), and (c)(10) of title 49, United States Code: *Pro-*
11 *vided*, That the Secretary may withhold up to one percent
12 of the amount provided under this heading for the costs
13 of project management oversight of grants carried out
14 under section 24407 of title 49, United States Code: *Pro-*
15 *vided further*, That such funds shall only be used for
16 grants related to railroad safety.

17 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
18 REPAIR GRANTS

19 For necessary expenses related to Federal-State
20 Partnership for State of Good Repair Grants as author-
21 ized by section 24911 of title 49, United States Code,
22 \$20,000,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may withhold up to one percent
24 of the amount provided under this heading for the costs

1 of project management oversight of grants carried out
2 under section 24911 of title 49, United States Code.

3 RESTORATION AND ENHANCEMENT GRANTS

4 For necessary expenses related to grants,
5 \$15,000,000, to remain available until expended, of which
6 \$5,000,000 shall be available to carry out section 24408
7 of title 49, United States Code; and \$10,000,000 shall be
8 available for capital grants for the restoration or initiation
9 of intercity passenger service in an amount not to exceed
10 50 percent of the total project cost: *Provided*, That the
11 Secretary may withhold up to one percent of the funds
12 provided under this heading to fund the costs of project
13 management and oversight.

14 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL

15 RAILROAD PASSENGER CORPORATION

16 To enable the Secretary of Transportation to make
17 grants to the National Railroad Passenger Corporation for
18 activities associated with the Northeast Corridor as au-
19 thorized by section 11101(a) of the Fixing America's Sur-
20 face Transportation Act (division A of Public Law 114-
21 94), \$345,000,000, to remain available until expended:
22 *Provided*, That the Secretary may retain up to one-half
23 of 1 percent of the funds provided under both this heading
24 and the National Network Grants to the National Rail-
25 road Passenger Corporation heading to fund the costs of

1 project management and oversight of activities authorized
2 by section 11101(c) of division A of Public Law 114–94:
3 *Provided further*, That in addition to the project manage-
4 ment oversight funds authorized under section 11101(c)
5 of division A of Public Law 114–94, the Secretary may
6 retain up to an additional \$5,000,000 of the funds pro-
7 vided under this heading to fund expenses associated with
8 the Northeast Corridor Commission established under sec-
9 tion 24905 of title 49, United States Code: *Provided fur-*
10 *ther*, That of the amounts made available under this head-
11 ing and the National Network Grants to the National
12 Railroad Passenger Corporation heading, not less than
13 \$50,000,000 shall be made available to bring Amtrak-
14 served facilities and stations into compliance with the
15 Americans with Disabilities Act.

16 NATIONAL NETWORK GRANTS TO THE NATIONAL
17 RAILROAD PASSENGER CORPORATION

18 To enable the Secretary of Transportation to make
19 grants to the National Railroad Passenger Corporation for
20 activities associated with the National Network as author-
21 ized by section 11101(b) of the Fixing America’s Surface
22 Transportation Act (division A of Public Law 114–94),
23 \$1,075,000,000, to remain available until expended: *Pro-*
24 *vided*, That the Secretary may retain up to an additional
25 \$2,000,000 of the funds provided under this heading to

1 fund expenses associated with the State-Supported Route
2 Committee established under 24712 of title 49, United
3 States Code.

4 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
5 ADMINISTRATION

6 SEC. 150. None of the funds provided to the National
7 Railroad Passenger Corporation may be used to fund any
8 overtime costs in excess of \$35,000 for any individual em-
9 ployee: *Provided*, That the President of Amtrak may waive
10 the cap set in the previous proviso for specific employees
11 when the President of Amtrak determines such a cap
12 poses a risk to the safety and operational efficiency of the
13 system: *Provided further*, That the President of Amtrak
14 shall report to the House and Senate Committees on Ap-
15 propriations each quarter within 60 days of such quarter
16 of the calendar year on waivers granted to employees and
17 amounts paid above the cap for each month within such
18 quarter and delineate the reasons each waiver was grant-
19 ed: *Provided further*, That the President of Amtrak shall
20 report to the House and Senate Committees on Appropria-
21 tions by May 15, 2017, a summary of all overtime pay-
22 ments incurred by the Corporation for 2016 and the three
23 prior calendar years: *Provided further*, That such sum-
24 mary shall include the total number of employees that re-
25 ceived waivers and the total overtime payments the Cor-

1 poration paid to those employees receiving waivers for
2 each month for 2016 and for the three prior calendar
3 years.

4 SEC. 151. Section 24408 of title 49, United States
5 Code, is amended by—

6 (1) Striking the words “or enhancing” in sub-
7 section (b) and inserting in its place the words “en-
8 hancing, or supporting”;

9 (2) Striking subparagraph (c)(3)(C);

10 (3) Striking paragraph (d)(5); and

11 (4) Striking subsection (e) and replacing with a
12 new subsection (e) that states “Grants made under
13 this section may not exceed 80 percent of the pro-
14 jected net operating costs.”.

15 FEDERAL TRANSIT ADMINISTRATION

16 ADMINISTRATIVE EXPENSES

17 For necessary administrative expenses of the Federal
18 Transit Administration’s programs authorized by chapter
19 53 of title 49, United States Code, \$110,665,000: *Pro-*
20 *vided*, That none of the funds provided or limited in this
21 Act may be used to create a permanent office of transit
22 security under this heading: *Provided further*, That upon
23 submission to the Congress of the fiscal year 2018 Presi-
24 dent’s budget, the Secretary of Transportation shall trans-

1 mit to Congress the annual report on New Starts, includ-
2 ing proposed allocations for fiscal year 2018.

3 TRANSIT FORMULA GRANTS
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (LIMITATION ON OBLIGATIONS)
6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in the Federal
8 Public Transportation Assistance Program in this ac-
9 count, and for payment of obligations incurred in carrying
10 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
11 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
12 5340, as amended by the Fixing America's Surface Trans-
13 portation Act, and section 20005(b) of Public Law 112-
14 141, and sections 3006(b) and 3028 of the Fixing Amer-
15 ica's Surface Transportation Act, \$10,800,000,000, to be
16 derived from the Mass Transit Account of the Highway
17 Trust Fund and to remain available until expended: *Pro-*
18 *vided*, That funds available for the implementation or exe-
19 cution of programs authorized under 49 U.S.C. 5305,
20 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335,
21 5337, 5339, and 5340, as amended by the Fixing Amer-
22 ica's Surface Transportation Act, and section 20005(b) of
23 Public Law 112-141, and sections 3006(b) and 3028 of
24 the Fixing America's Surface Transportation Act, shall
25 not exceed total obligations of \$9,733,706,043 in fiscal

1 year 2017: *Provided further*, That the Federal share of
2 the cost of activities carried out under section 5312 shall
3 not exceed 80 percent, except that if there is substantial
4 public interest or benefit, the Secretary may approve a
5 greater Federal share.

6 CAPITAL INVESTMENT GRANTS

7 For necessary expenses to carry out 49 U.S.C. 5309
8 and section 3005(b) of the FAST Act, \$2,338,063,000,
9 to remain available until expended.

10 GRANTS TO THE WASHINGTON METROPOLITAN AREA

11 TRANSIT AUTHORITY

12 For grants to the Washington Metropolitan Area
13 Transit Authority as authorized under section 601 of divi-
14 sion B of Public Law 110–432, \$150,000,000, to remain
15 available until expended: *Provided*, That the Secretary of
16 Transportation shall approve grants for capital and pre-
17 ventive maintenance expenditures for the Washington
18 Metropolitan Area Transit Authority only after receiving
19 and reviewing a request for each specific project: *Provided*
20 *further*, That prior to approving such grants, the Secretary
21 shall certify that the Washington Metropolitan Area Tran-
22 sit Authority is making progress to improve its safety
23 management system in response to the Federal Transit
24 Administration’s 2015 safety management inspection:
25 *Provided further*, That prior to approving such grants, the

1 Secretary shall certify that the Washington Metropolitan
2 Area Transit Authority is making progress toward full im-
3 plementation of the corrective actions identified in the
4 2014 Financial Management Oversight Review Report:
5 *Provided further*, That the Secretary shall determine that
6 the Washington Metropolitan Area Transit Authority has
7 placed the highest priority on those investments that will
8 improve the safety of the system before approving such
9 grants: *Provided further*, That the Secretary, in order to
10 ensure safety throughout the rail system, may waive the
11 requirements of section 601(e)(1) of division B of Public
12 Law 110–432 (112 Stat. 4968).

13 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

14 ADMINISTRATION

15 (INCLUDING RESCISSION)

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

21 SEC. 161. Notwithstanding any other provision of
22 law, funds appropriated or limited by this Act under the
23 heading “Fixed Guideway Capital Investment” of the Fed-
24 eral Transit Administration for projects specified in this
25 Act or identified in reports accompanying this Act not ob-

1 ligated by September 30, 2021, and other recoveries, shall
2 be directed to projects eligible to use the funds for the
3 purposes for which they were originally provided.

4 SEC. 162. Notwithstanding any other provision of
5 law, any funds appropriated before October 1, 2016, under
6 any section of chapter 53 of title 49, United States Code,
7 that remain available for expenditure, may be transferred
8 to and administered under the most recent appropriation
9 heading for any such section.

10 SEC. 163. Section 5303(r)(2)(C) of title 49, United
11 States Code, is amended—

12 (1) by inserting “and 25 square miles of land
13 area” after “145,000”; and

14 (2) by inserting “and 12 square miles of land
15 area” after “65,000”.

16 SEC. 164. Any unobligated amounts made available
17 for fiscal year 2012 or prior fiscal years to carry out the
18 discretionary job access and reverse commute program
19 under section 3037 of the transportation equity act for
20 the 21st century are hereby rescinded: *Provided*, That
21 such amounts are made available for projects eligible
22 under 49 U.S.C. 5309(q).

23 SEC. 165. Section 5307(a) of title 49, United States
24 Code, is amended by striking paragraphs (2) and (3) and
25 inserting the following:

1 “(2) SPECIAL RULE.—The Secretary may make
2 grants under this section to finance the operating
3 cost of equipment and facilities for use in public
4 transportation, excluding rail fixed guideway, in an
5 urbanized area with a population of not fewer than
6 200,000 individuals, as determined by the Bureau of
7 the Census—

8 “(A) for public transportation systems
9 that—

10 “(i) operate 75 or fewer buses in fixed
11 route service or demand response service,
12 excluding ADA complementary paratransit
13 service, during peak service hours, in an
14 amount not to exceed 75 percent of the
15 share of the apportionment which is attrib-
16 utable to such systems within the urban-
17 ized area, as measured by vehicle revenue
18 hours; or

19 “(ii) operate a minimum of 76 buses
20 and a maximum of 100 buses in fixed
21 route service or demand response service,
22 excluding ADA complementary paratransit
23 service, during peak service hours, in an
24 amount not to exceed 50 percent of the
25 share of the apportionment which is attrib-

1 utable to such systems within the urban-
2 ized area, as measured by vehicle revenue
3 hours; or

4 “(B) subject to paragraph (3), for public
5 transportation systems that—

6 “(i) operate 75 or fewer buses in fixed
7 route service or demand response service,
8 excluding ADA complementary paratransit
9 service, during peak service hours, in an
10 amount not to exceed 75 percent of the
11 share of the apportionment allocated to
12 such systems within the urbanized area, as
13 determined by the local planning process
14 and included in the designated recipient’s
15 final program of projects prepared under
16 subsection (b); or

17 “(ii) operate a minimum of 76 buses
18 and a maximum of 100 buses in fixed
19 route service or demand response service,
20 excluding ADA complementary paratransit
21 service during peak service hours, in an
22 amount not to exceed 50 percent of the
23 share of the apportionment allocated to
24 such systems within the urbanized area, as
25 determined by the local planning process

1 and included in the designated recipient's
2 final program of projects prepared under
3 subsection (b).

4 “(3) LIMITATION.—The amount available to a
5 public transportation system under subparagraph
6 (B) of paragraph (2) shall be not more than 10 per-
7 cent greater than the amount that would otherwise
8 be available to the system under subparagraph (A)
9 of that paragraph.”.

10 SAINT LAWRENCE SEAWAY DEVELOPMENT

11 CORPORATION

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

21 OPERATIONS AND MAINTENANCE

22 (HARBOR MAINTENANCE TRUST FUND)

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

1 maintained by the Saint Lawrence Seaway Development
2 Corporation, \$36,028,000, to be derived from the Harbor
3 Maintenance Trust Fund, pursuant to Public Law 99–
4 662.

5 MARITIME ADMINISTRATION

6 MARITIME SECURITY PROGRAM

7 For necessary expenses to maintain and preserve a
8 U.S.-flag merchant fleet to serve the national security
9 needs of the United States, \$275,000,000, to remain avail-
10 able until expended: *Provided*, That the Maritime Admin-
11 istration may make a reduction in payment pro rata in
12 the event sufficient funds have not been appropriated to
13 pay the full annual payment authorized for the Maritime
14 Security Fleet pursuant to section 53106 of title 46: *Pro-*
15 *vided further*, That the Maritime Administration shall allo-
16 cate the funds across 60 ships.

17 OPERATIONS AND TRAINING

18 For necessary expenses of operations and training ac-
19 tivities authorized by law, \$175,160,000, of which
20 \$22,000,000 shall remain available until expended for
21 maintenance and repair of training ships at State Mari-
22 time Academies, and of which \$6,000,000 shall remain
23 available until expended for National Security Multi-Mis-
24 sion Vessel Program for State Maritime Academies and
25 National Security, and of which \$2,400,000 shall remain

1 available through September 30, 2018, for the Student In-
2 centive Program at State Maritime Academies, and of
3 which \$1,200,000 shall remain available until expended
4 for training ship fuel assistance payments, and of which
5 \$18,000,000 shall remain available until expended for fa-
6 cilities maintenance and repair, equipment, and capital
7 improvements at the United States Merchant Marine
8 Academy, and of which \$3,000,000 shall remain available
9 through September 30, 2018, for Maritime Environment
10 and Technology Assistance grants, contracts, and coopera-
11 tive agreement, and of which \$5,000,000 shall remain
12 available until expended for the Short Sea Transportation
13 Program (America’s Marine Highways) to make grants
14 for the purposes provided in title 46 sections 55601(b)(1)
15 and 55601(b)(3): *Provided further*, That not later than
16 January 12, 2017, the Administrator of the Maritime Ad-
17 ministration shall transmit to the House and Senate Com-
18 mittees on Appropriations the annual report on sexual as-
19 sault and sexual harassment at the United States Mer-
20 chant Marine Academy as required pursuant to section
21 3507 of Public Law 110–417.

22 ASSISTANCE TO SMALL SHIPYARDS

23 To make grants to qualified shipyards as authorized
24 under section 54101 of title 46, United States Code, as
25 amended by Public Law 113–281, \$10,000,000 to remain

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

11 SHIP DISPOSAL

12 For necessary expenses related to the disposal of ob-
13 solete vessels in the National Defense Reserve Fleet of the
14 Maritime Administration, \$20,000,000, to remain avail-
15 able until expended, of which \$8,000,000 shall be for the
16 decommissioning of the Nuclear Ship *Savannah*.

17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

18 ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of guaranteed loans, as authorized,
21 \$5,000,000, of which \$2,000,000 shall remain available
22 until expended: *Provided*, That such costs, including the
23 cost of modifying such loans, shall be as defined in section
24 502 of the Congressional Budget Act of 1974, as amend-
25 ed: *Provided further*, That not to exceed \$3,000,000 shall

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

5 ADMINISTRATIVE PROVISIONS—MARITIME

6 ADMINISTRATION

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

20 PIPELINE AND HAZARDOUS MATERIALS SAFETY

21 ADMINISTRATION

22 OPERATIONAL EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary operational expenses of the Pipeline
25 and Hazardous Materials Safety Administration,

1 \$23,207,000: *Provided*, That no later than June 30, 2016,
2 the Secretary of Transportation shall initiate a rulemaking
3 to expand the applicability of comprehensive oil spill re-
4 sponse plans, and shall issue a final rule no later than
5 December 18, 2016: *Provided further*, That \$1,500,000
6 shall be transferred to “Pipeline Safety” in order to fund
7 “Pipeline Safety Information Grants to Communities” as
8 authorized under section 60130 of title 49, United States
9 Code.

10 HAZARDOUS MATERIALS SAFETY

11 For expenses necessary to discharge the hazardous
12 materials safety functions of the Pipeline and Hazardous
13 Materials Safety Administration, \$57,619,000, of which
14 \$7,570,000 shall remain available until September 30,
15 2019: *Provided*, That up to \$800,000 in fees collected
16 under 49 U.S.C. 5108(g) shall be deposited in the general
17 fund of the Treasury as offsetting receipts: *Provided fur-*
18 *ther*, That there may be credited to this appropriation, to
19 be available until expended, funds received from States,
20 counties, municipalities, other public authorities, and pri-
21 vate sources for expenses incurred for training, for reports
22 publication and dissemination, and for travel expenses in-
23 curred in performance of hazardous materials exemptions
24 and approvals functions.

1 PIPELINE SAFETY
2 (PIPELINE SAFETY FUND)
3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to conduct the functions of
5 the pipeline safety program, for grants-in-aid to carry out
6 a pipeline safety program, as authorized by 49 U.S.C.
7 60107, and to discharge the pipeline program responsibil-
8 ities of the Oil Pollution Act of 1990, \$149,959,000, of
9 which \$20,288,000 shall be derived from the Oil Spill Li-
10 ability Trust Fund and shall remain available until Sep-
11 tember 30, 2019; and of which \$129,671,000 shall be de-
12 rived from the Pipeline Safety Fund, of which
13 \$59,835,000 shall remain available until September 30,
14 2018: *Provided*, That not less than \$1,058,000 of the
15 funds provided under this heading shall be for the One-
16 Call state grant program.

17 EMERGENCY PREPAREDNESS GRANTS
18 (EMERGENCY PREPAREDNESS FUND)

19 Notwithstanding the fiscal year limitation specified in
20 49 U.S.C. 5116, not more than \$28,318,000 shall be made
21 available for obligation in fiscal year 2017 from amounts
22 made available by 49 U.S.C. 5116(h), and 5128(b) and
23 (c): *Provided further*, That notwithstanding 49 U.S.C.
24 5116(h)(4), not more than 4 percent of the amounts made
25 available from this account shall be available to pay ad-

1 ministrative costs: *Provided further*, That none of the
2 funds made available by 49 U.S.C. 5116(h), 5128(b), or
3 5128(c) shall be made available for obligation by individ-
4 uals other than the Secretary of Transportation, or his
5 or her designee: *Provided further*, That notwithstanding
6 49 U.S.C. 5128(b) and (c) and the current year obligation
7 limitation, prior year recoveries recognized in the current
8 year shall be available to develop a hazardous materials
9 response training curriculum for emergency responders,
10 including response activities for the transportation of
11 crude oil, ethanol and other flammable liquids by rail, con-
12 sistent with National Fire Protection Association stand-
13 ards, and to make such training available through an elec-
14 tronic format: *Provided further*, That the prior year recov-
15 eries made available under this heading shall also be avail-
16 able to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

17 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of the Inspector
20 General to carry out the provisions of the Inspector Gen-
21 eral Act of 1978, as amended, \$93,550,000: *Provided*,
22 That the Inspector General shall have all necessary au-
23 thority, in carrying out the duties specified in the Inspec-
24 tor General Act, as amended (5 U.S.C. App. 3), to inves-
25 tigate allegations of fraud, including false statements to

1 the government (18 U.S.C. 1001), by any person or entity
2 that is subject to regulation by the Department of Trans-
3 portation.

4 GENERAL PROVISIONS—DEPARTMENT OF
5 TRANSPORTATION

6 SEC. 180. During the current fiscal year, applicable
7 appropriations to the Department of Transportation shall
8 be available for maintenance and operation of aircraft;
9 hire of passenger motor vehicles and aircraft; purchase of
10 liability insurance for motor vehicles operating in foreign
11 countries on official department business; and uniforms or
12 allowances therefor, as authorized by law (5 U.S.C. 5901–
13 5902).

14 SEC. 181. Appropriations contained in this Act for
15 the Department of Transportation shall be available for
16 services as authorized by 5 U.S.C. 3109, but at rates for
17 individuals not to exceed the per diem rate equivalent to
18 the rate for an Executive Level IV.

19 SEC. 182. None of the funds in this Act shall be avail-
20 able for salaries and expenses of more than 110 political
21 and Presidential appointees in the Department of Trans-
22 portation: *Provided*, That none of the personnel covered
23 by this provision may be assigned on temporary detail out-
24 side the Department of Transportation.

1 SEC. 183. (a) No recipient of funds made available
2 in this Act shall disseminate personal information (as de-
3 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
4 ment of motor vehicles in connection with a motor vehicle
5 record as defined in 18 U.S.C. 2725(1), except as provided
6 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
7 2721.

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

11 SEC. 184. Funds received by the Federal Highway
12 Administration and Federal Railroad Administration from
13 States, counties, municipalities, other public authorities,
14 and private sources for expenses incurred for training may
15 be credited respectively to the Federal Highway Adminis-
16 tration's "Federal-Aid Highways" account and to the Fed-
17 eral Railroad Administration's "Safety and Operations"
18 account, except for State rail safety inspectors partici-
19 pating in training pursuant to 49 U.S.C. 20105.

20 SEC. 185. None of the funds in this Act to the De-
21 partment of Transportation may be used to make a loan,
22 loan guarantee, line of credit, or grant unless the Sec-
23 retary of Transportation notifies the House and Senate
24 Committees on Appropriations not less than 3 full busi-
25 ness days before any project competitively selected to re-

1 ceive a discretionary grant award, any discretionary grant
2 award, letter of intent, loan commitment, loan guarantee
3 commitment, line of credit commitment, or full funding
4 grant agreement.

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

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

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

23 (2) to pay contractors for services provided in
24 recovering improper payments or contractor support
25 in the implementation of the Improper Payments In-

1 formation Act of 2002: *Provided*, That amounts in
2 excess of that required for paragraphs (1) and (2)—

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

14 (B) if no such appropriation remains avail-
15 able, shall be deposited in the Treasury as mis-
16 cellaneous receipts: *Provided further*, That prior
17 to the transfer of any such recovery to an ap-
18 propriations account, the Secretary shall notify
19 the House and Senate Committees on Appro-
20 priations of the amount and reasons for such
21 transfer: *Provided further*, That for purposes of
22 this section, the term “improper payments” has
23 the same meaning as that provided in section
24 2(d)(2) of Public Law 107–300.

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

17 SEC. 189. Funds appropriated in this Act to the
18 modal administrations may be obligated for the Office of
19 the Secretary for the costs related to assessments or reim-
20 bursable agreements only when such amounts are for the
21 costs of goods and services that are purchased to provide
22 a direct benefit to the applicable modal administration or
23 administrations.

24 SEC. 190. The Secretary of Transportation is author-
25 ized to carry out a program that establishes uniform

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

5 SEC. 191. The Department of Transportation may
6 use funds provided by this Act, or any other Act, to assist
7 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
8 geographic, economic, or any other hiring preference not
9 otherwise authorized by law, except for such preferences
10 authorized in this Act, or to amend a rule, regulation, pol-
11 icy or other measure that forbids a recipient of a Federal
12 Highway Administration or Federal Transit Administra-
13 tion grant from imposing such hiring preference on a con-
14 tract or construction project with which the Department
15 of Transportation is assisting, only if the grant recipient
16 certifies the following:

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

22 (2) that the grant recipient will include appro-
23 priate provisions in its bid document ensuring that
24 the contractor does not displace any of its existing

1 employees in order to satisfy such hiring preference;
2 and

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

9 This title may be cited as the “Department of Trans-
10 portation Appropriations Act, 2017”.

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

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, the De-
11 partmental Enforcement Center, and the Center for
12 Faith-Based and Neighborhood Partnerships,
13 \$30,608,000: *Provided*, That not to exceed \$25,000 of the
14 amount made available under this heading shall be avail-
15 able to the Secretary for official reception and representa-
16 tion expenses as the Secretary may determine.

17 ADMINISTRATIVE SUPPORT OFFICES

18 For necessary salaries and expenses for Administra-
19 tive Support Offices, \$503,852,000, of which \$53,451,000
20 shall be available for the Office of the Chief Financial Offi-
21 cer; \$79,053,000 shall be available for the Office of the
22 General Counsel; \$202,823,000 shall be available for the
23 Office of Administration; \$41,641,000 shall be available
24 for the Office of the Chief Human Capital Officer;
25 \$52,568,000 shall be available for the Office of Field Pol-

1 icy and Management; \$19,130,000 shall be available for
2 the Office of the Chief Procurement Officer; \$3,891,000
3 shall be available for the Office of Departmental Equal
4 Employment Opportunity; \$5,147,000 shall be available
5 for the Office of Strategic Planning and Management; and
6 \$46,148,000 shall be available for the Office of the Chief
7 Information Officer: *Provided*, That funds provided under
8 this heading may be used for necessary administrative and
9 non-administrative expenses of the Department of Hous-
10 ing and Urban Development, not otherwise provided for,
11 including purchase of uniforms, or allowances therefor, as
12 authorized by 5 U.S.C. 5901–5902; hire of passenger
13 motor vehicles; and services as authorized by 5 U.S.C.
14 3109: *Provided further*, That notwithstanding any other
15 provision of law, funds appropriated under this heading
16 may be used for advertising and promotional activities
17 that directly support program activities funded in this
18 title: *Provided further*, That the Secretary shall provide the
19 House and Senate Committees on Appropriations quar-
20 terly written notification regarding the status of pending
21 congressional reports: *Provided further*, That the Sec-
22 retary shall provide in electronic form all signed reports
23 required by Congress.

1 PROGRAM OFFICE SALARIES AND EXPENSES

2 PUBLIC AND INDIAN HOUSING

3 For necessary salaries and expenses of the Office of
4 Public and Indian Housing, \$220,500,000.

5 COMMUNITY PLANNING AND DEVELOPMENT

6 For necessary salaries and expenses of the Office of
7 Community Planning and Development, \$110,000,000.

8 HOUSING

9 For necessary salaries and expenses of the Office of
10 Housing, \$393,000,000.

11 POLICY DEVELOPMENT AND RESEARCH

12 For necessary salaries and expenses of the Office of
13 Policy Development and Research, \$24,500,000.

14 FAIR HOUSING AND EQUAL OPPORTUNITY

15 For necessary salaries and expenses of the Office of
16 Fair Housing and Equal Opportunity, \$74,235,000.

17 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

18 HOMES

19 For necessary salaries and expenses of the Office of
20 Lead Hazard Control and Healthy Homes, \$8,075,000.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the working capital fund for the Department of
24 Housing and Urban Development (referred to in this para-
25 graph as the “Fund”), pursuant, in part, to section 7(f)

1 of the Department of Housing and Urban Development
2 Act (42 U.S.C. 3535(f)), amounts transferred to the Fund
3 under this heading shall be available for Federal shared
4 services used by offices and agencies of the Department,
5 and for such portion of any office or agency's printing,
6 records management, space renovation, furniture, or sup-
7 ply services as the Secretary determines shall be derived
8 from centralized sources made available by the Depart-
9 ment to all offices and agencies and funded through the
10 Fund: *Provided*, That of the amounts made available in
11 this title for salaries and expenses under the headings
12 "Executive Offices", "Administrative Support Offices",
13 "Program Office Salaries and Expenses", and "Govern-
14 ment National Mortgage Association", the Secretary shall
15 transfer to the Fund such amounts, to remain available
16 until expended, as are necessary to fund services, specified
17 in the first proviso, for which the appropriation would oth-
18 erwise have been available, and may transfer not to exceed
19 an additional \$10,000,000, in aggregate, from all such ap-
20 propriations, to be merged with the Fund and to remain
21 available until expended for use for any office or agency:
22 *Provided further*, That amounts in the Fund shall be the
23 only amounts available to each office or agency of the De-
24 partment for the services, or portion of services, specified
25 in the first proviso: *Provided further*, That with respect

1 to the Fund, the authorities and conditions under this
2 heading shall supplement the authorities and conditions
3 provided under section 7(f).

4 PUBLIC AND INDIAN HOUSING

5 TENANT-BASED RENTAL ASSISTANCE

6 For activities and assistance for the provision of ten-
7 ant-based rental assistance authorized under the United
8 States Housing Act of 1937, as amended (42 U.S.C. 1437
9 et seq.) (“the Act” herein), not otherwise provided for,
10 \$16,431,696,000, to remain available until expended, shall
11 be available on October 1, 2016 (in addition to the
12 \$4,000,000,000 previously appropriated under this head-
13 ing that shall be available on October 1, 2016), and
14 \$4,000,000,000, to remain available until expended, shall
15 be available on October 1, 2017: *Provided*, That the
16 amounts made available under this heading are provided
17 as follows:

18 (1) \$18,355,000,000 shall be available for re-
19 newals of expiring section 8 tenant-based annual
20 contributions contracts (including renewals of en-
21 hanced vouchers under any provision of law author-
22 izing such assistance under section 8(t) of the Act)
23 and including renewal of other special purpose incre-
24 mental vouchers: *Provided*, That notwithstanding
25 any other provision of law, from amounts provided

1 under this paragraph and any carryover, the Sec-
2 retary for the calendar year 2017 funding cycle shall
3 provide renewal funding for each public housing
4 agency based on validated voucher management sys-
5 tem (VMS) leasing and cost data for the prior cal-
6 endar year and by applying an inflation factor as es-
7 tablished by the Secretary, by notice published in
8 the Federal Register, and by making any necessary
9 adjustments for the costs associated with the first-
10 time renewal of vouchers under this paragraph in-
11 cluding tenant protection, HOPE VI, and Choice
12 Neighborhoods vouchers: *Provided further*, That
13 none of the funds provided under this paragraph
14 may be used to fund a total number of unit months
15 under lease which exceeds a public housing agency's
16 authorized level of units under contract, except for
17 public housing agencies participating in the MTW
18 demonstration, which are instead governed by the
19 terms and conditions of their MTW agreements:
20 *Provided further*, That the Secretary shall, to the ex-
21 tent necessary to stay within the amount specified
22 under this paragraph (except as otherwise modified
23 under this paragraph), prorate each public housing
24 agency's allocation otherwise established pursuant to
25 this paragraph: *Provided further*, That except as

1 provided in the following provisos, the entire amount
2 specified under this paragraph (except as otherwise
3 modified under this paragraph) shall be obligated to
4 the public housing agencies based on the allocation
5 and pro rata method described above, and the Sec-
6 retary shall notify public housing agencies of their
7 annual budget by the latter of 60 days after enact-
8 ment of this Act or March 1, 2017: *Provided further,*
9 That the Secretary may extend the notification pe-
10 riod with the prior written approval of the House
11 and Senate Committees on Appropriations: *Provided*
12 *further,* That public housing agencies participating
13 in the MTW demonstration shall be funded pursuant
14 to their MTW agreements and shall be subject to
15 the same pro rata adjustments under the previous
16 provisos: *Provided further,* That the Secretary may
17 offset public housing agencies' calendar year 2017
18 allocations based on the excess amounts of public
19 housing agencies' net restricted assets accounts, in-
20 cluding HUD held programmatic reserves (in ac-
21 cordance with VMS data in calendar year 2016 that
22 is verifiable and complete), as determined by the
23 Secretary: *Provided further,* That public housing
24 agencies participating in the MTW demonstration
25 shall also be subject to the offset, as determined by

1 the Secretary, excluding amounts subject to the sin-
2 gle fund budget authority provisions of their MTW
3 agreements, from the agencies' calendar year 2017
4 MTW funding allocation: *Provided further*, That the
5 Secretary shall use any offset referred to in the pre-
6 vious two provisos throughout the calendar year to
7 prevent the termination of rental assistance for fam-
8 ilies as the result of insufficient funding, as deter-
9 mined by the Secretary, and to avoid or reduce the
10 proration of renewal funding allocations: *Provided*
11 *further*, That up to \$75,000,000 shall be available
12 only: (1) for adjustments in the allocations for public
13 housing agencies, after application for an adjust-
14 ment by a public housing agency that experienced a
15 significant increase, as determined by the Secretary,
16 in renewal costs of vouchers resulting from unfore-
17 seen circumstances or from portability under section
18 8(r) of the Act; (2) for vouchers that were not in use
19 during the previous 12-month period in order to be
20 available to meet a commitment pursuant to section
21 8(o)(13) of the Act; (3) for adjustments for costs as-
22 sociated with HUD-Veterans Affairs Supportive
23 Housing (HUD-VASH) vouchers; and (4) for public
24 housing agencies that despite taking reasonable cost
25 savings measures, as determined by the Secretary,

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

6 (2) \$110,000,000 shall be for section 8 rental
7 assistance for relocation and replacement of housing
8 units that are demolished or disposed of pursuant to
9 section 18 of the Act, conversion of section 23
10 projects to assistance under section 8, the family
11 unification program under section 8(x) of the Act,
12 relocation of witnesses in connection with efforts to
13 combat crime in public and assisted housing pursu-
14 ant to a request from a law enforcement or prosecu-
15 tion agency, enhanced vouchers under any provision
16 of law authorizing such assistance under section 8(t)
17 of the Act, HOPE VI and Choice Neighborhood
18 vouchers, mandatory and voluntary conversions, and
19 tenant protection assistance including replacement
20 and relocation assistance or for project-based assist-
21 ance to prevent the displacement of unassisted elder-
22 ly tenants currently residing in section 202 prop-
23 erties financed between 1959 and 1974 that are refi-
24 nanced pursuant to Public Law 106–569, as amend-
25 ed, or under the authority as provided under this

1 Act: *Provided*, That when a public housing develop-
2 ment is submitted for demolition or disposition
3 under section 18 of the Act, the Secretary may pro-
4 vide section 8 rental assistance when the units pose
5 an imminent health and safety risk to residents:
6 *Provided further*, That the Secretary may only pro-
7 vide replacement vouchers for units that were occu-
8 pied within the previous 24 months that cease to be
9 available as assisted housing, subject only to the
10 availability of funds: *Provided further*, That any ten-
11 ant protection voucher made available from amounts
12 under this paragraph shall not be reissued by any
13 public housing agency, except the replacement
14 vouchers as defined by the Secretary by notice, when
15 the initial family that received any such voucher no
16 longer receives such voucher, and the authority for
17 any public housing agency to issue any such voucher
18 shall cease to exist;

19 (3) \$1,768,696,000 shall be for administrative
20 and other expenses of public housing agencies in ad-
21 ministering the section 8 tenant-based rental assist-
22 ance program, of which up to \$10,000,000 shall be
23 available to the Secretary to allocate to public hous-
24 ing agencies that need additional funds to admin-
25 ister their section 8 programs, including fees associ-

1 ated with section 8 tenant protection rental assist-
2 ance, the administration of disaster related vouchers,
3 Veterans Affairs Supportive Housing vouchers, and
4 other special purpose incremental vouchers: *Pro-*
5 *vided*, That no less than \$1,758,696,000 of the
6 amount provided in this paragraph shall be allocated
7 to public housing agencies for the calendar year
8 2017 funding cycle based on section 8(q) of the Act
9 (and related Appropriation Act provisions) as in ef-
10 fect immediately before the enactment of the Quality
11 Housing and Work Responsibility Act of 1998 (Pub-
12 lic Law 105–276): *Provided further*, That if the
13 amounts made available under this paragraph are
14 insufficient to pay the amounts determined under
15 the previous proviso, the Secretary may decrease the
16 amounts allocated to agencies by a uniform percent-
17 age applicable to all agencies receiving funding
18 under this paragraph or may, to the extent nec-
19 essary to provide full payment of amounts deter-
20 mined under the previous proviso, utilize unobligated
21 balances, including recaptures and carryovers, re-
22 maining from funds appropriated to the Department
23 of Housing and Urban Development under this
24 heading from prior fiscal years, excluding special
25 purpose vouchers, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided*
2 *further*, That all public housing agencies partici-
3 pating in the MTW demonstration shall be funded
4 pursuant to their MTW agreements, and shall be
5 subject to the same uniform percentage decrease as
6 under the previous proviso: *Provided further*, That
7 amounts provided under this paragraph shall be only
8 for activities related to the provision of tenant-based
9 rental assistance authorized under section 8, includ-
10 ing related development activities;

11 (4) \$110,000,000 for the renewal of tenant-
12 based assistance contracts under section 811 of the
13 Cranston-Gonzalez National Affordable Housing Act
14 (42 U.S.C. 8013), including necessary administra-
15 tive expenses: *Provided*, That administrative and
16 other expenses of public housing agencies in admin-
17 istering the special purpose vouchers in this para-
18 graph shall be funded under the same terms and be
19 subject to the same pro rata reduction as the per-
20 cent decrease for administrative and other expenses
21 to public housing agencies under paragraph (3) of
22 this heading;

23 (5) \$7,000,000 shall be for rental assistance
24 and associated administrative fees for Tribal HUD-
25 VA Supportive Housing to serve Native American

1 veterans that are homeless or at-risk of homeless-
2 ness living on or near a reservation or other Indian
3 areas: *Provided*, That such amount shall be made
4 available for renewal grants to the recipients that re-
5 ceived assistance under the rental assistance and
6 supportive housing demonstration program for Na-
7 tive American veterans authorized under the heading
8 “Tenant-Based Rental Assistance” in title II of divi-
9 sion K of the Consolidated and Further Continuing
10 Appropriations Act, 2015 (Public Law 113–235,
11 128 Stat. 2733): *Provided further*, That the Sec-
12 retary shall be authorized to specify criteria for re-
13 newal grants, including data on the utilization of as-
14 sistance reported by grant recipients under the dem-
15 onstration program: *Provided further*, That any
16 amounts remaining after such renewal assistance is
17 awarded may be available for new grants to recipi-
18 ents eligible to receive block grants under the Native
19 American Housing Assistance and Self-Determina-
20 tion Act of 1996 (25 U.S.C. section 4101 et seq.)
21 for rental assistance and associated administrative
22 fees for Tribal HUD–VA Supportive Housing to
23 serve Native American veterans that are homeless or
24 at-risk of homelessness living on or near a reserva-
25 tion or other Indian areas: *Provided further*, That

1 funds shall be awarded based on need and adminis-
2 trative capacity established by the Secretary in a
3 Notice published in the Federal Register after co-
4 ordination with the Secretary of the Department of
5 Veterans Affairs: *Provided further*, That renewal
6 grants and new grants under this paragraph shall be
7 administered by block grant recipients in accordance
8 with program requirements under the Native Amer-
9 ican Housing Assistance and Self-Determination Act
10 of 1996: *Provided further*, That assistance under
11 this paragraph shall be modeled after, with nec-
12 essary and appropriate adjustments for Native
13 American grant recipients and veterans, the rental
14 assistance and supportive housing program known
15 as HUD–VASH program, including administration
16 in conjunction with the Department of Veterans Af-
17 fairs and overall implementation of section 8(o)(19)
18 of the United States Housing Act of 1937: *Provided*
19 *further*, That the Secretary of Housing and Urban
20 Development may waive, or specify alternative re-
21 quirements for any provision of any statute or regu-
22 lation that the Secretary of Housing and Urban De-
23 velopment administers in connection with the use of
24 funds made available under this paragraph (except
25 for requirements related to fair housing, non-

1 discrimination, labor stands, and the environment),
2 upon a finding by the Secretary that any such waiv-
3 ers or alternative requirements are necessary for the
4 effective delivery and administration of such assist-
5 ance: *Provided further*, That grant recipients shall
6 report to the Secretary on utilization of such rental
7 assistance and other program data, as prescribed by
8 the Secretary;

9 (6) \$50,000,000 for incremental rental voucher
10 assistance for use through a supported housing pro-
11 gram administered in conjunction with the Depart-
12 ment of Veterans Affairs as authorized under section
13 8(o)(19) of the United States Housing Act of 1937:
14 *Provided*, That the Secretary of Housing and Urban
15 Development shall make such funding available, not-
16 withstanding section 204 (competition provision) of
17 this title, to public housing agencies that partner
18 with eligible VA Medical Centers or other entities as
19 designated by the Secretary of the Department of
20 Veterans Affairs, based on geographical need for
21 such assistance as identified by the Secretary of the
22 Department of Veterans Affairs, public housing
23 agency administrative performance, and other fac-
24 tors as specified by the Secretary of Housing and
25 Urban Development in consultation with the Sec-

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

18 (7) \$20,000,000 shall be made available for
19 new incremental voucher assistance through the
20 family unification program as authorized by section
21 8(x) of the Act: *Provided*, That the assistance made
22 available under this paragraph shall continue to re-
23 main available for family unification upon turnover:
24 *Provided further*, That for any public housing agency
25 administering voucher assistance appropriated in a

1 prior Act under the family unification program that
2 determines that it no longer has an identified need
3 for such assistance upon turnover, such agency shall
4 notify the Secretary, and the Secretary shall recap-
5 ture such assistance from the agency and reallocate
6 it to any other public housing agency or agencies
7 based on need for voucher assistance in connection
8 with such program;

9 (8) \$11,000,000 shall be made available for the
10 housing choice voucher mobility demonstration au-
11 thorized under section 243 of this title; and

12 (9) the Secretary shall separately track all spe-
13 cial purpose vouchers funded under this heading.

14 HOUSING CERTIFICATE FUND

15 (INCLUDING RESCISSIONS)

16 Unobligated balances, including recaptures and car-
17 ryover, remaining from funds appropriated to the Depart-
18 ment of Housing and Urban Development under this
19 heading, the heading “Annual Contributions for Assisted
20 Housing” and the heading “Project-Based Rental Assist-
21 ance”, for fiscal year 2017 and prior years may be used
22 for renewal of or amendments to section 8 project-based
23 contracts and for performance-based contract administra-
24 tors, notwithstanding the purposes for which such funds
25 were appropriated: *Provided*, That any obligated balances

1 of contract authority from fiscal year 1974 and prior that
2 have been terminated shall be rescinded: *Provided further*,
3 That amounts heretofore recaptured, or recaptured during
4 the current fiscal year, from section 8 project-based con-
5 tracts from source years fiscal year 1975 through fiscal
6 year 1987 are hereby rescinded, and an amount of addi-
7 tional new budget authority, equivalent to the amount re-
8 scinded is hereby appropriated, to remain available until
9 expended, for the purposes set forth under this heading,
10 in addition to amounts otherwise available.

11 PUBLIC HOUSING CAPITAL FUND

12 For the Public Housing Capital Fund Program to
13 carry out capital and management activities for public
14 housing agencies, as authorized under section 9 of the
15 United States Housing Act of 1937 (42 U.S.C. 1437g)
16 (the “Act”) \$1,925,000,000, to remain available until
17 September 30, 2020: *Provided*, That notwithstanding any
18 other provision of law or regulation, during fiscal year
19 2017, the Secretary of Housing and Urban Development
20 may not delegate to any Department official other than
21 the Deputy Secretary and the Assistant Secretary for
22 Public and Indian Housing any authority under paragraph
23 (2) of section 9(j) regarding the extension of the time peri-
24 ods under such section: *Provided further*, That for pur-
25 poses of such section 9(j), the term “obligate” means, with

1 respect to amounts, that the amounts are subject to a
2 binding agreement that will result in outlays, immediately
3 or in the future: *Provided further*, That up to \$10,000,000
4 shall be to support ongoing public housing financial and
5 physical assessment activities: *Provided further*, That up
6 to \$1,000,000 shall be to support the costs of administra-
7 tive and judicial receiverships: *Provided further*, That of
8 the total amount provided under this heading, not to ex-
9 ceed \$21,500,000 shall be available for the Secretary to
10 make grants, notwithstanding section 204 of this Act, to
11 public housing agencies for emergency capital needs in-
12 cluding safety and security measures necessary to address
13 crime and drug-related activity as well as needs resulting
14 from unforeseen or unpreventable emergencies and nat-
15 ural disasters excluding Presidentially declared emer-
16 gencies and natural disasters under the Robert T. Stafford
17 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
18 seq.) occurring in fiscal year 2017: *Provided further*, That
19 of the amount made available under the previous proviso,
20 not less than \$5,000,000 shall be for safety and security
21 measures: *Provided further*, That in addition to the
22 amount in the previous proviso for such safety and secu-
23 rity measures, any amounts that remain available, after
24 all applications received on or before September 30, 2018,
25 for emergency capital needs have been processed, shall be

1 allocated to public housing agencies for such safety and
2 security measures: *Provided further*, That of the total
3 amount provided under this heading \$35,000,000 shall be
4 for supportive services, service coordinator and congregate
5 services as authorized by section 34 of the Act (42 U.S.C.
6 1437z-6) and the Native American Housing Assistance
7 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
8 seq.): *Provided further*, That of the total amount made
9 available under this heading, \$15,000,000 shall be for a
10 Jobs-Plus initiative modeled after the Jobs-Plus dem-
11 onstration: *Provided further*, That the funding provided
12 under the previous proviso shall provide competitive grants
13 to partnerships between public housing authorities, local
14 workforce investment boards established under section
15 117 of the Workforce Investment Act of 1998, and other
16 agencies and organizations that provide support to help
17 public housing residents obtain employment and increase
18 earnings: *Provided further*, That applicants must dem-
19 onstrate the ability to provide services to residents, part-
20 ner with workforce investment boards, and leverage service
21 dollars: *Provided further*, That the Secretary may allow
22 public housing agencies to request exemptions from rent
23 and income limitation requirements under sections 3 and
24 6 of the United States Housing Act of 1937 as necessary
25 to implement the Jobs-Plus program, on such terms and

1 conditions as the Secretary may approve upon a finding
2 by the Secretary that any such waivers or alternative re-
3 quirements are necessary for the effective implementation
4 of the Jobs-Plus initiative as a voluntary program for resi-
5 dents: *Provided further*, That the Secretary shall publish
6 by notice in the Federal Register any waivers or alter-
7 native requirements pursuant to the preceding proviso no
8 later than 10 days before the effective date of such notice:
9 *Provided further*, That for funds provided under this head-
10 ing, the limitation in section 9(g)(1) of the Act shall be
11 25 percent: *Provided further*, That the Secretary may
12 waive the limitation in the previous proviso to allow public
13 housing agencies to fund activities authorized under sec-
14 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
15 retary shall notify public housing agencies requesting
16 waivers under the previous proviso if the request is ap-
17 proved or denied within 14 days of submitting the request:
18 *Provided further*, That from the funds made available
19 under this heading, the Secretary shall provide bonus
20 awards in fiscal year 2017 to public housing agencies that
21 are designated high performers: *Provided further*, That the
22 Department shall notify public housing agencies of their
23 formula allocation within 60 days of enactment of this Act:
24 *Provided further*, That of the total amount provided under
25 this heading, \$25,000,000 shall be available for competi-

1 tive grants to public housing agencies to evaluate and re-
2 duce lead-based paint hazards in public housing by car-
3 rying out the activities of risk assessments, abatement,
4 and interim controls (as those terms are defined in section
5 1004 of the Residential Lead-Based Paint Hazard Reduc-
6 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further*,
7 That for purposes of environmental review, a grant under
8 the previous proviso shall be considered funds for projects
9 or activities under title I of the United States Housing
10 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
11 tion 26 of such Act (42 U.S.C. 1437x) and shall be subject
12 to the regulations implementing such section.

13 PUBLIC HOUSING OPERATING FUND

14 For 2017 payments to public housing agencies for the
15 operation and management of public housing, as author-
16 ized by section 9(e) of the United States Housing Act of
17 1937 (42 U.S.C. 1437g(e)), \$4,675,000,000, to remain
18 available until September 30, 2018.

19 CHOICE NEIGHBORHOODS INITIATIVE

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

1 poverty into functioning, sustainable mixed income neigh-
2 borhoods with appropriate services, schools, public assets,
3 transportation and access to jobs, \$80,000,000, to remain
4 available until September 30, 2019: *Provided*, That grant
5 funds may be used for resident and community services,
6 community development, and affordable housing needs in
7 the community, and for conversion of vacant or foreclosed
8 properties to affordable housing: *Provided further*, That
9 the use of funds made available under this heading shall
10 not be deemed to be public housing notwithstanding sec-
11 tion 3(b)(1) of such Act: *Provided further*, That grantees
12 shall commit to an additional period of affordability deter-
13 mined by the Secretary of not fewer than 20 years: *Pro-*
14 *vided further*, That grantees shall provide a match in
15 State, local, other Federal or private funds: *Provided fur-*
16 *ther*, That grantees may include local governments, tribal
17 entities, public housing authorities, and nonprofits: *Pro-*
18 *vided further*, That for-profit developers may apply jointly
19 with a public entity: *Provided further*, That for purposes
20 of environmental review, a grantee shall be treated as a
21 public housing agency under section 26 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437x), and
23 grants under this heading shall be subject to the regula-
24 tions issued by the Secretary to implement such section:
25 *Provided further*, That of the amount provided, not less

1 than \$48,000,000 shall be awarded to public housing
2 agencies: *Provided further*, That such grantees shall create
3 partnerships with other local organizations including as-
4 sisted housing owners, service agencies, and resident orga-
5 nizations: *Provided further*, That no more than \$5,000,000
6 of funds made available under this heading may be pro-
7 vided as grants to undertake comprehensive local planning
8 with input from residents and the community: *Provided*
9 *further*, That unobligated balances, including recaptures,
10 remaining from funds appropriated under the heading
11 “Revitalization of Severely Distressed Public Housing
12 (HOPE VI)” in fiscal year 2011 and prior fiscal years
13 may be used for purposes under this heading, notwith-
14 standing the purposes for which such amounts were appro-
15 priated: *Provided further*, That implementation grants
16 awarded under this heading may only be awarded to
17 grantees that have previously been awarded planning
18 grants.

19 FAMILY SELF-SUFFICIENCY

20 For the Family Self-Sufficiency program to support
21 family self-sufficiency coordinators under section 23 of the
22 United States Housing Act of 1937, to promote the devel-
23 opment of local strategies to coordinate the use of assist-
24 ance under sections 8(o) and 9 of such Act with public
25 and private resources, and enable eligible families to

1 achieve economic independence and self-sufficiency,
2 \$75,000,000, to remain available until September 30,
3 2018: *Provided*, That the Secretary may, by Federal Reg-
4 ister notice, waive or specify alternative requirements
5 under sections b(3), b(4), b(5), or c(1) of section 23 of
6 such Act in order to facilitate the operation of a unified
7 self-sufficiency program for individuals receiving assist-
8 ance under different provisions of the Act, as determined
9 by the Secretary: *Provided further*, That owners of a pri-
10 vately owned multifamily property with a section 8 con-
11 tract may voluntarily make a Family Self-Sufficiency pro-
12 gram available to the assisted tenants of such property
13 in accordance with procedures established by the Sec-
14 retary: *Provided further*, That such procedures established
15 pursuant to the previous proviso shall permit participating
16 tenants to accrue escrow funds in accordance with section
17 23(d)(2) and shall allow owners to use funding from resid-
18 ual receipt accounts to hire coordinators for their own
19 Family Self-Sufficiency program.

20 INDIAN BLOCK GRANTS

21 For activities and assistance authorized under title
22 I of the Native American Housing Assistance and Self-
23 Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111
24 et seq.), title I of the Housing and Community Develop-
25 ment Act of 1974 with respect to Indian tribes (42 U.S.C.

1 5306(a)(1)), and related technical assistance,
2 \$714,000,000, to remain available until September 30,
3 2021: *Provided*, That the amounts made available under
4 this heading are provided as follows:

5 (1) \$646,500,000 shall be available for the In-
6 dian Housing Block Grant program, as authorized
7 under title I of NAHASDA: *Provided*, That, not-
8 withstanding NAHASDA, to determine the amount
9 of the allocation under title I of such Act for each
10 Indian tribe, the Secretary shall apply the formula
11 under section 302 of such Act with the need compo-
12 nent based on single-race census data and with the
13 need component based on multi-race census data,
14 and the amount of the allocation for each Indian
15 tribe shall be the greater of the two resulting alloca-
16 tion amounts: *Provided further*, That notwith-
17 standing section 302(d) of NAHASDA, if on Janu-
18 ary 1, 2017, a recipient's total amount of
19 undisbursed block grant funds in the Department's
20 line of credit control system is greater than three
21 times the formula allocation it would otherwise re-
22 ceive under the first proviso under this paragraph,
23 the Secretary shall adjust that recipient's formula
24 allocation down by the difference between its total
25 amount of undisbursed block grant funds in the De-

1 partment’s line of credit control system on January
2 1, 2017, and three times the formula allocation it
3 would otherwise receive: *Provided further*, That not-
4 withstanding the previous two provisos, no Indian
5 tribe shall receive an allocation amount greater than
6 10 percent of the total amount made available under
7 this paragraph: *Provided further*, That grant
8 amounts not allocated to a recipient pursuant to the
9 previous two provisos shall be allocated under the
10 need component of the formula proportionately
11 among all other Indian tribes not subject to an ad-
12 justment under such provisos: *Provided further*, That
13 the second and third provisos shall not apply to any
14 Indian tribe that would otherwise receive a formula
15 allocation of less than \$8,000,000: *Provided further*,
16 That to take effect, the four previous provisos do not
17 require issuance or amendment of any regulation,
18 and shall not be construed to confer hearing rights
19 under any section of NAHASDA or its implementing
20 regulations: *Provided further*, That the Department
21 will notify grantees of their formula allocation within
22 60 days of the date of enactment of this Act;

23 (2) \$2,000,000 shall be made available for the
24 cost of guaranteed notes and other obligations, as
25 authorized by title VI of NAHASDA: *Provided*, That

1 such costs, including the costs of modifying such
2 notes and other obligations, shall be as defined in
3 section 502 of the Congressional Budget Act of
4 1974, as amended: *Provided further*, That these
5 funds are available to subsidize the total principal
6 amount of any notes and other obligations, any part
7 of which is to be guaranteed, not to exceed
8 \$17,857,142 to remain available until September 30,
9 2021;

10 (3) \$60,000,000 shall be for grants to Indian
11 tribes for carrying out the Community Development
12 Block Grant program as authorized under title I of
13 the Housing and Community Development Act of
14 1974, notwithstanding section 106(a)(1) of such
15 Act, of which, up to \$4,000,000 may be used for
16 emergencies that constitute imminent threats to
17 health and safety notwithstanding any other provi-
18 sion of law (including section 204 of this title): *Pro-*
19 *vided*, That not to exceed 20 percent of any grant
20 made with funds appropriated under this paragraph
21 shall be expended for planning and management de-
22 velopment and administration; and

23 (4) \$5,500,000 shall be to support the inspec-
24 tion of Indian housing units, contract expertise,
25 training, and technical assistance needs in Indian

1 country related to funding provided under this head-
2 ing.

3 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

4 ACCOUNT

5 For the cost of guaranteed loans, as authorized by
6 section 184 of the Housing and Community Development
7 Act of 1992 (12 U.S.C. 1715z–13a), \$5,500,000, to re-
8 main available until expended: *Provided*, That such costs,
9 including the costs of modifying such loans, shall be as
10 defined in section 502 of the Congressional Budget Act
11 of 1974: *Provided further*, That these funds are available
12 to subsidize total loan principal, any part of which is to
13 be guaranteed, up to \$1,341,463,415, to remain available
14 until expended: *Provided further*, That up to \$750,000 of
15 this amount may be for administrative contract expenses
16 including management processes and systems to carry out
17 the loan guarantee program: *Provided further*, That an ad-
18 ditional \$1,000,000 shall be available until expended for
19 such costs of guaranteed loans authorized under such sec-
20 tion 184 issued to tribes and Indian housing authorities
21 for the construction of rental housing for law enforcement,
22 healthcare, educational, technical and other skilled work-
23 ers: *Provided further*, That the funds specified in the pre-
24 vious proviso are available to subsidize total loan principal,
25 any part of which is to be guaranteed, up to \$243,902,439

1 to remain available until expended: *Provided further*, That
2 the Secretary may specify any additional program require-
3 ments with respect to the previous two provisos through
4 publication of a Mortgagee Letter or Notice.

5 NATIVE HAWAIIAN HOUSING BLOCK GRANT

6 For the Native Hawaiian Housing Block Grant pro-
7 gram, as authorized under title VIII of the Native Amer-
8 ican Housing Assistance and Self-Determination Act of
9 1996 (25 U.S.C. 4111 et seq.), \$5,000,000, to remain
10 available until September 30, 2021.

11 COMMUNITY PLANNING AND DEVELOPMENT

12 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

13 For carrying out the Housing Opportunities for Per-
14 sons with AIDS program, as authorized by the AIDS
15 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
16 \$335,000,000, to remain available until September 30,
17 2018, except that amounts allocated pursuant to section
18 854(e)(3) of such Act shall remain available until Sep-
19 tember 30, 2019: *Provided*, That the Secretary shall renew
20 all expiring contracts for permanent supportive housing
21 that initially were funded under section 854(e)(3) of such
22 Act from funds made available under this heading in fiscal
23 year 2010 and prior fiscal years that meet all program
24 requirements before awarding funds for new contracts
25 under such section: *Provided further*, That notwith-

1 standing section 854(c)(1) of such Act or any imple-
2 menting regulation, the Secretary shall allocate 90 percent
3 of the funds by formula, of which 75 percent shall be
4 among cities that are the most populous unit of general
5 local government in a metropolitan statistical area with
6 a population greater than 500,000 and have more than
7 2,000 persons living with the human immunodeficiency
8 virus (HIV) or AIDS, and States with more than 2,000
9 persons living with HIV or AIDS outside of metropolitan
10 statistical areas, as reported to and confirmed by the Di-
11 rector of the Centers for Disease Control and Prevention
12 (CDC) as of December 31 of the most recent calendar
13 year for which such data is available, and of which 25 per-
14 cent shall be among such eligible States and cities that
15 are the most populous unit of general local government
16 in a metropolitan statistical area based on fair market
17 rents and area poverty indexes, as determined by the Sec-
18 retary: *Provided further*, That a grantee's share shall not
19 reflect a loss greater than 5 percent or a gain greater than
20 10 percent of the share of total available formula funds
21 that the grantee received in the preceding fiscal year: *Pro-*
22 *vided further*, That any grantee that received a formula
23 allocation in fiscal year 2016 shall continue to be eligible
24 for formula allocation in this fiscal year: *Provided further*,

1 That the Department shall notify grantees of their for-
2 mula allocation within 60 days of enactment of this Act.

3 COMMUNITY DEVELOPMENT FUND

4 For assistance to units of State and local govern-
5 ment, and to other entities, for economic and community
6 development activities, and for other purposes,
7 \$3,000,000,000, to remain available until September 30,
8 2019, unless otherwise specified: *Provided*, That of the
9 total amount provided, \$3,000,000,000 is for carrying out
10 the community development block grant program under
11 title I of the Housing and Community Development Act
12 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
13 et seq.): *Provided further*, That unless explicitly provided
14 for under this heading, not to exceed 20 percent of any
15 grant made with funds appropriated under this heading
16 shall be expended for planning and management develop-
17 ment and administration: *Provided further*, That a metro-
18 politan city, urban county, unit of general local govern-
19 ment, or Indian tribe, or insular area that directly or indi-
20 rectly receives funds under this heading may not sell,
21 trade, or otherwise transfer all or any portion of such
22 funds to another such entity in exchange for any other
23 funds, credits or non-Federal considerations, but must use
24 such funds for activities eligible under title I of the Act:
25 *Provided further*, That notwithstanding section 105(e)(1)

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1 of the Act, no funds provided under this heading may be
2 provided to a for-profit entity for an economic develop-
3 ment project under section 105(a)(17) unless such project
4 has been evaluated and selected in accordance with guide-
5 lines required under subparagraph (e)(2): *Provided fur-*
6 *ther*, That the Department shall notify grantees of their
7 formula allocation within 60 days of enactment of this Act.

8 COMMUNITY DEVELOPMENT LOAN GUARANTEES

9 PROGRAM ACCOUNT

10 Subject to section 502 of the Congressional Budget
11 Act of 1974, during fiscal year 2017, commitments to
12 guarantee loans under section 108 of the Housing and
13 Community Development Act of 1974 (42 U.S.C. 5308),
14 any part of which is guaranteed, shall not exceed a total
15 principal amount of \$300,000,000, notwithstanding any
16 aggregate limitation on outstanding obligations guaran-
17 teed in subsection (k) of such section 108: *Provided*, That
18 the Secretary shall collect fees from borrowers, notwith-
19 standing subsection (m) of such section 108, to result in
20 a credit subsidy cost of zero for guaranteeing such loans,
21 and any such fees shall be collected in accordance with
22 section 502(7) of the Congressional Budget Act of 1974.

23 HOME INVESTMENT PARTNERSHIPS PROGRAM

24 For the HOME Investment Partnerships program, as
25 authorized under title II of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act, as amended,
2 \$950,000,000, to remain available until September 30,
3 2020: *Provided*, That notwithstanding the amount made
4 available under this heading, the threshold reduction re-
5 quirements in sections 216(10) and 217(b)(4) of such Act
6 shall not apply to allocations of such amount: *Provided*
7 *further*, That the requirements under provisos 2 through
8 6 under this heading for fiscal year 2012 and such re-
9 quirements applicable pursuant to the “Full-Year Con-
10 tinuing Appropriations Act, 2013”, shall not apply to any
11 project to which funds were committed on or after August
12 23, 2013, but such projects shall instead be governed by
13 the Final Rule titled “Home Investment Partnerships
14 Program; Improving Performance and Accountability; Up-
15 dating Property Standards” which became effective on
16 such date: *Provided further*, That the Department shall
17 notify grantees of their formula allocation within 60 days
18 of enactment of this Act.

19 SELF-HELP AND ASSISTED HOMEOWNERSHIP

20 OPPORTUNITY PROGRAM

21 For the Self-Help and Assisted Homeownership Op-
22 portunity Program, as authorized under section 11 of the
23 Housing Opportunity Program Extension Act of 1996, as
24 amended, \$50,000,000, to remain available until Sep-
25 tember 30, 2019: *Provided*, That of the total amount pro-

1 vided under this heading, \$10,000,000 shall be made
2 available to the Self-Help and Assisted Homeownership
3 Opportunity Program as authorized under section 11 of
4 the Housing Opportunity Program Extension Act of 1996,
5 as amended: *Provided further*, That of the total amount
6 provided under this heading, \$35,000,000 shall be made
7 available for the second, third, and fourth capacity build-
8 ing activities authorized under section 4(a) of the HUD
9 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
10 which not less than \$5,000,000 shall be made available
11 for rural capacity building activities: *Provided further*,
12 That of the total amount provided under this heading,
13 \$5,000,000 shall be made available for capacity building
14 by national rural housing organizations with experience
15 assessing national rural conditions and providing financ-
16 ing, training, technical assistance, information, and re-
17 search to local nonprofits, local governments and Indian
18 Tribes serving high need rural communities: *Provided fur-*
19 *ther*, That an additional \$4,000,000, to remain available
20 until expended, shall be for a program to rehabilitate and
21 modify homes of disabled or low-income veterans as au-
22 thorized under section 1079 of Public Law 113–291.

23 HOMELESS ASSISTANCE GRANTS

24 For the emergency solutions grants program as au-
25 thorized under subtitle B of title IV of the McKinney-

1 Vento Homeless Assistance Act, as amended; the con-
2 tinuum of care program as authorized under subtitle C
3 of title IV of such Act; and the rural housing stability as-
4 sistance program as authorized under subtitle D of title
5 IV of such Act, \$2,330,000,000, to remain available until
6 September 30, 2019: *Provided*, That any rental assistance
7 amounts that are recaptured under such continuum of
8 care program shall remain available until expended: *Pro-*
9 *vided further*, That not less than \$250,000,000 of the
10 funds appropriated under this heading shall be available
11 for such emergency solutions grants program: *Provided*
12 *further*, That not less than \$2,013,000,000 of the funds
13 appropriated under this heading shall be available for such
14 continuum of care and rural housing stability assistance
15 programs: *Provided further*, That up to \$7,000,000 of the
16 funds appropriated under this heading shall be available
17 for the national homeless data analysis project: *Provided*
18 *further*, That all funds awarded for supportive services
19 under the continuum of care program and the rural hous-
20 ing stability assistance program shall be matched by not
21 less than 25 percent in cash or in kind by each grantee:
22 *Provided further*, That for all match requirements applica-
23 ble to funds made available under this heading for this
24 fiscal year and prior years, a grantee may use (or could
25 have used) as a source of match funds other funds admin-

1 istered by the Secretary and other Federal agencies unless
2 there is (or was) a specific statutory prohibition on any
3 such use of any such funds: *Provided further*, That none
4 of the funds provided under this heading shall be available
5 to provide funding for new projects, except for projects
6 created through reallocation, unless the Secretary deter-
7 mines that the continuum of care has demonstrated that
8 projects are evaluated and ranked based on the degree to
9 which they improve the continuum of care's system per-
10 formance: *Provided further*, That the Secretary shall
11 prioritize funding under the continuum of care program
12 to continuums of care that have demonstrated a capacity
13 to reallocate funding from lower performing projects to
14 higher performing projects: *Provided further*, That any un-
15 obligated amounts remaining from funds appropriated
16 under this heading in fiscal year 2012 and prior years for
17 project-based rental assistance for rehabilitation projects
18 with 10-year grant terms may be used for purposes under
19 this heading, notwithstanding the purposes for which such
20 funds were appropriated: *Provided further*, That all bal-
21 ances for Shelter Plus Care renewals previously funded
22 from the Shelter Plus Care Renewal account and trans-
23 ferred to this account shall be available, if recaptured, for
24 continuum of care renewals in fiscal year 2017: *Provided*
25 *further*, That the Department shall notify grantees of their

1 formula allocation from amounts allocated (which may
2 represent initial or final amounts allocated) for the emer-
3 gency solutions grant program within 60 days of enact-
4 ment of this Act: *Provided further*, That up to
5 \$40,000,000 of the funds appropriated under this heading
6 shall be to implement projects to demonstrate how a com-
7 prehensive approach to serving homeless youth, age 24
8 and under, in up to 11 communities, including at least
9 five rural communities, can dramatically reduce youth
10 homelessness: *Provided further*, That such projects shall
11 be eligible for renewal under the continuum of care pro-
12 gram subject to the same terms and conditions as other
13 renewal applicants: *Provided further*, That youth aged 24
14 and under seeking assistance under this heading shall not
15 be required to provide third party documentation to estab-
16 lish their eligibility under 42 U.S.C. 11302(a) or (b) to
17 receive services: *Provided further*, That unaccompanied
18 youth aged 24 and under or families headed by youth aged
19 24 and under who are living in unsafe situations may be
20 served by youth-serving providers funded under this head-
21 ing.

22 HOUSING PROGRAMS

23 RENTAL ASSISTANCE DEMONSTRATION

24 For continuing activities under the heading “Rental
25 Assistance Demonstration” in the Department of Housing

1 and Urban Development Appropriations Act, 2012 (Public
2 Law 112–55), \$4,000,000, to remain available until Sep-
3 tember 30, 2020: *Provided*, That such funds shall only be
4 available to properties converting from assistance under
5 section 202(c)(2) of the Housing Act of 1959 (12 U.S.C.
6 1701q(c)(2)).

7 PROJECT-BASED RENTAL ASSISTANCE

8 For activities and assistance for the provision of
9 project-based subsidy contracts under the United States
10 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
11 Act”), not otherwise provided for, \$10,501,000,000, to re-
12 main available until expended, shall be available on Octo-
13 ber 1, 2016 (in addition to the \$400,000,000 previously
14 appropriated under this heading that became available Oc-
15 tober 1, 2016), and \$400,000,000, to remain available
16 until expended, shall be available on October 1, 2017: *Pro-*
17 *vided*, That the amounts made available under this head-
18 ing shall be available for expiring or terminating section
19 8 project-based subsidy contracts (including section 8
20 moderate rehabilitation contracts), for amendments to sec-
21 tion 8 project-based subsidy contracts (including section
22 8 moderate rehabilitation contracts), for contracts entered
23 into pursuant to section 441 of the McKinney-Vento
24 Homeless Assistance Act (42 U.S.C. 11401), for renewal
25 of section 8 contracts for units in projects that are subject

1 to approved plans of action under the Emergency Low In-
2 come Housing Preservation Act of 1987 or the Low-In-
3 come Housing Preservation and Resident Homeownership
4 Act of 1990, and for administrative and other expenses
5 associated with project-based activities and assistance
6 funded under this paragraph: *Provided further*, That of
7 the total amounts provided under this heading, not to ex-
8 ceed \$235,000,000 shall be available for performance-
9 based contract administrators for section 8 project-based
10 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
11 *further*, That the Secretary of Housing and Urban Devel-
12 opment may also use such amounts in the previous proviso
13 for performance-based contract administrators for the ad-
14 ministration of: interest reduction payments pursuant to
15 section 236(a) of the National Housing Act (12 U.S.C.
16 1715z-1(a)); rent supplement payments pursuant to sec-
17 tion 101 of the Housing and Urban Development Act of
18 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
19 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
20 assistance contracts for the elderly under section
21 202(e)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
22 project rental assistance contracts for supportive housing
23 for persons with disabilities under section 811(d)(2) of the
24 Cranston-Gonzalez National Affordable Housing Act (42
25 U.S.C. 8013(d)(2)); project assistance contracts pursuant

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

1 HOUSING FOR THE ELDERLY

2 For amendments to capital advance contracts for
3 housing for the elderly, as authorized by section 202 of
4 the Housing Act of 1959, as amended, and for project
5 rental assistance for the elderly under section 202(e)(2)
6 of such Act, including amendments to contracts for such
7 assistance and renewal of expiring contracts for such as-
8 sistance for up to a 1-year term, and for senior preserva-
9 tion rental assistance contracts, including renewals, as au-
10 thorized by section 811(e) of the American Housing and
11 Economic Opportunity Act of 2000, as amended, and for
12 supportive services associated with the housing,
13 \$505,000,000 to remain available until September 30,
14 2020: *Provided*, That of the amount provided under this
15 heading, up to \$75,000,000 shall be for service coordina-
16 tors and the continuation of existing congregate service
17 grants for residents of assisted housing projects: *Provided*
18 *further*, That amounts under this heading shall be avail-
19 able for Real Estate Assessment Center inspections and
20 inspection-related activities associated with section 202
21 projects: *Provided further*, That the Secretary may waive
22 the provisions of section 202 governing the terms and con-
23 ditions of project rental assistance, except that the initial
24 contract term for such assistance shall not exceed 5 years
25 in duration: *Provided further*, That upon request of the

1 Secretary of Housing and Urban Development, project
2 funds that are held in residual receipts accounts for any
3 project subject to a section 202 project rental assistance
4 contract, and that upon termination of such contract are
5 in excess of an amount to be determined by the Secretary,
6 shall be remitted to the Department and deposited in this
7 account, to be available until September 30, 2020: *Pro-*
8 *vided further*, That amounts deposited in this account pur-
9 suant to the previous proviso shall be available, in addition
10 to the amounts otherwise provided by this heading, for
11 amendments and renewals: *Provided further*, That unobli-
12 gated balances, including recaptures and carryover, re-
13 maining from funds transferred to or appropriated under
14 this heading shall be available for amendments and renew-
15 als notwithstanding the purposes for which such funds
16 originally were appropriated.

17 HOUSING FOR PERSONS WITH DISABILITIES

18 For amendments to capital advance contracts for
19 supportive housing for persons with disabilities, as author-
20 ized by section 811 of the Cranston-Gonzalez National Af-
21 fordable Housing Act (42 U.S.C. 8013), for project rental
22 assistance for supportive housing for persons with disabil-
23 ities under section 811(d)(2) of such Act and for project
24 assistance contracts pursuant to section 202(h) of the
25 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),

1 including amendments to contracts for such assistance
2 and renewal of expiring contracts for such assistance for
3 up to a 1-year term, for project rental assistance to State
4 housing finance agencies and other appropriate entities as
5 authorized under section 811(b)(3) of the Cranston-Gon-
6 zalez National Housing Act, and for supportive services
7 associated with the housing for persons with disabilities
8 as authorized by section 811(b)(1) of such Act,
9 \$154,000,000, to remain available until September 30,
10 2020: *Provided*, That amounts made available under this
11 heading shall be available for Real Estate Assessment
12 Center inspections and inspection-related activities associ-
13 ated with section 811 projects: *Provided further*, That, in
14 this fiscal year, upon the request of the Secretary of Hous-
15 ing and Urban Development, project funds that are held
16 in residual receipts accounts for any project subject to a
17 section 811 project rental assistance contract and that
18 upon termination of such contract are in excess of an
19 amount to be determined by the Secretary shall be remit-
20 ted to the Department and deposited in this account, to
21 be available until September 30, 2020: *Provided further*,
22 That amounts deposited in this account pursuant to the
23 previous proviso shall be available in addition to the
24 amounts otherwise provided by this heading for the pur-
25 poses authorized under this heading: *Provided further*,

1 That unobligated balances, including recaptures and car-
2 ryover, remaining from funds transferred to or appro-
3 priated under this heading may be used for the current
4 purposes authorized under this heading notwithstanding
5 the purposes for which such funds originally were appro-
6 priated.

7 HOUSING COUNSELING ASSISTANCE

8 For contracts, grants, and other assistance excluding
9 loans, as authorized under section 106 of the Housing and
10 Urban Development Act of 1968, as amended,
11 \$47,000,000, to remain available until September 30,
12 2018, including up to \$4,500,000 for administrative con-
13 tract services: *Provided*, That grants made available from
14 amounts provided under this heading shall be awarded
15 within 180 days of enactment of this Act: *Provided further*,
16 That funds shall be used for providing counseling and ad-
17 vice to tenants and homeowners, both current and pro-
18 spective, with respect to property maintenance, financial
19 management/literacy, and such other matters as may be
20 appropriate to assist them in improving their housing con-
21 ditions, meeting their financial needs, and fulfilling the re-
22 sponsibilities of tenancy or homeownership; for program
23 administration; and for housing counselor training: *Pro-*
24 *vided further*, That for purposes of providing such grants
25 from amounts provided under this heading, the Secretary

1 may enter into multiyear agreements as appropriate, sub-
2 ject to the availability of annual appropriations.

3 RENTAL HOUSING ASSISTANCE

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

18 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

19 FUND

20 For necessary expenses as authorized by the National
21 Manufactured Housing Construction and Safety Stand-
22 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
23 \$10,500,000, to remain available until expended, of which
24 \$10,500,000 is to be derived from the Manufactured
25 Housing Fees Trust Fund: *Provided*, That not to exceed

1 the total amount appropriated under this heading shall be
2 available from the general fund of the Treasury to the ex-
3 tent necessary to incur obligations and make expenditures
4 pending the receipt of collections to the Fund pursuant
5 to section 620 of such Act: *Provided further*, That the
6 amount made available under this heading from the gen-
7 eral fund shall be reduced as such collections are received
8 during fiscal year 2017 so as to result in a final fiscal
9 year 2017 appropriation from the general fund estimated
10 at zero, and fees pursuant to such section 620 shall be
11 modified as necessary to ensure such a final fiscal year
12 2017 appropriation: *Provided further*, That for the dispute
13 resolution and installation programs, the Secretary of
14 Housing and Urban Development may assess and collect
15 fees from any program participant: *Provided further*, That
16 such collections shall be deposited into the Fund, and the
17 Secretary, as provided herein, may use such collections,
18 as well as fees collected under section 620, for necessary
19 expenses of such Act: *Provided further*, That, notwith-
20 standing the requirements of section 620 of such Act, the
21 Secretary may carry out responsibilities of the Secretary
22 under such Act through the use of approved service pro-
23 viders that are paid directly by the recipients of their serv-
24 ices.

1 FEDERAL HOUSING ADMINISTRATION

2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

3 New commitments to guarantee single family loans
4 insured under the Mutual Mortgage Insurance Fund shall
5 not exceed \$400,000,000,000, to remain available until
6 September 30, 2018: *Provided*, That during fiscal year
7 2017, obligations to make direct loans to carry out the
8 purposes of section 204(g) of the National Housing Act,
9 as amended, shall not exceed \$5,000,000: *Provided fur-*
10 *ther*, That the foregoing amount in the previous proviso
11 shall be for loans to nonprofit and governmental entities
12 in connection with sales of single family real properties
13 owned by the Secretary and formerly insured under the
14 Mutual Mortgage Insurance Fund: *Provided further*, That
15 for administrative contract expenses of the Federal Hous-
16 ing Administration, \$130,000,000, to remain available
17 until September 30, 2018.

18 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

19 New commitments to guarantee loans insured under
20 the General and Special Risk Insurance Funds, as author-
21 ized by sections 238 and 519 of the National Housing Act
22 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
23 \$30,000,000,000 in total loan principal, any part of which
24 is to be guaranteed, to remain available until September
25 30, 2018: *Provided*, That during fiscal year 2017, gross

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

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

11 New commitments to issue guarantees to carry out
12 the purposes of section 306 of the National Housing Act,
13 as amended (12 U.S.C. 1721(g)), shall not exceed
14 \$500,000,000,000, to remain available until September
15 30, 2018: *Provided*, That \$23,000,000 shall be available
16 for necessary salaries and expenses of the Office of Gov-
17 ernment National Mortgage Association: *Provided further*,
18 That to the extent that guaranteed loan commitments ex-
19 ceed \$155,000,000,000 on or before April 1, 2017, an ad-
20 ditional \$100 for necessary salaries and expenses shall be
21 available until expended for each \$1,000,000 in additional
22 guaranteed loan commitments (including a pro rata
23 amount for any amount below \$1,000,000), but in no case
24 shall funds made available by this proviso exceed
25 \$3,000,000: *Provided further*, That receipts from Commit-

1 ment and Multiclass fees collected pursuant to title III of
2 the National Housing Act, as amended, shall be credited
3 as offsetting collections to this account.

4 POLICY DEVELOPMENT AND RESEARCH

5 RESEARCH AND TECHNOLOGY

6 For contracts, grants, and necessary expenses of pro-
7 grams of research and studies relating to housing and
8 urban problems, not otherwise provided for, as authorized
9 by title V of the Housing and Urban Development Act
10 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
11 out the functions of the Secretary of Housing and Urban
12 Development under section 1(a)(1)(i) of Reorganization
13 Plan No. 2 of 1968, and for technical assistance,
14 \$90,000,000, to remain available until September 30,
15 2018: *Provided*, That with respect to amounts made avail-
16 able under this heading, notwithstanding section 204 of
17 this title, the Secretary may enter into cooperative agree-
18 ments funded with philanthropic entities, other Federal
19 agencies, or State or local governments and their agencies
20 for research projects: *Provided further*, That with respect
21 to the previous proviso, such partners to the cooperative
22 agreements must contribute at least a 50 percent match
23 toward the cost of the project: *Provided further*, That for
24 non-competitive agreements entered into in accordance
25 with the previous two provisos, the Secretary of Housing

1 and Urban Development shall comply with section 2(b) of
2 the Federal Funding Accountability and Transparency
3 Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu
4 of compliance with section 102(a)(4)(C) with respect to
5 documentation of award decisions: *Provided further*, That
6 prior to obligation of technical assistance funding, the Sec-
7 retary shall submit a plan, for approval, to the House and
8 Senate Committees on Appropriations on how it will allo-
9 cate funding for this activity: *Provided further*, That none
10 of the funds provided under this heading may be available
11 for the doctoral dissertation research grant program.

12 FAIR HOUSING AND EQUAL OPPORTUNITY

13 FAIR HOUSING ACTIVITIES

14 For contracts, grants, and other assistance, not oth-
15 erwise provided for, as authorized by title VIII of the Civil
16 Rights Act of 1968, as amended by the Fair Housing
17 Amendments Act of 1988, and section 561 of the Housing
18 and Community Development Act of 1987, as amended,
19 \$65,300,000, to remain available until September 30,
20 2018: *Provided*, That notwithstanding 31 U.S.C. 3302,
21 the Secretary may assess and collect fees to cover the costs
22 of the Fair Housing Training Academy, and may use such
23 funds to provide such training: *Provided further*, That no
24 funds made available under this heading shall be used to
25 lobby the executive or legislative branches of the Federal

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

9 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

10 HOMES

11 LEAD HAZARD REDUCTION

12 For the Lead Hazard Reduction Program, as author-
13 ized by section 1011 of the Residential Lead-Based Paint
14 Hazard Reduction Act of 1992, \$135,000,000, to remain
15 available until September 30, 2018, of which \$20,000,000
16 shall be for the Healthy Homes Initiative, pursuant to sec-
17 tions 501 and 502 of the Housing and Urban Develop-
18 ment Act of 1970, that shall include research, studies,
19 testing, and demonstration efforts, including education
20 and outreach concerning lead-based paint poisoning and
21 other housing-related diseases and hazards: *Provided*,
22 That for purposes of environmental review, pursuant to
23 the National Environmental Policy Act of 1969 (42 U.S.C.
24 4321 et seq.) and other provisions of the law that further
25 the purposes of such Act, a grant under the Healthy

1 Homes Initiative, or the Lead Technical Studies program
2 under this heading or under prior appropriations Acts for
3 such purposes under this heading, shall be considered to
4 be funds for a special project for purposes of section
5 305(c) of the Multifamily Housing Property Disposition
6 Reform Act of 1994: *Provided further*, That of the total
7 amount made available under this heading, \$55,000,000
8 shall be made available on a competitive basis for areas
9 with the highest lead-based paint abatement needs: *Pro-*
10 *vided further*, That each recipient of funds provided under
11 the previous proviso shall contribute an amount not less
12 than 25 percent of the total: *Provided further*, That each
13 applicant shall certify adequate capacity that is acceptable
14 to the Secretary to carry out the proposed use of funds
15 pursuant to a notice of funding availability: *Provided fur-*
16 *ther*, That amounts made available under this heading in
17 this or prior appropriations Acts, and that still remain
18 available, may be used for any purpose under this heading
19 notwithstanding the purpose for which such amounts were
20 appropriated if a program competition is undersubscribed
21 and there are other program competitions under this head-
22 ing that are oversubscribed.

23 INFORMATION TECHNOLOGY FUND

24 For the development of, modifications to, and infra-
25 structure for Department-wide and program-specific infor-

1 mation technology systems, for the continuing operation
2 and maintenance of both Department-wide and program-
3 specific information systems, and for program-related
4 maintenance activities, \$273,000,000, of which
5 \$250,000,000 shall remain available until September 30,
6 2018, and of which \$23,000,000 shall remain available
7 until September 30, 2019: *Provided*, That any amounts
8 transferred to this Fund under this Act shall remain avail-
9 able until expended: *Provided further*, That any amounts
10 transferred to this Fund from amounts appropriated by
11 previously enacted appropriations Acts may be used for
12 the purposes specified under this Fund, in addition to any
13 other information technology purposes for which such
14 amounts were appropriated: *Provided further*, That not
15 more than 10 percent of the funds made available under
16 this heading for development, modernization and enhance-
17 ment may be obligated until the Secretary submits to the
18 House and Senate Committees on Appropriations, for ap-
19 proval, a plan for expenditure that—(A) identifies for each
20 modernization project: (i) the functional and performance
21 capabilities to be delivered and the mission benefits to be
22 realized, (ii) the estimated life-cycle cost, and (iii) key
23 milestones to be met; and (B) demonstrates that each
24 modernization project is: (i) compliant with the depart-
25 ment’s enterprise architecture, (ii) being managed in ac-

1 cordance with applicable life-cycle management policies
2 and guidance, (iii) subject to the department's capital
3 planning and investment control requirements, and (iv)
4 supported by an adequately staffed project office.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary salaries and expenses of the Office of
7 Inspector General in carrying out the Inspector General
8 Act of 1978, as amended, \$129,000,000: *Provided*, That
9 the Inspector General shall have independent authority
10 over all personnel issues within this office.

11 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

12 URBAN DEVELOPMENT

13 (INCLUDING TRANSFER OF FUNDS)

14 (INCLUDING RESCISSION)

15 SEC. 201. Fifty percent of the amounts of budget au-
16 thority, or in lieu thereof 50 percent of the cash amounts
17 associated with such budget authority, that are recaptured
18 from projects described in section 1012(a) of the Stewart
19 B. McKinney Homeless Assistance Amendments Act of
20 1988 (42 U.S.C. 1437 note) shall be rescinded or in the
21 case of cash, shall be remitted to the Treasury, and such
22 amounts of budget authority or cash recaptured and not
23 rescinded or remitted to the Treasury shall be used by
24 State housing finance agencies or local governments or
25 local housing agencies with projects approved by the Sec-

1 retary of Housing and Urban Development for which set-
2 tlement occurred after January 1, 1992, in accordance
3 with such section. Notwithstanding the previous sentence,
4 the Secretary may award up to 15 percent of the budget
5 authority or cash recaptured and not rescinded or remitted
6 to the Treasury to provide project owners with incentives
7 to refinance their project at a lower interest rate.

8 SEC. 202. None of the amounts made available under
9 this Act may be used during fiscal year 2017 to investigate
10 or prosecute under the Fair Housing Act any otherwise
11 lawful activity engaged in by one or more persons, includ-
12 ing the filing or maintaining of a nonfrivolous legal action,
13 that is engaged in solely for the purpose of achieving or
14 preventing action by a Government official or entity, or
15 a court of competent jurisdiction.

16 SEC. 203. (a) Notwithstanding any other provision
17 of law, the amount allocated for fiscal year 2017 under
18 section 854(c) of the AIDS Housing Opportunity Act (42
19 U.S.C. 12903(c)), to the city of New York, New York,
20 on behalf of the New York–Wayne–White Plains, New
21 York–New Jersey Metropolitan Division (hereafter “met-
22 ropolitan division”) of the New York–Newark–Edison,
23 NY–NJ–PA Metropolitan Statistical Area, shall be ad-
24 justed by the Secretary of Housing and Urban Develop-
25 ment by: (1) allocating to the city of Jersey City, New

1 Jersey, the proportion of the metropolitan area’s or divi-
2 sion’s amount that is based on the number of persons liv-
3 ing with HIV or AIDS, poverty and fair market rents,
4 in the portion of the metropolitan area or division that
5 is located in Hudson County, New Jersey; and (2) allo-
6 cating to the city of Paterson, New Jersey, the proportion
7 of the metropolitan area’s or division’s amount that is
8 based on the number of persons living with HIV or AIDS,
9 poverty and fair market rents, in the portion of the metro-
10 politan area or division that is located in Bergen County
11 and Passaic County, New Jersey. The recipient cities shall
12 use amounts allocated under this subsection to carry out
13 eligible activities under section 855 of the AIDS Housing
14 Opportunity Act (42 U.S.C. 12904) in their respective
15 portions of the metropolitan division that is located in New
16 Jersey.

17 (b) Notwithstanding any other provision of law, the
18 amount allocated for fiscal year 2017 under section 854(c)
19 of the AIDS Housing Opportunity Act (42 U.S.C.
20 12903(c)), to the city of Wilmington, Delaware, on behalf
21 of the Wilmington, Delaware–Maryland–New Jersey Met-
22 ropolitan Division (hereafter “metropolitan division”),
23 shall be adjusted by the Secretary of Housing and Urban
24 Development by allocating to the State of New Jersey the
25 proportion of the metropolitan division’s amount that is

1 based on the number of persons living with HIV or AIDS,
2 poverty and fair market rents, in the portion of the metro-
3 politan division that is located in New Jersey. The State
4 of New Jersey shall use amounts allocated to the State
5 under this subsection to carry out eligible activities under
6 section 855 of the AIDS Housing Opportunity Act (42
7 U.S.C. 12904) in the portion of the metropolitan division
8 that is located in New Jersey.

9 (c) Notwithstanding any other provision of law, the
10 Secretary of Housing and Urban Development shall allo-
11 cate to Wake County, North Carolina, the amounts that
12 otherwise would be allocated for fiscal year 2017 under
13 section 854(c) of the AIDS Housing Opportunity Act (42
14 U.S.C. 12903(c)) to the city of Raleigh, North Carolina,
15 on behalf of the Raleigh-Cary North Carolina Metropoli-
16 tan Statistical Area. Any amounts allocated to Wake
17 County shall be used to carry out eligible activities under
18 section 855 of such Act (42 U.S.C. 12904) within such
19 metropolitan statistical area.

20 (d) Notwithstanding section 854(c) of the AIDS
21 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-
22 retary of Housing and Urban Development may adjust the
23 allocation of the amounts that otherwise would be allo-
24 cated for fiscal year 2017 under section 854(c) of such
25 Act, upon the written request of an applicant, in conjunc-

1 tion with the State(s), for a formula allocation on behalf
2 of a metropolitan statistical area, to designate the State
3 or States in which the metropolitan statistical area is lo-
4 cated as the eligible grantee(s) of the allocation. In the
5 case that a metropolitan statistical area involves more
6 than one State, such amounts allocated to each State shall
7 be based on the proportion of the metropolitan statistical
8 area's amount that is based on the number of persons liv-
9 ing with HIV or AIDS, poverty and fair market rents,
10 in the portion of the metropolitan statistical area that is
11 located in that State. Any amounts allocated to a State
12 under this section shall be used to carry out eligible activi-
13 ties within the portion of the metropolitan statistical area
14 located in that State.

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

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

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

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

15 SEC. 207. Corporations and agencies of the Depart-
16 ment of Housing and Urban Development which are sub-
17 ject to the Government Corporation Control Act are here-
18 by authorized to make such expenditures, within the limits
19 of funds and borrowing authority available to each such
20 corporation or agency and in accordance with law, and to
21 make such contracts and commitments without regard to
22 fiscal year limitations as provided by section 104 of such
23 Act as may be necessary in carrying out the programs set
24 forth in the budget for 2017 for such corporation or agen-
25 cy except as hereinafter provided: *Provided*, That collec-

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

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

17 SEC. 209. The President's formal budget request for
18 fiscal year 2018, as well as the Department of Housing
19 and Urban Development's congressional budget justifica-
20 tions to be submitted to the Committees on Appropriations
21 of the House of Representatives and the Senate, shall use
22 the identical account and sub-account structure provided
23 under this Act.

24 SEC. 210. A public housing agency or such other enti-
25 ty that administers Federal housing assistance for the

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

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

1 SEC. 212. (a) Notwithstanding any other provision
2 of law, subject to the conditions listed under this section,
3 for fiscal years 2017 and 2018, the Secretary of Housing
4 and Urban Development may authorize the transfer of
5 some or all project-based assistance, debt held or insured
6 by the Secretary and statutorily required low-income and
7 very low-income use restrictions if any, associated with one
8 or more multifamily housing project or projects to another
9 multifamily housing project or projects.

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

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

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

20 (A) For occupied units in the transferring
21 project: The number of low-income and very
22 low-income units and the configuration (i.e.,
23 bedroom size) provided by the transferring
24 project shall be no less than when transferred
25 to the receiving project or projects and the net

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

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

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

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

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

23 (5) The tenants of the transferring project who
24 remain eligible for assistance to be provided by the
25 receiving project or projects shall not be required to

1 vacate their units in the transferring project or
2 projects until new units in the receiving project are
3 available for occupancy.

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

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

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

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

7 (d) For purposes of this section—

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

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

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

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

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

1 (D) housing that is assisted under section
2 202 of the Housing Act of 1959, as such sec-
3 tion existed before the enactment of the Cran-
4 ston-Gonzales National Affordable Housing Act;

5 (E) housing that is assisted under section
6 811 of the Cranston-Gonzales National Afford-
7 able Housing Act; or

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

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

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

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

19 (C) rent supplement payments under sec-
20 tion 101 of the Housing and Urban Develop-
21 ment Act of 1965;

22 (D) interest reduction payments under sec-
23 tion 236 and/or additional assistance payments
24 under section 236(f)(2) of the National Hous-
25 ing Act;

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

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

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

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

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

19 (e) RESEARCH REPORT.—The Secretary shall con-
20 duct an evaluation of the transfer authority under this sec-
21 tion, including the effect of such transfers on the oper-
22 ational efficiency, contract rents, physical and financial
23 conditions, and long-term preservation of the affected
24 properties.

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

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

8 (2) is under 24 years of age;

9 (3) is not a veteran;

10 (4) is unmarried;

11 (5) does not have a dependent child;

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

17 (7) is not a youth who left foster care at age
18 14 or older and is at risk of becoming homeless; and

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

23 (b) For purposes of determining the eligibility of a
24 person to receive assistance under section 8 of the United
25 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-

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

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

14 SEC. 215. Notwithstanding the limitation in the first
15 sentence of section 255(g) of the National Housing Act
16 (12 U.S.C. 1715z–20(g)), the Secretary of Housing and
17 Urban Development may, until September 30, 2017, in-
18 sure and enter into commitments to insure mortgages
19 under such section 255.

20 SEC. 216. Notwithstanding any other provision of
21 law, in fiscal year 2017, in managing and disposing of any
22 multifamily property that is owned or has a mortgage held
23 by the Secretary of Housing and Urban Development, and
24 during the process of foreclosure on any property with a
25 contract for rental assistance payments under section 8

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

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

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

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

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

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

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

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

9 SEC. 221. The Secretary of the Department of Hous-
10 ing and Urban Development shall, for fiscal year 2017 and
11 hereafter, notify the public through the Federal Register
12 and other means, as determined appropriate, of the
13 issuance of a notice of the availability of assistance or no-
14 tice of funding availability (NOFA) for any program or
15 discretionary fund administered by the Secretary that is
16 to be competitively awarded. Notwithstanding any other
17 provision of law, for fiscal year 2017 and hereafter, the
18 Secretary may make the NOFA available only on the
19 Internet at the appropriate Government web site or
20 through other electronic media, as determined by the Sec-
21 retary.

22 SEC. 222. Payment of attorney fees in program-re-
23 lated litigation shall be paid from the individual program
24 office and Office of General Counsel salaries and expenses
25 appropriations. The annual budget submission for the pro-

1 gram offices and the Office of General Counsel shall in-
2 clude any such projected litigation costs for attorney fees
3 as a separate line item request. No funds provided in this
4 title may be used to pay any such litigation costs for attor-
5 ney fees until the Department submits for review a spend-
6 ing plan for such costs to the House and Senate Commit-
7 tees on Appropriations.

8 SEC. 223. The Secretary is authorized to transfer up
9 to 10 percent or \$4,000,000, whichever is less, of funds
10 appropriated for any office under the heading “Adminis-
11 trative Support Offices” or for any account under the gen-
12 eral heading “Program Office Salaries and Expenses” to
13 any other such office or account: *Provided*, That no appro-
14 priation for any such office or account shall be increased
15 or decreased by more than 10 percent or \$4,000,000,
16 whichever is less, without prior written approval of the
17 House and Senate Committees on Appropriations: *Pro-*
18 *vided further*, That the Secretary shall provide notification
19 to such Committees three business days in advance of any
20 such transfers under this section up to 10 percent or
21 \$4,000,000, whichever is less.

22 SEC. 224. For fiscal year 2017 and hereafter the Dis-
23 aster Housing Assistance Programs, administered by the
24 Department of Housing and Urban Development, shall be
25 considered a “program of the Department of Housing and

1 Urban Development” under section 904 of the McKinney
2 Act for the purpose of income verifications and matching.

3 SEC. 225. (a) The Secretary shall take action under
4 subsection (b) when a multifamily housing project with a
5 section 8 contract or contract for similar project-based as-
6 sistance:

7 (1) receives a Uniform Physical Condition
8 Standards (UPCS) score of 30 or less;

9 (2) fails to certify in writing to the Secretary
10 within 3 days that all Exigent Health and Safety de-
11 ficiencies identified by the inspector at the project
12 have been corrected; or

13 (3) receives a UPCS score between 31 and 59
14 and has received consecutive scores of less than 60
15 on UPCS inspections.

16 Such requirements shall apply to insured and
17 noninsured projects with assistance attached to the
18 units under section 8 of the United States Housing
19 Act of 1937 (42 U.S.C. 1437f), but do not apply to
20 such units assisted under section 8(o)(13) (42
21 U.S.C. 1437f(o)(13)) or to public housing units as-
22 sisted with capital or operating funds under section
23 9 of the United States Housing Act of 1937 (42
24 U.S.C. 1437g).

25 (b) CORRECTIONS OF DEFICIENCIES.—

1 (1) The Secretary shall notify the owner and
2 provide an opportunity for response within 30 days.
3 If the violations remain, the Secretary shall develop
4 a Compliance, Disposition and Enforcement Plan
5 within 60 days and must provide the owner with a
6 Notice of Default with a specified timetable, deter-
7 mined by the Secretary, for correcting all defi-
8 ciencies. The Secretary must also provide a copy of
9 the Notice of Default to the tenants, the local gov-
10 ernment, any mortgagees, and any contract adminis-
11 trator. If the owner's appeal results in a UPCS
12 score of 60 or above, the Secretary may withdraw
13 the Notice of Default.

14 (2) At the end of the time period for correcting
15 all deficiencies specified in the Notice of Default, if
16 the owner fails to fully correct such deficiencies, the
17 Secretary may—

18 (A) require immediate replacement of
19 project management with a management agent
20 approved by the Secretary;

21 (B) impose civil money penalties;

22 (C) abate the section 8 contract, including
23 partial abatement, as determined by the Sec-
24 retary, until all deficiencies have been corrected;

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

7 (E) transfer the existing section 8 contract
8 to another project or projects and owner or
9 owners;

10 (F) pursue exclusionary sanctions, includ-
11 ing suspensions or debarments from Federal
12 programs;

13 (G) seek judicial appointment of a receiver
14 to manage the property and cure all project de-
15 ficiencies or seek a judicial order of specific per-
16 formance requiring the owner to cure all project
17 deficiencies;

18 (H) work with the owner, lender, or other
19 related party to stabilize the property in an at-
20 tempt to preserve the property through compli-
21 ance, transfer of ownership, or an infusion of
22 capital provided by a third-party that requires
23 time to effectuate; or

1 (I) take any other regulatory or contrac-
2 tual remedies available as deemed necessary
3 and appropriate by the Secretary.

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

1 (d) The Secretary shall report quarterly on all prop-
2 erties covered by this section that are assessed through
3 the Real Estate Assessment Center and have UPCS phys-
4 ical inspection scores of less than 60 or have received an
5 unsatisfactory management and occupancy review within
6 the past 36 months. The report shall include:

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

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

15 SEC. 226. None of the funds made available by this
16 Act, or any other Act, for purposes authorized under sec-
17 tion 8 (only with respect to the tenant-based rental assist-
18 ance program) and section 9 of the United States Housing
19 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
20 any public housing agency for any amount of salary, in-
21 cluding bonuses, for the chief executive officer of which,
22 or any other official or employee of which, that exceeds
23 the annual rate of basic pay payable for a position at level
24 IV of the Executive Schedule at any time during any pub-
25 lic housing agency fiscal year 2017.

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

3 (1) in subsection (m)(1), by striking “fiscal
4 year” and all that follows through the period at the
5 end and inserting “fiscal year 2017.”; and

6 (2) in subsection (o), by striking “September”
7 and all that follows through the period at the end
8 and inserting “September 30, 2017.”.

9 SEC. 228. None of the funds in this Act provided to
10 the Department of Housing and Urban Development may
11 be used to make a grant award unless the Secretary noti-
12 fies the House and Senate Committees on Appropriations
13 not less than 3 full business days before any project,
14 State, locality, housing authority, tribe, nonprofit organi-
15 zation, or other entity selected to receive a grant award
16 is announced by the Department or its offices.

17 SEC. 229. None of the funds made available by this
18 Act may be used to require or enforce the Physical Needs
19 Assessment (PNA).

20 SEC. 230. None of the funds made available by this
21 Act nor any receipts or amounts collected under any Fed-
22 eral Housing Administration program may be used to im-
23 plement the Homeowners Armed with Knowledge
24 (HAWK) program.

1 SEC. 231. None of the funds made available in this
2 Act shall be used by the Federal Housing Administration,
3 the Government National Mortgage Administration, or the
4 Department of Housing and Urban Development to in-
5 sure, securitize, or establish a Federal guarantee of any
6 mortgage or mortgage backed security that refinances or
7 otherwise replaces a mortgage that has been subject to
8 eminent domain condemnation or seizure, by a State, mu-
9 nicipality, or any other political subdivision of a State.

10 SEC. 232. None of the funds made available by this
11 Act may be used to terminate the status of a unit of gen-
12 eral local government as a metropolitan city (as defined
13 in section 102 of the Housing and Community Develop-
14 ment Act of 1974 (42 U.S.C. 5302)) with respect to
15 grants under section 106 of such Act (42 U.S.C. 5306).

16 SEC. 233. Amounts made available under this Act
17 which are either appropriated, allocated, advanced on a
18 reimbursable basis, or transferred to the Office of Policy
19 Development and Research in the Department of Housing
20 and Urban Development and functions thereof, for re-
21 search, evaluation, or statistical purposes, and which are
22 unexpended at the time of completion of a contract, grant,
23 or cooperative agreement, may be deobligated and shall
24 immediately become available and may be reobligated in
25 that fiscal year or the subsequent fiscal year for the re-

1 search, evaluation, or statistical purposes for which the
2 amounts are made available to that Office subject to re-
3 programming requirements in section 405 of this Act.

4 SEC. 234. None of the funds under this title may be
5 used for awards, including performance, special act, or
6 spot, for any employee of the Department of Housing and
7 Urban Development who is subject to administrative dis-
8 cipline in fiscal year 2017, including suspension from
9 work.

10 SEC. 235. Funds made available in this title under
11 the heading “Homeless Assistance Grants” may be used
12 by the Secretary to participate in Performance Partner-
13 ship Pilots authorized under section 526 of division H of
14 Public Law 113–76, section 524 of division G of Public
15 Law 113–235, section 525 of division H of Public Law
16 114–113, and such authorities as are enacted for Perform-
17 ance Partnership Pilots in an appropriations Act for fiscal
18 year 2017: *Provided*, That such participation shall be lim-
19 ited to no more than 10 continuums of care and housing
20 activities to improve outcomes for disconnected youth.

21 SEC. 236. With respect to grant amounts awarded
22 under the heading “Homeless Assistance Grants” for fis-
23 cal years 2015, 2016, and 2017 for the continuum of care
24 (CoC) program as authorized under subtitle C of title IV
25 of the McKinney-Vento Homeless Assistance Act, costs

1 paid by program income of grant recipients may count to-
2 ward meeting the recipient's matching requirements, pro-
3 vided the costs are eligible CoC costs that supplement the
4 recipients CoC program.

5 SEC. 237. Unobligated balances, including recaptures
6 and carryover, remaining from funds appropriated to the
7 Department of Housing and Urban Development for ad-
8 ministrative costs of the Office of Community Planning
9 and Development associated with funds appropriated to
10 the Department for specific disaster relief and related pur-
11 poses and designated by Congress as an emergency re-
12 quirement pursuant to a Concurrent Resolution on the
13 Budget or the Balanced Budget and Emergency Deficit
14 Control Act, including information technology costs and
15 costs for administering and overseeing such specific dis-
16 aster related funds, shall be transferred to the Program
17 Office Salaries and Expenses, Community Planning and
18 Development account for the Department, shall remain
19 available until expended, and may be used for such admin-
20 istrative costs for administering any funds appropriated
21 to the Department for any disaster relief and related pur-
22 poses in any prior or future act, notwithstanding the pur-
23 poses for which such funds were appropriated: *Provided,*
24 That the amounts transferred pursuant to this section
25 that were previously designated by Congress as an emer-

1 gency requirement pursuant to a Concurrent Resolution
2 on the Budget or the Balanced Budget and Emergency
3 Deficit Control Act are designated by the Congress as an
4 emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985 and shall be transferred only
7 if the President subsequently so designates the entire
8 transfer and transmits such designation to the Congress.

9 SEC. 238. (a) Section 302 of the Lead-Based Paint
10 Poisoning Prevention Act (42 U.S.C. 4822) is amended
11 in subsection (e)—

12 (1) in paragraph (1)—

13 (i) by striking “handicapped” and insert-
14 ing “persons with disabilities, or any 0-bedroom
15 dwelling”;

16 (ii) by inserting “or” after “expected to re-
17 side;”; and

18 (iii) by striking “less than 7 years of age”
19 and inserting “under age 6”;

20 (2) in paragraph (2) by striking “; or” and in-
21 serting “.”; and

22 (3) by striking paragraph (3).

23 (b) Section 1004 of the Residential Lead-Based Paint
24 Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is
25 amended in paragraph (27)—

1 (1) by inserting “or any 0-bedroom dwelling”
2 after “disabilities,”; and

3 (2) by deleting “housing for the elderly or per-
4 sons with disabilities) or any 0 bedroom dwelling”
5 and inserting “housing”).

6 (c) Section 401 of the Toxic Substances Control Act
7 (15 U.S.C. 2681) is amended in paragraph (17)—

8 (1) by inserting “or any 0-bedroom dwelling”
9 after “disabilities,”; and

10 (2) by deleting “housing for the elderly or per-
11 sons with disabilities) or any 0 bedroom dwelling”
12 and inserting “housing”).

13 SEC. 239. (a) CAPITAL FUND REPLACEMENT RE-
14 SERVES.—Section 9 of the United States Housing Act of
15 1937 (42 U.S.C. 1437g) is amended—

16 (1) in subsection (j), by adding at the end the
17 following new paragraph:

18 “(7) TREATMENT OF REPLACEMENT RE-
19 SERVE.—The requirements of this subsection shall
20 not apply to funds held in replacement reserves es-
21 tablished pursuant to subsection (n).”; and

22 (2) by adding at the end the following new sub-
23 section:

24 “(n) ESTABLISHMENT OF REPLACEMENT RE-
25 SERVES.—

1 “(1) IN GENERAL.—Public housing agencies
2 shall be permitted to establish a replacement reserve
3 to fund any of the capital activities listed in sub-
4 section (d)(1).

5 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-
6 PLACEMENT RESERVE.—At any time, a public hous-
7 ing agency may deposit funds from such agency’s
8 Capital Fund into a replacement reserve, subject to
9 the following:

10 “(A) At the discretion of the Secretary,
11 public housing agencies may transfer and hold
12 in a replacement reserve funds originating from
13 additional sources.

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

16 “(C) At any time, a public housing agency
17 may not hold in a replacement reserve more
18 than the amount the public housing authority
19 has determined necessary to satisfy the antici-
20 pated capital needs of properties in its portfolio
21 assisted under this section, as outlined in its
22 Capital Fund 5-Year Action Plan, or a com-
23 parable plan, as determined by the Secretary.

24 “(D) The Secretary may establish, by reg-
25 ulation, a maximum replacement reserve level

1 or levels that are below amounts determined
2 under subparagraph (C), which may be based
3 upon the size of the portfolio assisted under
4 this section or other factors.

5 “(3) TRANSFER OF OPERATING FUNDS.—In
6 first establishing a replacement reserve, the Sec-
7 retary may allow public housing agencies to transfer
8 more than 20 percent of its operating funds into its
9 replacement reserve.

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

14 “(5) MANAGEMENT AND REPORT.—The Sec-
15 retary shall establish appropriate accounting and re-
16 porting requirements to ensure that public housing
17 agencies are spending funds on eligible projects and
18 that funds in the replacement reserve are connected
19 to capital needs.”.

20 (b) FLEXIBILITY OF OPERATING FUND AMOUNTS.—
21 Paragraph (1) of section 9(g) of the United States Hous-
22 ing Act of 1937 (42 U.S.C. 1437g(g)(1)) is amended—

23 (1) by striking “(1)” and all that follows
24 through “—Of” and inserting the following:

25 “(1) FLEXIBILITY IN USE OF FUNDS.—

1 “(A) FLEXIBILITY FOR CAPITAL FUND
2 AMOUNTS.—Of”; and

3 (2) by adding at the end the following new sub-
4 paragraph:

5 “(B) FLEXIBILITY FOR OPERATING FUND
6 AMOUNTS.—Of any amounts appropriated for
7 fiscal year 2017 or any fiscal year thereafter
8 that are allocated for fiscal year 2017 or any
9 fiscal year thereafter from the Operating Fund
10 for any public housing agency, the agency may
11 use not more than 20 percent for activities that
12 are eligible under subsection (d) for assistance
13 with amounts from the Capital Fund, but only
14 if the public housing plan under section 5A for
15 the agency provides for such use.”.

16 SEC. 240. Section 8(x)(2) of the United States Hous-
17 ing Act of 1937 (42 U.S.C. 1437f(x)) is amended by strik-
18 ing “(B)” and all that follows up to the period and insert-
19 ing the following:

20 “(B)(i) for a period not to exceed 36
21 months, otherwise eligible youths who have at-
22 tained at least 18 years of age and not more
23 than 24 years of age and who, at age 16 or
24 older, have left or will leave foster care within
25 90 days, in accordance with a transition plan

1 described in section 475(5)(H) of the Social Se-
2 curity Act, and is homeless or is at risk of be-
3 coming homeless, or (ii) except that an appli-
4 cant may extend the 36-month period, if the ap-
5 plicant enrolls an eligible youth in a program
6 authorized under section 23, in accordance with
7 the length of the contract of participation for
8 that eligible youth under section 23(c)(3)”.

9 SEC. 241. (a) ESTABLISHMENT.—The Secretary of
10 Housing and Urban Development may establish, through
11 notice in the Federal Register, a demonstration program
12 to incentivize public housing agencies, as defined in section
13 3(b)(6) of the United States Housing Act of 1937 (in this
14 section referred to as “the Act”), to implement measures
15 to reduce their energy and water consumption.

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

20 (c) INCENTIVE.—The Secretary may provide an in-
21 centive to an eligible public housing agency that uses cap-
22 ital funds, operating funds, grants, utility rebates, and
23 other resources to reduce its energy and/or water con-
24 sumption in accordance with a plan approved by the Sec-
25 retary.

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

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

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

20 (4) USE OF UTILITY COST SAVINGS.—The pub-
21 lic housing agency may use the funds resulting from
22 the energy conservation measures, in accordance
23 with paragraphs (2) and (3), for either operating ex-
24 penses, as defined by section 9(e)(1) of the Act, or

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

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

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

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

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

22 SEC. 242. Section 211 of the Department of Housing
23 and Urban Development Appropriations Act, 2008, is re-
24 pealed.

1 SEC. 243. (a) AUTHORITY.—To encourage families to
2 move to lower-poverty areas and expand access to oppor-
3 tunity areas, the Secretary of Housing and Urban Devel-
4 opment (hereafter referred to as “Secretary”) may imple-
5 ment a mobility demonstration to administer Housing
6 Choice Voucher assistance under section 8(o) of the
7 United States Housing Act of 1937 (hereafter referred to
8 as “1937 Act”) (42 U.S.C. 1437f(o)) for fiscal year 2017
9 through fiscal year 2021.

10 (b) DEMONSTRATION REQUIREMENTS.—

11 (1) IN GENERAL.—The Secretary must estab-
12 lish the competitive selection criteria and require-
13 ments for participation in the demonstration. The
14 Secretary may require participating PHAs to use a
15 randomized selection process among the families eli-
16 gible to receive mobility assistance under this dem-
17 onstration.

18 (2) REGIONAL HOUSING MOBILITY PLAN.—Ap-
19 plicant PHAs must submit a Regional Housing Mo-
20 bility Plan (hereafter referred to as “the Plan”).

21 (A) The Plan must meet all requirements
22 established by the Secretary and must iden-
23 tify—

24 (i) the PHAs that will participate in
25 the regional housing mobility program and

1 the number of vouchers each participating
2 PHA will make available out of its existing
3 programs in support of the mobility dem-
4 onstration;

5 (ii) any community-based organiza-
6 tions, nonprofit organizations, businesses,
7 and other entities that commit to partici-
8 pate;

9 (iii) any waivers or alternative re-
10 quirements requested for the execution of
11 the Plan; and

12 (iv) specific actions that the PHAs
13 and other entities will undertake to accom-
14 plish the goals of the demonstration, which
15 must include a comprehensive approach to
16 enable a successful transition to oppor-
17 tunity areas and may include counseling
18 and continued support for families.

19 (B) The Plan may also establish pref-
20 erences for participating families, including a
21 preference for families with children, based on
22 regional housing needs and priorities.

23 (C) The Plan may provide for the use of
24 exception payment standards that do not exceed
25 110 percent of the HUD-published small area

1 Fair Market Rent for the covered exception
2 payment standard area.

3 (D) Units contributed by a PHA partici-
4 pating in a regional housing mobility program
5 to a pool of vouchers that will be project-based
6 within the jurisdiction of that program are ex-
7 empt from the percentage limitation in section
8 8(o)(13)(B) of the 1937 Act.

9 (c) FUNDING FOR MOBILITY-RELATED SERVICES.—
10 In order to provide mobility-related services, PHAs par-
11 ticipating in this demonstration may use administrative
12 fees under section 8(q) of the 1937 Act (42 U.S.C.
13 1437f(q)), their administrative fee reserves, and funding
14 from private entities. Mobility-related services may include
15 but are not limited to such things as counseling, port-
16 ability coordination, landlord outreach, and administrative
17 activities associated with establishing and operating a re-
18 gional housing mobility program.

19 (d) WAIVERS OR ALTERNATIVE REQUIREMENTS.—

20 (1) In order to allow for PHAs to implement
21 and administer their Plans, the Secretary may waive
22 or specify alternative requirements for the following
23 provisions of the 1937 Act:

1 (A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i)
2 (related to the term of a family's assisted lease
3 and associated mobility requirements).

4 (B) Section 8(o)(13)(C)(i) (related to the
5 ability of a PHA participating in a regional
6 housing mobility program to administer assist-
7 ance contributed to the program consistent with
8 the Plan identified in paragraph (2)).

9 (C) Section 8(o)(13)(F) (related to the
10 term of a housing assistance payments (HAP)
11 contract).

12 (D) Section 8(r)(2) (related to the ability
13 of a PHA participating in a regional housing
14 mobility program to administer assistance
15 under section 8(o) anywhere within the jurisdic-
16 tion of that program).

17 (E) Section 8(x)(2) (related to the length
18 of time a PHA may provide assistance under
19 section 8(o) to youth participating in the Fam-
20 ily Unification Program (FUP)).

21 (2) The Secretary must publish by notice in the
22 Federal Register any waivers or alternative require-
23 ments for statutory provisions no later than 10 days
24 before the effective date of such notice.

1 (e) IMPLEMENTATION BY NOTICE.—The Secretary
2 may implement the demonstration, including its terms,
3 procedures, requirements, and conditions, by notice.

4 (f) EVALUATION.—No later than five years following
5 implementation of the regional housing mobility programs,
6 the Secretary must publish an evaluation of the effective-
7 ness of the demonstration, subject to the availability of
8 funding to conduct the evaluation.

9 SEC. 244. The language under the heading Rental
10 Assistance Demonstration in the Department of Housing
11 and Urban Development Appropriations Act, 2012 (Public
12 Law 112–55), is amended—

13 (1) in the undesignated paragraph before the
14 first proviso, by inserting the following before the
15 colon: “(‘First Component’ herein)”;

16 (2) in the second proviso, by striking “until
17 September 30, 2018” and inserting “for fiscal year
18 2012 and thereafter”;

19 (3) in the fourth proviso, by striking “185,000”
20 and inserting “250,000”;

21 (4) in the fourteenth, by—

22 (A) inserting “or nonprofit” before “entity,
23 then a capable entity,”; and

1 (B) striking “preserves its interest” and
2 inserting “or a nonprofit entity preserves an in-
3 terest”;

4 (5) by amending the eighteenth proviso to read
5 as follows—

6 “*Provided further*, That for fiscal year 2012
7 and hereafter, owners of properties assisted or
8 previously assisted under section 101 of the
9 Housing and Urban Development Act of 1965,
10 section 236(f)(2) of the National Housing Act,
11 or section 8(e)(2) of the United States Housing
12 Act of 1937, for which a contract expires or
13 terminates due to prepayment on or after Octo-
14 ber 1, 2006 has caused or results in the termi-
15 nation of rental assistance or affordability re-
16 strictions or both and the issuance of tenant
17 protection vouchers under section 8(o) or sec-
18 tion 8(t) of the Act, or with a project rental as-
19 sistance contract under section 202(c)(2) of
20 Housing Act of 1959, shall be eligible, subject
21 to requirements established by the Secretary,
22 including but not limited to tenant consultation
23 procedures, for conversion of assistance avail-
24 able or provided for such vouchers or assistance
25 contracts, to assistance under a long-term

1 project-based subsidy contract under section 8
2 of the Act, which shall have a term of no less
3 than 20 years, which shall have initial rents set
4 at comparable market rents for the market
5 area, with subsequent rent adjustments only by
6 an operating cost factor established by the Sec-
7 retary, and which shall be eligible for renewal
8 under section 524 of the Multifamily Assisted
9 Housing Reform and Affordability Act of 1997
10 (42 U.S.C. 1437f note), or, subject to agree-
11 ment of the administering public housing agen-
12 cy, to assistance under section 8(o)(13) of the
13 Act, to which the limitation under subpara-
14 graph (B) of section 8(o)(13) of the Act shall
15 not apply and for which the Secretary may
16 waive or alter the provisions of subparagraphs
17 (C) and (D) of section 8(o)(13) of the Act
18 (“Second Component” herein):”;

19 (6) by inserting the following proviso before the
20 nineteenth: “*Provided further*, That conversions of
21 assistance under the Second Component may not be
22 the basis for re-screening or termination of assist-
23 ance or eviction of any tenant family in a property
24 participating in the demonstration:”;

1 (7) in the twentieth, as amended (reordered)
2 above, by striking “previous proviso” and all that
3 follows through the end of the proviso and inserting
4 “Second Component, except for conversion of Sec-
5 tion 202 project rental assistance contracts, shall be
6 available for project-based subsidy contracts entered
7 into pursuant to the Second Component.”;

8 (8) in the twenty-first proviso, as amended (re-
9 ordered) above, by striking “previous two provisos”
10 and inserting “Second Component, except for con-
11 version of section 202 project rental assistance con-
12 tracts,”;

13 (9) in the twenty-second proviso, as amended
14 (reordered) above, by striking “three previous pro-
15 visos” and inserting “Second Component, except for
16 conversion of section 202 project rental assistance
17 contracts,”;

18 (10) by inserting the following proviso before
19 the twenty-third proviso, as amended (reordered)
20 above: “*Provided further*, That the Secretary may
21 transfer amounts made available under the heading
22 ‘Housing for the Elderly’ to the accounts under the
23 headings ‘Project-Based Rental Assistance’ or ‘Ten-
24 ant-Based Rental Assistance’ to facilitate any Sec-
25 tion 202 project rental assistance contract conver-

1 sions under the Second Component, and any in-
2 crease in cost for ‘Project-Based Rental Assistance’
3 or ‘Tenant-Based Rental Assistance’ associated with
4 such conversion shall be equal to amounts so trans-
5 ferred:”]; and

6 (11) in the twenty-fourth proviso, as amended
7 (reordered) above, by striking “previous four pro-
8 visos” and inserting “Second Component, as applica-
9 ble,”.

10 SEC. 245. The Secretary shall establish by notice
11 such requirements as may be necessary to implement sec-
12 tion 78001 of title LXXVIII of the Fixing America’s Sur-
13 face Transportation Act (Public Law 114-94), and the no-
14 tice shall take effect upon issuance: *Provided*, That the
15 Secretary shall commence rulemaking based on the initial
16 notice no later than the expiration of the 6-month period
17 following issuance of the notice and the rulemaking shall
18 allow for the opportunity for public comment.

19 SEC. 246. For fiscal year 2017 and hereafter, the
20 Secretary of Housing and Urban Development may use
21 amounts made available for the continuum of care pro-
22 gram under the “Homeless Assistance Grants” heading
23 under this title to renew the grant originally awarded
24 under the heading “Department of Housing and Urban
25 Development—Permanent Supportive Housing” in chap-

1 ter 6 of title III of the Supplemental Appropriations Act,
2 2008 (Public Law 110–252; 122 Stat. 2351) in the con-
3 tinuum of care program, authorized under subtitle C of
4 title IV of the McKinney-Vento Homeless Assistance Act
5 (42 U.S.C. 11301 et seq.). Notwithstanding any provision
6 of law, for purposes of grant application and renewal, the
7 State of Louisiana may continue to permit a program par-
8 ticipant to receive or retain tenant-based rental assistance
9 outside the continuum of care’s geographic area, and the
10 funding of such assistance shall not be considered oper-
11 ation of a continuum of care in more than one geographic
12 area.

13 SEC. 247. Section 428 of the McKinney-Vento Home-
14 less Assistance Act (42 U.S.C. 11386b) is amended by
15 adding at the end of the section, subsection (f) to read
16 as follows:

17 “(f) TRANSITION FOR REALLOCATED GRANT.—

18 “(1) From amounts under this subtitle made
19 available to carry out subtitle B and this subtitle,
20 the Secretary may award one-year transition grants
21 to recipients to transition from one Continuum of
22 Care program component to another.

23 “(2) In order to be eligible to receive a transi-
24 tion grant, the project must have the consent of the

1 Continuum of Care, and meet standards determined
2 by the Secretary.”.

3 This title may be cited as the “Department of Hous-
4 ing and Urban Development Appropriations Act, 2017”.

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

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$8,190,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses.

11 FEDERAL MARITIME COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime
14 Commission, as authorized by section 201(d) of the Mer-
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16 cluding services as authorized by 5 U.S.C. 3109; hire of
17 passenger motor vehicles as authorized by 31 U.S.C.
18 1343(b); and uniforms or allowances therefor, as author-
19 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That
20 not to exceed \$2,000 shall be available for official recep-
21 tion and representation expenses.

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

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$23,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2018, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2018 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$106,000,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23 CORPORATION

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

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$135,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram.

5 UNITED STATES INTERAGENCY COUNCIL ON

6 HOMELESSNESS

7 OPERATING EXPENSES

8 For necessary expenses (including payment of sala-
9 ries, authorized travel, hire of passenger motor vehicles,
10 the rental of conference rooms, and the employment of ex-
11 perts and consultants under section 3109 of title 5, United
12 States Code) of the United States Interagency Council on
13 Homelessness in carrying out the functions pursuant to
14 title II of the McKinney-Vento Homeless Assistance Act,
15 as amended, \$3,600,000: *Provided*, That title II of the
16 McKinney-Vento Homeless Assistance Act (42 U.S.C.
17 11319) is amended by striking “October 1, 2017” in sec-
18 tion 209 and inserting “October 1, 2018” and in section
19 204(a) by striking “level V” and inserting “level IV”.

20 SURFACE TRANSPORTATION BOARD

21 SALARIES AND EXPENSES

22 For necessary expenses of the Surface Transpor-
23 tation Board, including services authorized by 5 U.S.C.
24 3109, \$37,000,000: *Provided*, That notwithstanding any
25 other provision of law, not to exceed \$1,250,000 from fees

1 established by the Chairman of the Surface Transpor-
2 tation Board shall be credited to this appropriation as off-
3 setting collections and used for necessary and authorized
4 expenses under this heading: *Provided further*, That the
5 sum herein appropriated from the general fund shall be
6 reduced by a dollar-for-dollar basis as such offsetting col-
7 lections are received during fiscal year 2017, to result in
8 a final appropriation from the general fund estimated at
9 no more than \$35,750,000.

1 TITLE IV

2 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

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

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2017, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

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

3 (1) creates a new program;

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

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

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

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

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

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

1 days after the date of enactment of this Act, each
2 agency funded by this Act shall submit a report to
3 the Committees on Appropriations of the Senate and
4 of the House of Representatives to establish the
5 baseline for application of reprogramming and trans-
6 fer authorities for the current fiscal year: *Provided*
7 *further*, That the report shall include—

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

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

19 (C) an identification of items of special
20 congressional interest.

21 SEC. 406. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2017 from
24 appropriations made available for salaries and expenses
25 for fiscal year 2017 in this Act, shall remain available

1 through September 30, 2018, for each such account for
2 the purposes authorized: *Provided*, That a request shall
3 be submitted to the House and Senate Committees on Ap-
4 propriations for approval prior to the expenditure of such
5 funds: *Provided further*, That these requests shall be made
6 in compliance with reprogramming guidelines under sec-
7 tion 405 of this Act.

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

1 Act (Public Law 107–118) shall be considered a public
2 use for purposes of eminent domain.

3 SEC. 408. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government, except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this Act or any other appropriations Act.

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

21 SEC. 410. No funds appropriated pursuant to this
22 Act may be expended by an entity unless the entity agrees
23 that in expending the assistance the entity will comply
24 with sections 2 through 4 of the Act of March 3, 1933

1 (41 U.S.C. 8301–8305, popularly known as the “Buy
2 American Act”).

3 SEC. 411. No funds appropriated or otherwise made
4 available under this Act shall be made available to any
5 person or entity that has been convicted of violating the
6 Buy American Act (41 U.S.C. 8301–8305).

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

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

21 (b) Nothing in this section shall prohibit, restrict or
22 otherwise preclude the Secretary of Transportation from
23 granting a foreign air carrier permit or an exemption to
24 such an air carrier where such authorization is consistent

1 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
2 ment and United States law.

3 SEC. 414. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 415. None of the funds appropriated or other-
18 wise made available under this Act may be used by the
19 Surface Transportation Board to charge or collect any fil-
20 ing fee for rate or practice complaints filed with the Board
21 in an amount in excess of the amount authorized for dis-
22 trict court civil suit filing fees under section 1914 of title
23 28, United States Code.

24 SEC. 416. None of the funds made available by this
25 Act may be used by the Department of Transportation,

1 the Department of Housing and Urban Development, or
2 any other Federal agency under this Act to lease or pur-
3 chase new light duty vehicles for any executive fleet, or
4 for an agency's fleet inventory, except in accordance with
5 Presidential Memorandum—Federal Fleet Performance,
6 dated May 24, 2011.

7 This Act may be cited as the “Transportation, Hous-
8 ing and Urban Development, and Related Agencies Appro-
9 priations Act, 2017”.

1 **DIVISION B—MILITARY CONSTRUCTION,**
2 **THE DEPARTMENT OF VETERANS AF-**
3 **FAIRS, AND RELATED AGENCIES**

4 The following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for
6 military construction, the Department of Veterans Affairs,
7 and related agencies for the fiscal year ending September
8 30, 2017, and for other purposes, namely:

9 **TITLE I**

10 **DEPARTMENT OF DEFENSE**

11 **MILITARY CONSTRUCTION, ARMY**

12 For acquisition, construction, installation, and equip-
13 ment of temporary or permanent public works, military
14 installations, facilities, and real property for the Army as
15 currently authorized by law, including personnel in the
16 Army Corps of Engineers and other personal services nec-
17 essary for the purposes of this appropriation, and for con-
18 struction and operation of facilities in support of the func-
19 tions of the Commander in Chief, \$532,359,000, to re-
20 main available until September 30, 2021.

21 **MILITARY CONSTRUCTION, NAVY AND MARINE CORPS**

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, naval in-
24 stallations, facilities, and real property for the Navy and
25 Marine Corps as currently authorized by law, including

1 personnel in the Naval Facilities Engineering Command
2 and other personal services necessary for the purposes of
3 this appropriation, \$1,087,572,000, to remain available
4 until September 30, 2021.

5 MILITARY CONSTRUCTION, AIR FORCE

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Air Force
9 as currently authorized by law, \$1,579,798,000, to remain
10 available until September 30, 2021.

11 MILITARY CONSTRUCTION, DEFENSE-WIDE

12 (INCLUDING TRANSFER OF FUNDS)

13 For acquisition, construction, installation, and equip-
14 ment of temporary or permanent public works, installa-
15 tions, facilities, and real property for activities and agen-
16 cies of the Department of Defense (other than the military
17 departments), as currently authorized by law,
18 \$2,038,980,000, to remain available until September 30,
19 2021: *Provided*, That such amounts of this appropriation
20 as may be determined by the Secretary of Defense may
21 be transferred to such appropriations of the Department
22 of Defense available for military construction or family
23 housing as the Secretary may designate, to be merged with
24 and to be available for the same purposes, and for the

1 same time period, as the appropriation or fund to which
2 transferred.

3 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

4 For construction, acquisition, expansion, rehabilita-
5 tion, and conversion of facilities for the training and ad-
6 ministration of the Army National Guard, and contribu-
7 tions therefor, as authorized by chapter 1803 of title 10,
8 United States Code, and Military Construction Authoriza-
9 tion Acts, \$232,930,000, to remain available until Sep-
10 tember 30, 2021.

11 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Air National Guard, and contributions
15 therefor, as authorized by chapter 1803 of title 10, United
16 States Code, and Military Construction Authorization
17 Acts, \$143,957,000, to remain available until September
18 30, 2021.

19 MILITARY CONSTRUCTION, ARMY RESERVE

20 For construction, acquisition, expansion, rehabilita-
21 tion, and conversion of facilities for the training and ad-
22 ministration of the Army Reserve as authorized by chapter
23 1803 of title 10, United States Code, and Military Con-
24 struction Authorization Acts, \$68,230,000, to remain
25 available until September 30, 2021.

1 MILITARY CONSTRUCTION, NAVY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the reserve components of the Navy and
5 Marine Corps as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$38,597,000, to remain available until Sep-
8 tember 30, 2021.

9 MILITARY CONSTRUCTION, AIR FORCE RESERVE

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air Force Reserve as authorized by
13 chapter 1803 of title 10, United States Code, and Military
14 Construction Authorization Acts, \$188,950,000, to remain
15 available until September 30, 2021.

16 NORTH ATLANTIC TREATY ORGANIZATION

17 SECURITY INVESTMENT PROGRAM

18 For the United States share of the cost of the North
19 Atlantic Treaty Organization Security Investment Pro-
20 gram for the acquisition and construction of military fa-
21 cilities and installations (including international military
22 headquarters) and for related expenses for the collective
23 defense of the North Atlantic Treaty Area as authorized
24 by section 2806 of title 10, United States Code, and Mili-

1 tary Construction Authorization Acts, \$177,932,000, to
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

4 For deposit into the Department of Defense Base
5 Closure Account, established by section 2906(a) of the De-
6 fense Base Closure and Realignment Act of 1990 (10
7 U.S.C. 2687 note), \$205,237,000, to remain available
8 until expended.

9 FAMILY HOUSING OPERATION AND MAINTENANCE,

10 ARMY

11 For expenses of family housing for the Army for op-
12 eration and maintenance, including debt payment, leasing,
13 minor construction, principal and interest charges, and in-
14 surance premiums, as authorized by law, \$325,995,000.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 NAVY AND MARINE CORPS

17 For expenses of family housing for the Navy and Ma-
18 rine Corps for operation and maintenance, including debt
19 payment, leasing, minor construction, principal and inter-
20 est charges, and insurance premiums, as authorized by
21 law, \$300,915,000.

22 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR

23 FORCE

24 For expenses of family housing for the Air Force for
25 operation and maintenance, including debt payment, leas-

1 ing, minor construction, principal and interest charges,
2 and insurance premiums, as authorized by law,
3 \$274,429,000.

4 FAMILY HOUSING OPERATION AND MAINTENANCE,
5 DEFENSE-WIDE

6 For expenses of family housing for the activities and
7 agencies of the Department of Defense (other than the
8 military departments) for operation and maintenance,
9 leasing, and minor construction, as authorized by law,
10 \$59,157,000.

11 DEPARTMENT OF DEFENSE FAMILY HOUSING
12 IMPROVEMENT FUND

13 For the Department of Defense Family Housing Im-
14 provement Fund, \$3,258,000, to remain available until ex-
15 pended, for family housing initiatives undertaken pursu-
16 ant to section 2883 of title 10, United States Code, pro-
17 viding alternative means of acquiring and improving mili-
18 tary family housing and supporting facilities.

19 FAMILY HOUSING CONSTRUCTION, ARMY

20 For expenses of family housing for the Army for con-
21 struction, including acquisition, replacement, addition, ex-
22 pansion, extension, and alteration, as authorized by law,
23 \$200,735,000, to remain available until September 30,
24 2021.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$94,011,000, to remain available until
7 September 30, 2021.

8 FAMILY HOUSING CONSTRUCTION, AIR FORCE

9 For expenses of family housing for the Air Force for
10 construction, including acquisition, replacement, addition,
11 expansion, extension, and alteration, as authorized by law,
12 \$61,352,000, to remain available until September 30,
13 2021.

14 ADMINISTRATIVE PROVISIONS

15 SEC. 101. None of the funds made available in this
16 title shall be expended for payments under a cost-plus-a-
17 fixed-fee contract for construction, where cost estimates
18 exceed \$25,000, to be performed within the United States,
19 except Alaska, without the specific approval in writing of
20 the Secretary of Defense setting forth the reasons there-
21 for.

22 SEC. 102. Funds made available in this title for con-
23 struction shall be available for hire of passenger motor ve-
24 hicles.

1 SEC. 103. Funds made available in this title for con-
2 struction may be used for advances to the Federal High-
3 way Administration, Department of Transportation, for
4 the construction of access roads as authorized by section
5 210 of title 23, United States Code, when projects author-
6 ized therein are certified as important to the national de-
7 fense by the Secretary of Defense.

8 SEC. 104. None of the funds made available in this
9 title may be used to begin construction of new bases in
10 the United States for which specific appropriations have
11 not been made.

12 SEC. 105. None of the funds made available in this
13 title shall be used for purchase of land or land easements
14 in excess of 100 percent of the value as determined by
15 the Army Corps of Engineers or the Naval Facilities Engi-
16 neering Command, except: (1) where there is a determina-
17 tion of value by a Federal court; (2) purchases negotiated
18 by the Attorney General or the designee of the Attorney
19 General; (3) where the estimated value is less than
20 \$25,000; or (4) as otherwise determined by the Secretary
21 of Defense to be in the public interest.

22 SEC. 106. None of the funds made available in this
23 title shall be used to: (1) acquire land; (2) provide for site
24 preparation; or (3) install utilities for any family housing,
25 except housing for which funds have been made available

1 in annual Acts making appropriations for military con-
2 struction.

3 SEC. 107. None of the funds made available in this
4 title for minor construction may be used to transfer or
5 relocate any activity from one base or installation to an-
6 other, without prior notification to the Committees on Ap-
7 propriations of both Houses of Congress.

8 SEC. 108. None of the funds made available in this
9 title may be used for the procurement of steel for any con-
10 struction project or activity for which American steel pro-
11 ducers, fabricators, and manufacturers have been denied
12 the opportunity to compete for such steel procurement.

13 SEC. 109. None of the funds available to the Depart-
14 ment of Defense for military construction or family hous-
15 ing during the current fiscal year may be used to pay real
16 property taxes in any foreign nation.

17 SEC. 110. None of the funds made available in this
18 title may be used to initiate a new installation overseas
19 without prior notification to the Committees on Appro-
20 priations of both Houses of Congress.

21 SEC. 111. None of the funds made available in this
22 title may be obligated for architect and engineer contracts
23 estimated by the Government to exceed \$500,000 for
24 projects to be accomplished in Japan, in any North Atlan-
25 tic Treaty Organization member country, or in countries

1 bordering the Arabian Gulf, unless such contracts are
2 awarded to United States firms or United States firms
3 in joint venture with host nation firms.

4 SEC. 112. None of the funds made available in this
5 title for military construction in the United States terri-
6 tories and possessions in the Pacific and on Kwajalein
7 Atoll, or in countries bordering the Arabian Gulf, may be
8 used to award any contract estimated by the Government
9 to exceed \$1,000,000 to a foreign contractor: *Provided*,
10 That this section shall not be applicable to contract
11 awards for which the lowest responsive and responsible bid
12 of a United States contractor exceeds the lowest respon-
13 sive and responsible bid of a foreign contractor by greater
14 than 20 percent: *Provided further*, That this section shall
15 not apply to contract awards for military construction on
16 Kwajalein Atoll for which the lowest responsive and re-
17 sponsible bid is submitted by a Marshallese contractor.

18 SEC. 113. The Secretary of Defense shall inform the
19 appropriate committees of both Houses of Congress, in-
20 cluding the Committees on Appropriations, of plans and
21 scope of any proposed military exercise involving United
22 States personnel 30 days prior to its occurring, if amounts
23 expended for construction, either temporary or permanent,
24 are anticipated to exceed \$100,000.

1 SEC. 114. Funds appropriated to the Department of
2 Defense for construction in prior years shall be available
3 for construction authorized for each such military depart-
4 ment by the authorizations enacted into law during the
5 current session of Congress.

6 SEC. 115. For military construction or family housing
7 projects that are being completed with funds otherwise ex-
8 pired or lapsed for obligation, expired or lapsed funds may
9 be used to pay the cost of associated supervision, inspec-
10 tion, overhead, engineering and design on those projects
11 and on subsequent claims, if any.

12 SEC. 116. Notwithstanding any other provision of
13 law, any funds made available to a military department
14 or defense agency for the construction of military projects
15 may be obligated for a military construction project or
16 contract, or for any portion of such a project or contract,
17 at any time before the end of the fourth fiscal year after
18 the fiscal year for which funds for such project were made
19 available, if the funds obligated for such project: (1) are
20 obligated from funds available for military construction
21 projects; and (2) do not exceed the amount appropriated
22 for such project, plus any amount by which the cost of
23 such project is increased pursuant to law.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 117. Subject to 30 days prior notification, or
3 14 days for a notification provided in an electronic me-
4 dium pursuant to sections 480 and 2883 of title 10,
5 United States Code, to the Committees on Appropriations
6 of both Houses of Congress, such additional amounts as
7 may be determined by the Secretary of Defense may be
8 transferred to: (1) the Department of Defense Family
9 Housing Improvement Fund from amounts appropriated
10 for construction in “Family Housing” accounts, to be
11 merged with and to be available for the same purposes
12 and for the same period of time as amounts appropriated
13 directly to the Fund; or (2) the Department of Defense
14 Military Unaccompanied Housing Improvement Fund
15 from amounts appropriated for construction of military
16 unaccompanied housing in “Military Construction” ac-
17 counts, to be merged with and to be available for the same
18 purposes and for the same period of time as amounts ap-
19 propriated directly to the Fund: *Provided*, That appropria-
20 tions made available to the Funds shall be available to
21 cover the costs, as defined in section 502(5) of the Con-
22 gressional Budget Act of 1974, of direct loans or loan
23 guarantees issued by the Department of Defense pursuant
24 to the provisions of subchapter IV of chapter 169 of title
25 10, United States Code, pertaining to alternative means

1 of acquiring and improving military family housing, mili-
2 tary unaccompanied housing, and supporting facilities.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 118. In addition to any other transfer authority
5 available to the Department of Defense, amounts may be
6 transferred from the Department of Defense Base Closure
7 Account to the fund established by section 1013(d) of the
8 Demonstration Cities and Metropolitan Development Act
9 of 1966 (42 U.S.C. 3374) to pay for expenses associated
10 with the Homeowners Assistance Program incurred under
11 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
12 be merged with and be available for the same purposes
13 and for the same time period as the fund to which trans-
14 ferred.

15 SEC. 119. Notwithstanding any other provision of
16 law, funds made available in this title for operation and
17 maintenance of family housing shall be the exclusive
18 source of funds for repair and maintenance of all family
19 housing units, including general or flag officer quarters:
20 *Provided*, That not more than \$35,000 per unit may be
21 spent annually for the maintenance and repair of any gen-
22 eral or flag officer quarters without 30 days prior notifica-
23 tion, or 14 days for a notification provided in an electronic
24 medium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, except that an after-the-fact
2 notification shall be submitted if the limitation is exceeded
3 solely due to costs associated with environmental remedi-
4 ation that could not be reasonably anticipated at the time
5 of the budget submission: *Provided further*, That the
6 Under Secretary of Defense (Comptroller) is to report an-
7 nually to the Committees on Appropriations of both
8 Houses of Congress all operation and maintenance ex-
9 penditures for each individual general or flag officer quar-
10 ters for the prior fiscal year.

11 SEC. 120. Amounts contained in the Ford Island Im-
12 provement Account established by subsection (h) of sec-
13 tion 2814 of title 10, United States Code, are appro-
14 priated and shall be available until expended for the pur-
15 poses specified in subsection (i)(1) of such section or until
16 transferred pursuant to subsection (i)(3) of such section.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 121. During the 5-year period after appropria-
19 tions available in this Act to the Department of Defense
20 for military construction and family housing operation and
21 maintenance and construction have expired for obligation,
22 upon a determination that such appropriations will not be
23 necessary for the liquidation of obligations or for making
24 authorized adjustments to such appropriations for obliga-
25 tions incurred during the period of availability of such ap-

1 appropriations, unobligated balances of such appropriations
2 may be transferred into the appropriation “Foreign Cur-
3 rency Fluctuations, Construction, Defense”, to be merged
4 with and to be available for the same time period and for
5 the same purposes as the appropriation to which trans-
6 ferred.

7 SEC. 122. Amounts appropriated or otherwise made
8 available in an account funded under the headings in this
9 title may be transferred among projects and activities
10 within the account in accordance with the reprogramming
11 guidelines for military construction and family housing
12 construction contained in Department of Defense Finan-
13 cial Management Regulation 7000.14–R, Volume 3, Chap-
14 ter 7, of February 2009, as in effect on the date of enact-
15 ment of this Act.

16 SEC. 123. None of the funds made available in this
17 title may be obligated or expended for planning and design
18 and construction of projects at Arlington National Ceme-
19 tery.

20 SEC. 124. For the purposes of this Act, the term
21 “congressional defense committees” means the Commit-
22 tees on Armed Services of the House of Representatives
23 and the Senate, the Subcommittee on Military Construc-
24 tion and Veterans Affairs of the Committee on Appropria-
25 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3 SEC. 125. For an additional amount for the accounts
4 and in the amounts specified, to remain available until
5 September 30, 2021:

6 “Military Construction, Army”, \$40,500,000;

7 “Military Construction, Navy and Marine
8 Corps”, \$143,000,000;

9 “Military Construction, Air Force”,
10 \$195,465,000;

11 “Military Construction, Defense-Wide”,
12 \$64,364,000;

13 “Military Construction, Army National Guard”,
14 \$16,500,000;

15 “Military Construction, Air National Guard”,
16 \$11,000,000;

17 “Military Construction, Army Reserve”,
18 \$30,000,000;

19 “Family Housing Construction, Army”,
20 \$14,400,000:

21 *Provided*, That such funds may only be obligated to carry
22 out construction projects identified in the respective mili-
23 tary department’s unfunded priority list for fiscal year
24 2017 submitted to Congress: *Provided further*, That such
25 funds are subject to authorization prior to obligation and

1 expenditure of funds to carry out construction: *Provided*
2 *further*, That not later than 30 days after enactment of
3 this Act, the Secretary of the military department con-
4 cerned, or their designee, shall submit to the Committees
5 on Appropriations of both Houses of Congress an expendi-
6 ture plan for funds provided under this section.

7 (RESCISSIONS OF FUNDS)

8 SEC. 126. Of the unobligated balances available to
9 the Department of Defense from prior appropriation Acts,
10 the following funds are hereby rescinded from the fol-
11 lowing accounts in the amounts specified:

12 “Military Construction, Army”, \$30,000,000;

13 “Military Construction, Air Force”,
14 \$22,340,000;

15 “Military Construction, Defense-Wide”,
16 \$132,283,000; and

17 “North Atlantic Treaty Organization Security
18 Investment Program”, \$15,000,000:

19 *Provided*, That no amounts may be rescinded from
20 amounts that were designated by the Congress for Over-
21 seas Contingency Operations/Global War on Terrorism or
22 as an emergency requirement pursuant to a concurrent
23 resolution on the budget or the Balanced Budget and
24 Emergency Deficit Control Act of 1985, as amended.

1 SEC. 127. Notwithstanding any other provision of
2 law, none of the funds appropriated or otherwise made
3 available by this or any other Act may be used to consoli-
4 date or relocate any element of a United States Air Force
5 Rapid Engineer Deployable Heavy Operational Repair
6 Squadron Engineer (RED HORSE) outside of the United
7 States until the Secretary of the Air Force (1) completes
8 an analysis and comparison of the cost and infrastructure
9 investment required to consolidate or relocate a RED
10 HORSE squadron outside of the United States versus
11 within the United States; (2) provides to the Committees
12 on Appropriations of both Houses of Congress (“the Com-
13 mittees”) a report detailing the findings of the cost anal-
14 ysis; and (3) certifies in writing to the Committees that
15 the preferred site for the consolidation or relocation yields
16 the greatest savings for the Air Force: *Provided*, That the
17 term “United States” in this section does not include any
18 territory or possession of the United States.

19 SEC. 128. None of the funds made available by this
20 Act may be used to carry out the closure or transfer of
21 the United States Naval Station, Guantánamo Bay, Cuba.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$90,119,449,000, to remain available until expended and
22 to become available on October 1, 2017: *Provided*, That
23 not to exceed \$17,224,000 of the amount made available
24 for fiscal year 2018 under this heading shall be reim-
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-
2 tems” for necessary expenses in implementing the provi-
3 sions of chapters 51, 53, and 55 of title 38, United States
4 Code, the funding source for which is specifically provided
5 as the “Compensation and Pensions” appropriation: *Pro-*
6 *vided further*, That such sums as may be earned on an
7 actual qualifying patient basis, shall be reimbursed to
8 “Medical Care Collections Fund” to augment the funding
9 of individual medical facilities for nursing home care pro-
10 vided to pensioners as authorized.

11 READJUSTMENT BENEFITS

12 For the payment of readjustment and rehabilitation
13 benefits to or on behalf of veterans as authorized by chap-
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
15 61 of title 38, United States Code, \$13,708,648,000, to
16 remain available until expended and to become available
17 on October 1, 2017: *Provided*, That expenses for rehabili-
18 tation program services and assistance which the Sec-
19 retary is authorized to provide under subsection (a) of sec-
20 tion 3104 of title 38, United States Code, other than
21 under paragraphs (1), (2), (5), and (11) of that sub-
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
2 authorized by chapters 19 and 21, title 38, United States
3 Code, \$124,504,000, to remain available until expended,
4 of which \$107,899,000 shall become available on October
5 1, 2017.

6 VETERANS HOUSING BENEFIT PROGRAM FUND

7 For the cost of direct and guaranteed loans, such
8 sums as may be necessary to carry out the program, as
9 authorized by subchapters I through III of chapter 37 of
10 title 38, United States Code: *Provided*, That such costs,
11 including the cost of modifying such loans, shall be as de-
12 fined in section 502 of the Congressional Budget Act of
13 1974: *Provided further*, That, during fiscal year 2017,
14 within the resources available, not to exceed \$500,000 in
15 gross obligations for direct loans are authorized for spe-
16 cially adapted housing loans.

17 In addition, for administrative expenses to carry out
18 the direct and guaranteed loan programs, \$198,856,000.

19 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

20 For the cost of direct loans, \$36,000, as authorized
21 by chapter 31 of title 38, United States Code: *Provided*,
22 That such costs, including the cost of modifying such
23 loans, shall be as defined in section 502 of the Congres-
24 sional Budget Act of 1974: *Provided further*, That funds
25 made available under this heading are available to sub-

1 sidize gross obligations for the principal amount of direct
2 loans not to exceed \$2,517,000.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$389,000, which may
5 be paid to the appropriation for “General Operating Ex-
6 penses, Veterans Benefits Administration”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

8 ACCOUNT

9 For administrative expenses to carry out the direct
10 loan program authorized by subchapter V of chapter 37
11 of title 38, United States Code, \$1,163,000.

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

13 ADMINISTRATION

14 For necessary operating expenses of the Veterans
15 Benefits Administration, not otherwise provided for, in-
16 cluding hire of passenger motor vehicles, reimbursement
17 of the General Services Administration for security guard
18 services, and reimbursement of the Department of De-
19 fense for the cost of overseas employee mail,
20 \$2,856,160,000: *Provided*, That expenses for services and
21 assistance authorized under paragraphs (1), (2), (5), and
22 (11) of section 3104(a) of title 38, United States Code,
23 that the Secretary of Veterans Affairs determines are nec-
24 essary to enable entitled veterans: (1) to the maximum ex-
25 tent feasible, to become employable and to obtain and

1 maintain suitable employment; or (2) to achieve maximum
2 independence in daily living, shall be charged to this ac-
3 count: *Provided further*, That, of the funds made available
4 under this heading, not to exceed 5 percent shall remain
5 available until September 30, 2018.

6 VETERANS HEALTH ADMINISTRATION

7 MEDICAL SERVICES

8 For necessary expenses for furnishing, as authorized
9 by law, inpatient and outpatient care and treatment to
10 beneficiaries of the Department of Veterans Affairs and
11 veterans described in section 1705(a) of title 38, United
12 States Code, including care and treatment in facilities not
13 under the jurisdiction of the Department, and including
14 medical supplies and equipment, bioengineering services,
15 food services, and salaries and expenses of healthcare em-
16 ployees hired under title 38, United States Code, aid to
17 State homes as authorized by section 1741 of title 38,
18 United States Code, assistance and support services for
19 caregivers as authorized by section 1720G of title 38,
20 United States Code, loan repayments authorized by sec-
21 tion 604 of the Caregivers and Veterans Omnibus Health
22 Services Act of 2010 (Public Law 111–163; 124 Stat.
23 1174; 38 U.S.C. 7681 note), and hospital care and med-
24 ical services authorized by section 1787 of title 38, United
25 States Code; \$1,078,993,000, which shall be in addition

1 to funds previously appropriated under this heading that
2 became available on October 1, 2016; and, in addition,
3 \$44,886,554,000, plus reimbursements, shall become
4 available on October 1, 2017, and shall remain available
5 until September 30, 2018: *Provided*, That, of the amount
6 made available on October 1, 2017, under this heading,
7 \$1,400,000,000 shall remain available until September 30,
8 2019: *Provided further*, That, notwithstanding any other
9 provision of law, the Secretary of Veterans Affairs shall
10 establish a priority for the provision of medical treatment
11 for veterans who have service-connected disabilities, lower
12 income, or have special needs: *Provided further*, That, not-
13 withstanding any other provision of law, the Secretary of
14 Veterans Affairs shall give priority funding for the provi-
15 sion of basic medical benefits to veterans in enrollment
16 priority groups 1 through 6: *Provided further*, That, not-
17 withstanding any other provision of law, the Secretary of
18 Veterans Affairs may authorize the dispensing of prescrip-
19 tion drugs from Veterans Health Administration facilities
20 to enrolled veterans with privately written prescriptions
21 based on requirements established by the Secretary: *Pro-*
22 *vided further*, That the implementation of the program de-
23 scribed in the previous proviso shall incur no additional
24 cost to the Department of Veterans Affairs: *Provided fur-*
25 *ther*, That the Secretary of Veterans Affairs shall ensure

1 that sufficient amounts appropriated under this heading
2 for medical supplies and equipment are available for the
3 acquisition of prosthetics designed specifically for female
4 veterans.

5 MEDICAL COMMUNITY CARE

6 For necessary expenses for furnishing health care to
7 individuals pursuant to chapter 17 of title 38, United
8 States Code, at non-Department facilities,
9 \$7,246,181,000, plus reimbursements, of which
10 \$2,000,000,000 shall remain available until September 30,
11 2020; and, in addition, \$9,409,118,000 shall become avail-
12 able on October 1, 2017, and shall remain available until
13 September 30, 2018: *Provided*, That of the amount made
14 available on October 1, 2017, \$1,500,000,000 shall remain
15 available until September 30, 2021.

16 MEDICAL SUPPORT AND COMPLIANCE

17 For necessary expenses in the administration of the
18 medical, hospital, nursing home, domiciliary, construction,
19 supply, and research activities, as authorized by law; ad-
20 ministrative expenses in support of capital policy activi-
21 ties; and administrative and legal expenses of the Depart-
22 ment for collecting and recovering amounts owed the De-
23 partment as authorized under chapter 17 of title 38,
24 United States Code, and the Federal Medical Care Recov-
25 ery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus

1 reimbursements, shall become available on October 1,
2 2017, and shall remain available until September 30,
3 2018: *Provided*, That, of the amount made available on
4 October 1, 2017, under this heading, \$100,000,000 shall
5 remain available until September 30, 2019.

6 MEDICAL FACILITIES

7 For necessary expenses for the maintenance and op-
8 eration of hospitals, nursing homes, domiciliary facilities,
9 and other necessary facilities of the Veterans Health Ad-
10 ministration; for administrative expenses in support of
11 planning, design, project management, real property ac-
12 quisition and disposition, construction, and renovation of
13 any facility under the jurisdiction or for the use of the
14 Department; for oversight, engineering, and architectural
15 activities not charged to project costs; for repairing, alter-
16 ing, improving, or providing facilities in the several hos-
17 pitals and homes under the jurisdiction of the Depart-
18 ment, not otherwise provided for, either by contract or by
19 the hire of temporary employees and purchase of mate-
20 rials; for leases of facilities; and for laundry services;
21 \$495,100,000, which shall be in addition to funds pre-
22 viously appropriated under this heading that became avail-
23 able on October 1, 2016; and, in addition,
24 \$5,434,880,000, plus reimbursements, shall become avail-
25 able on October 1, 2017, and shall remain available until

1 September 30, 2018: *Provided*, That, of the amount made
2 available on October 1, 2017, under this heading,
3 \$250,000,000 shall remain available until September 30,
4 2019.

5 MEDICAL AND PROSTHETIC RESEARCH

6 For necessary expenses in carrying out programs of
7 medical and prosthetic research and development as au-
8 thorized by chapter 73 of title 38, United States Code,
9 \$675,366,000, plus reimbursements, shall remain avail-
10 able until September 30, 2018: *Provided*, That the Sec-
11 retary of Veterans Affairs shall ensure that sufficient
12 amounts appropriated under this heading are available for
13 prosthetic research specifically for female veterans, and
14 for toxic exposure research.

15 NATIONAL CEMETERY ADMINISTRATION

16 For necessary expenses of the National Cemetery Ad-
17 ministration for operations and maintenance, not other-
18 wise provided for, including uniforms or allowances there-
19 for; cemeterial expenses as authorized by law; purchase
20 of one passenger motor vehicle for use in cemeterial oper-
21 ations; hire of passenger motor vehicles; and repair, alter-
22 ation or improvement of facilities under the jurisdiction
23 of the National Cemetery Administration, \$286,193,000,
24 of which not to exceed 10 percent shall remain available
25 until September 30, 2018.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$417,959,000, of which not to exceed 5 percent shall re-
13 main available until September 30, 2018: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$156,096,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2018: *Provided*, That up to \$2,500,000 may be available
22 to facilitate the furnishing of legal and other assistance,
23 without charge, to veterans and other individuals who are
24 unable to afford the cost of legal representation in connec-
25 tion with a decision by the Board of Veterans Appeals

1 under chapter 71 of title 38, United States Code, in ac-
2 cordance with the process and reporting procedures set
3 forth in Public Law 102–229 under the heading “Salaries
4 and Expenses” under the heading “Court of Veterans Ap-
5 peals”: *Provided further*, That the Board of Veterans Ap-
6 peals submits to the Committees on Appropriations of
7 both Houses of Congress a certification that there is a
8 substantial unmet need for pro bono representation before
9 the Board of Veterans Appeals prior to expending funds
10 for this purpose.

11 INFORMATION TECHNOLOGY SYSTEMS
12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for information technology
14 systems and telecommunications support, including devel-
15 opmental information systems and operational information
16 systems; for pay and associated costs; and for the capital
17 asset acquisition of information technology systems, in-
18 cluding management and related contractual costs of said
19 acquisitions, including contractual costs associated with
20 operations authorized by section 3109 of title 5, United
21 States Code, \$4,278,259,000, plus reimbursements: *Pro-*
22 *vided*, That \$1,272,548,000 shall be for pay and associ-
23 ated costs, of which not to exceed \$37,100,000 shall re-
24 main available until September 30, 2018: *Provided further*,
25 That \$2,534,442,000 shall be for operations and mainte-

1 nance, of which not to exceed \$180,200,000 shall remain
2 available until September 30, 2018: *Provided further*, That
3 \$471,269,000 shall be for information technology systems
4 development, modernization, and enhancement, and shall
5 remain available until September 30, 2018: *Provided fur-*
6 *ther*, That amounts made available for information tech-
7 nology systems development, modernization, and enhance-
8 ment may not be obligated or expended until the Secretary
9 of Veterans Affairs or the Chief Information Officer of
10 the Department of Veterans Affairs submits to the Com-
11 mittees on Appropriations of both Houses of Congress a
12 certification of the amounts, in parts or in full, to be obli-
13 gated and expended for each development project: *Pro-*
14 *vided further*, That amounts made available for salaries
15 and expenses, operations and maintenance, and informa-
16 tion technology systems development, modernization, and
17 enhancement may be transferred among the three sub-
18 accounts after the Secretary of Veterans Affairs requests
19 from the Committees on Appropriations of both Houses
20 of Congress the authority to make the transfer and an
21 approval is issued: *Provided further*, That amounts made
22 available for the “Information Technology Systems” ac-
23 count for development, modernization, and enhancement
24 may be transferred among projects or to newly defined
25 projects: *Provided further*, That no project may be in-

1 creased or decreased by more than \$1,000,000 of cost
2 prior to submitting a request to the Committees on Appro-
3 priations of both Houses of Congress to make the transfer
4 and an approval is issued, or absent a response, a period
5 of 30 days has elapsed: *Provided further*, That funds under
6 this heading may be used by the Interagency Program Of-
7 fice through the Department of Veterans Affairs to define
8 data standards, code sets, and value sets used to enable
9 interoperability: *Provided further*, That of the funds made
10 available for information technology systems development,
11 modernization, and enhancement for VistA Evolution or
12 any successor program, not more than 25 percent may be
13 obligated or expended until the Secretary of Veterans Af-
14 fairs:

15 (1) Certifies in writing to the Committees on
16 Appropriations of both Houses of Congress that the
17 Department of Veterans Affairs has met the require-
18 ments contained in the National Defense Authoriza-
19 tion Act of Fiscal Year 2014 (Public Law 113–66)
20 which require that electronic health record systems
21 of the Department of Defense and the Department
22 of Veterans Affairs have reached interoperability,
23 comply with national standards and architectural re-
24 quirements identified by the DoD/VA Interagency
25 Program Office in collaboration with the Office of

1 National Coordinator for Health Information Tech-
2 nology;

3 (2) submits to the Committees on Appropria-
4 tions of both Houses of Congress the VistA Evo-
5 lution Business Case and supporting documents re-
6 garding continuation of VistA Evolution or alter-
7 natives to VistA Evolution, including an analysis of
8 necessary or desired capabilities, technical and secu-
9 rity requirements, the plan for modernizing the plat-
10 form framework, and all associated costs;

11 (3) submits to the Committees on Appropria-
12 tions of both Houses of Congress, and such Commit-
13 tees approve, the following: a report that describes
14 a strategic plan for VistA Evolution, or any suc-
15 cessor program, and the associated implementation
16 plan including metrics and timelines; a master
17 schedule and lifecycle cost estimate for VistA Evo-
18 lution or any successor; and an implementation plan
19 for the transition from the Project Management Ac-
20 countability System to a new project delivery frame-
21 work, the Veteran-focused Integration Process, that
22 includes the methodology by which projects will be
23 tracked, progress measured, and deliverables evalu-
24 ated;

1 (4) submits to the Committees on Appropria-
2 tions of both Houses of Congress a report outlining
3 the strategic plan to reach interoperability with pri-
4 vate sector healthcare providers, the timeline for
5 reaching “meaningful use” as defined by the Office
6 of National Coordinator for Health Information
7 Technology for each data domain covered under the
8 VistA Evolution program, and the extent to which
9 the Department of Veterans Affairs leverages the
10 State Health Information Exchanges to share health
11 data with private sector providers; and

12 (5) submits to the Committees on Appropria-
13 tions of both Houses of Congress, and such Commit-
14 tees approve, the following: a report that describes
15 the extent to which VistA Evolution, or any suc-
16 cessor program, maximizes the use of commercially
17 available software used by DoD and the private sec-
18 tor, requires an open architecture that leverages best
19 practices and rapidly adapts to technologies pro-
20 duced by the private sector, enhances full interoper-
21 ability between the VA and DoD and between VA
22 and the private sector, and ensures the security of
23 personally identifiable information of veterans and
24 beneficiaries:

1 *Provided further*, That the funds made available under this
2 heading for information technology systems development,
3 modernization, and enhancement, shall be for the projects,
4 and in the amounts, specified under this heading in the
5 report accompanying this Act.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General, to include information technology, in carrying out
9 the provisions of the Inspector General Act of 1978 (5
10 U.S.C. App.), \$160,106,000, of which not to exceed 10
11 percent shall remain available until September 30, 2018.

12 CONSTRUCTION, MAJOR PROJECTS

13 For constructing, altering, extending, and improving
14 any of the facilities, including parking projects, under the
15 jurisdiction or for the use of the Department of Veterans
16 Affairs, or for any of the purposes set forth in sections
17 316, 2404, 2406 and chapter 81 of title 38, United States
18 Code, not otherwise provided for, including planning, ar-
19 chitectural and engineering services, construction manage-
20 ment services, maintenance or guarantee period services
21 costs associated with equipment guarantees provided
22 under the project, services of claims analysts, offsite utility
23 and storm drainage system construction costs, and site ac-
24 quisition, where the estimated cost of a project is more
25 than the amount set forth in section 8104(a)(3)(A) of title

1 38, United States Code, or where funds for a project were
2 made available in a previous major project appropriation,
3 \$528,110,000, of which \$448,110,000 shall remain avail-
4 able until September 30, 2021, and of which \$80,000,000
5 shall remain available until expended: *Provided*, That ex-
6 cept for advance planning activities, including needs as-
7 sessments which may or may not lead to capital invest-
8 ments, and other capital asset management related activi-
9 ties, including portfolio development and management ac-
10 tivities, and investment strategy studies funded through
11 the advance planning fund and the planning and design
12 activities funded through the design fund, including needs
13 assessments which may or may not lead to capital invest-
14 ments, and salaries and associated costs of the resident
15 engineers who oversee those capital investments funded
16 through this account and contracting officers who manage
17 specific major construction projects, and funds provided
18 for the purchase, security, and maintenance of land for
19 the National Cemetery Administration through the land
20 acquisition line item, none of the funds made available
21 under this heading shall be used for any project that has
22 not been notified to Congress through the budgetary proc-
23 ess or that has not been approved by the Congress through
24 statute, joint resolution, or in the explanatory statement
25 accompanying such Act and presented to the President at

1 the time of enrollment: *Provided further*, That funds made
2 available under this heading for fiscal year 2017, for each
3 approved project shall be obligated: (1) by the awarding
4 of a construction documents contract by September 30,
5 2017; and (2) by the awarding of a construction contract
6 by September 30, 2018: *Provided further*, That the Sec-
7 retary of Veterans Affairs shall promptly submit to the
8 Committees on Appropriations of both Houses of Congress
9 a written report on any approved major construction
10 project for which obligations are not incurred within the
11 time limitations established above: *Provided further*, That,
12 of the amount made available under this heading,
13 \$222,620,000 for Veterans Health Administration major
14 construction projects shall not be available until the De-
15 partment of Veterans Affairs—

16 (1) enters into an agreement with an appro-
17 priate non-Department of Veterans Affairs Federal
18 entity to serve as the design and/or construction
19 agent for any Veterans Health Administration major
20 construction project with a Total Estimated Cost of
21 \$100,000,000 or above by providing full project
22 management services, including management of the
23 project design, acquisition, construction, and con-
24 tract changes, consistent with section 502 of Public
25 Law 114–58; and

1 (2) certifies in writing that such an agreement
2 is executed and intended to minimize or prevent sub-
3 sequent major construction project cost overruns
4 and provides a copy of the agreement entered into
5 and any required supplementary information to the
6 Committees on Appropriations of both Houses of
7 Congress.

8 CONSTRUCTION, MINOR PROJECTS

9 For constructing, altering, extending, and improving
10 any of the facilities, including parking projects, under the
11 jurisdiction or for the use of the Department of Veterans
12 Affairs, including planning and assessments of needs
13 which may lead to capital investments, architectural and
14 engineering services, maintenance or guarantee period
15 services costs associated with equipment guarantees pro-
16 vided under the project, services of claims analysts, offsite
17 utility and storm drainage system construction costs, and
18 site acquisition, or for any of the purposes set forth in
19 sections 316, 2404, 2406 and chapter 81 of title 38,
20 United States Code, not otherwise provided for, where the
21 estimated cost of a project is equal to or less than the
22 amount set forth in section 8104(a)(3)(A) of title 38,
23 United States Code, \$372,069,000, to remain available
24 until September 30, 2021, along with unobligated balances
25 of previous “Construction, Minor Projects” appropriations

1 which are hereby made available for any project where the
2 estimated cost is equal to or less than the amount set forth
3 in such section: *Provided*, That funds made available
4 under this heading shall be for: (1) repairs to any of the
5 nonmedical facilities under the jurisdiction or for the use
6 of the Department which are necessary because of loss or
7 damage caused by any natural disaster or catastrophe;
8 and (2) temporary measures necessary to prevent or to
9 minimize further loss by such causes.

10 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
11 FACILITIES

12 For grants to assist States to acquire or construct
13 State nursing home and domiciliary facilities and to re-
14 model, modify, or alter existing hospital, nursing home,
15 and domiciliary facilities in State homes, for furnishing
16 care to veterans as authorized by sections 8131 through
17 8137 of title 38, United States Code, \$90,000,000, to re-
18 main available until expended.

19 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

20 For grants to assist States and tribal organizations
21 in establishing, expanding, or improving veterans ceme-
22 teries as authorized by section 2408 of title 38, United
23 States Code, \$45,000,000, to remain available until ex-
24 pended.

1 ADMINISTRATIVE PROVISIONS

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2017 for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That, before a transfer may take
8 place, the Secretary of Veterans Affairs shall request from
9 the Committees on Appropriations of both Houses of Con-
10 gress the authority to make the transfer and such Com-
11 mittees issue an approval, or absent a response, a period
12 of 30 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-
15 ment of Veterans Affairs for fiscal year 2017, in this or
16 any other Act, under the “Medical Services”, “Medical
17 Community Care”, “Medical Support and Compliance”,
18 and “Medical Facilities” accounts may be transferred
19 among the accounts: *Provided*, That any transfers between
20 the “Medical Services” and “Medical Support and Compli-
21 ance” accounts of 1 percent or less of the total amount
22 appropriated to the account in this or any other Act may
23 take place subject to notification from the Secretary of
24 Veterans Affairs to the Committees on Appropriations of
25 both Houses of Congress of the amount and purpose of

1 the transfer: *Provided further*, That any transfers between
2 the “Medical Services” and “Medical Support and Compli-
3 ance” accounts in excess of 1 percent, or exceeding the
4 cumulative 1 percent for the fiscal year, may take place
5 only after the Secretary requests from the Committees on
6 Appropriations of both Houses of Congress the authority
7 to make the transfer and an approval is issued: *Provided*
8 *further*, That any transfers to or from the “Medical Facili-
9 ties” account may take place only after the Secretary re-
10 quests from the Committees on Appropriations of both
11 Houses of Congress the authority to make the transfer
12 and an approval is issued.

13 SEC. 203. Appropriations available in this title for
14 salaries and expenses shall be available for services au-
15 thorized by section 3109 of title 5, United States Code;
16 hire of passenger motor vehicles; lease of a facility or land
17 or both; and uniforms or allowances therefore, as author-
18 ized by sections 5901 through 5902 of title 5, United
19 States Code.

20 SEC. 204. No appropriations in this title (except the
21 appropriations for “Construction, Major Projects”, and
22 “Construction, Minor Projects”) shall be available for the
23 purchase of any site for or toward the construction of any
24 new hospital or home.

1 SEC. 205. No appropriations in this title shall be
2 available for hospitalization or examination of any persons
3 (except beneficiaries entitled to such hospitalization or ex-
4 amination under the laws providing such benefits to vet-
5 erans, and persons receiving such treatment under sec-
6 tions 7901 through 7904 of title 5, United States Code,
7 or the Robert T. Stafford Disaster Relief and Emergency
8 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
9 bursement of the cost of such hospitalization or examina-
10 tion is made to the “Medical Services” account at such
11 rates as may be fixed by the Secretary of Veterans Affairs.

12 SEC. 206. Appropriations available in this title for
13 “Compensation and Pensions”, “Readjustment Benefits”,
14 and “Veterans Insurance and Indemnities” shall be avail-
15 able for payment of prior year accrued obligations re-
16 quired to be recorded by law against the corresponding
17 prior year accounts within the last quarter of fiscal year
18 2016.

19 SEC. 207. Appropriations available in this title shall
20 be available to pay prior year obligations of corresponding
21 prior year appropriations accounts resulting from sections
22 3328(a), 3334, and 3712(a) of title 31, United States
23 Code, except that if such obligations are from trust fund
24 accounts they shall be payable only from “Compensation
25 and Pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 208. Notwithstanding any other provision of
3 law, during fiscal year 2017, the Secretary of Veterans
4 Affairs shall, from the National Service Life Insurance
5 Fund under section 1920 of title 38, United States Code,
6 the Veterans' Special Life Insurance Fund under section
7 1923 of title 38, United States Code, and the United
8 States Government Life Insurance Fund under section
9 1955 of title 38, United States Code, reimburse the "Gen-
10 eral Operating Expenses, Veterans Benefits Administra-
11 tion" and "Information Technology Systems" accounts for
12 the cost of administration of the insurance programs fi-
13 nanced through those accounts: *Provided*, That reimburse-
14 ment shall be made only from the surplus earnings accu-
15 mulated in such an insurance program during fiscal year
16 2017 that are available for dividends in that program after
17 claims have been paid and actuarially determined reserves
18 have been set aside: *Provided further*, That if the cost of
19 administration of such an insurance program exceeds the
20 amount of surplus earnings accumulated in that program,
21 reimbursement shall be made only to the extent of such
22 surplus earnings: *Provided further*, That the Secretary
23 shall determine the cost of administration for fiscal year
24 2017 which is properly allocable to the provision of each
25 such insurance program and to the provision of any total

1 disability income insurance included in that insurance pro-
2 gram.

3 SEC. 209. Amounts deducted from enhanced-use
4 lease proceeds to reimburse an account for expenses in-
5 curred by that account during a prior fiscal year for pro-
6 viding enhanced-use lease services, may be obligated dur-
7 ing the fiscal year in which the proceeds are received.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 210. Funds available in this title or funds for
10 salaries and other administrative expenses shall also be
11 available to reimburse the Office of Resolution Manage-
12 ment of the Department of Veterans Affairs and the Of-
13 fice of Employment Discrimination Complaint Adjudica-
14 tion under section 319 of title 38, United States Code,
15 for all services provided at rates which will recover actual
16 costs but not to exceed \$47,668,000 for the Office of Reso-
17 lution Management and \$3,532,000 for the Office of Em-
18 ployment Discrimination Complaint Adjudication: *Pro-*
19 *vided*, That payments may be made in advance for services
20 to be furnished based on estimated costs: *Provided further*,
21 That amounts received shall be credited to the “General
22 Administration” and “Information Technology Systems”
23 accounts for use by the office that provided the service.

24 SEC. 211. None of the funds in this or any other Act
25 may be used to close Department of Veterans Affairs (VA)

1 hospitals, domiciliaries, or clinics, conduct an environ-
2 mental assessment, or to diminish healthcare services at
3 existing Veterans Health Administration medical facilities
4 located in Veterans Integrated Service Network 23 as part
5 of a planned realignment of VA services until the Sec-
6 retary provides to the Committees on Appropriations of
7 both Houses of Congress a report including the following
8 elements:

9 (1) a national realignment strategy that in-
10 cludes a detailed description of realignment plans
11 within each Veterans Integrated Service Network
12 (VISN), including an updated Long Range Capital
13 Plan to implement realignment requirements;

14 (2) an explanation of the process by which
15 those plans were developed and coordinated within
16 each VISN;

17 (3) a cost vs. benefit analysis of each planned
18 realignment, including the cost of replacing Veterans
19 Health Administration services with contract care or
20 other outsourced services;

21 (4) an analysis of how any such planned re-
22 alignment of services will impact access to care for
23 veterans living in rural or highly rural areas, includ-
24 ing travel distances and transportation costs to ac-

1 cess a VA medical facility and availability of local
2 specialty and primary care;

3 (5) an inventory of VA buildings with historic
4 designation and the methodology used to determine
5 the buildings' condition and utilization;

6 (6) a description of how any realignment will be
7 consistent with requirements under the National
8 Historic Preservation Act; and

9 (7) consideration given for reuse of historic
10 buildings within newly identified realignment re-
11 quirements: *Provided*, That, this provision shall not
12 apply to capital projects in VISN 23, or any other
13 VISN, which have been authorized or approved by
14 Congress.

15 SEC. 212. No funds of the Department of Veterans
16 Affairs shall be available for hospital care, nursing home
17 care, or medical services provided to any person under
18 chapter 17 of title 38, United States Code, for a non-serv-
19 ice-connected disability described in section 1729(a)(2) of
20 such title, unless that person has disclosed to the Sec-
21 retary of Veterans Affairs, in such form as the Secretary
22 may require, current, accurate third-party reimbursement
23 information for purposes of section 1729 of such title: *Pro-*
24 *vided*, That the Secretary may recover, in the same man-
25 ner as any other debt due the United States, the reason-

1 able charges for such care or services from any person who
2 does not make such disclosure as required: *Provided fur-*
3 *ther*, That any amounts so recovered for care or services
4 provided in a prior fiscal year may be obligated by the
5 Secretary during the fiscal year in which amounts are re-
6 ceived.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 213. Notwithstanding any other provision of
9 law, proceeds or revenues derived from enhanced-use leas-
10 ing activities (including disposal) may be deposited into
11 the “Construction, Major Projects” and “Construction,
12 Minor Projects” accounts and be used for construction
13 (including site acquisition and disposition), alterations,
14 and improvements of any medical facility under the juris-
15 diction or for the use of the Department of Veterans Af-
16 fairs. Such sums as realized are in addition to the amount
17 provided for in “Construction, Major Projects” and “Con-
18 struction, Minor Projects”.

19 SEC. 214. Amounts made available under “Medical
20 Services” are available—

21 (1) for furnishing recreational facilities, sup-
22 plies, and equipment; and

23 (2) for funeral expenses, burial expenses, and
24 other expenses incidental to funerals and burials for
25 beneficiaries receiving care in the Department.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 215. Such sums as may be deposited to the
3 Medical Care Collections Fund pursuant to section 1729A
4 of title 38, United States Code, may be transferred to the
5 “Medical Services” and “Medical Community Care” ac-
6 counts, to remain available until expended for the pur-
7 poses of these accounts.

8 SEC. 216. The Secretary of Veterans Affairs may
9 enter into agreements with Federally Qualified Health
10 Centers in the State of Alaska and Indian tribes and tribal
11 organizations which are party to the Alaska Native Health
12 Compact with the Indian Health Service, to provide
13 healthcare, including behavioral health and dental care, to
14 veterans in rural Alaska. The Secretary shall require par-
15 ticipating veterans and facilities to comply with all appro-
16 priate rules and regulations, as established by the Sec-
17 retary. The term “rural Alaska” shall mean those lands
18 which are not within the boundaries of the municipality
19 of Anchorage or the Fairbanks North Star Borough.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 217. Such sums as may be deposited to the De-
22 partment of Veterans Affairs Capital Asset Fund pursu-
23 ant to section 8118 of title 38, United States Code, may
24 be transferred to the “Construction, Major Projects” and

1 “Construction, Minor Projects” accounts, to remain avail-
2 able until expended for the purposes of these accounts.

3 (RESCISSION OF FUNDS)

4 SEC. 218. Of the amounts appropriated in title II of
5 division J of Public Law 114–113 under the heading
6 “Medical Services” which become available on October 1,
7 2016, \$7,246,181,000 are hereby rescinded.

8 SEC. 219. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a report on the financial status of the
12 Department of Veterans Affairs for the preceding quarter:
13 *Provided*, That, at a minimum, the report shall include
14 the direction contained in the explanatory statement de-
15 scribed in section 4 in the matter preceding division A of
16 the Consolidated Appropriations Act, 2016 Public Law
17 114–113 in title II of Division J of the consolidated Act
18 in the paragraph entitled “Quarterly Report”, under the
19 heading “General Administration”.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 220. Amounts made available under the “Med-
22 ical Services”, “Medical Community Care”, “Medical Sup-
23 port and Compliance”, “Medical Facilities”, “General Op-
24 erating Expenses, Veterans Benefits Administration”,
25 “General Administration”, and “National Cemetery Ad-

1 ministration” accounts for fiscal year 2017 may be trans-
2 ferred to or from the “Information Technology Systems”
3 account: *Provided*, That such transfers may not result in
4 a more than 10 percent aggregate increase in the total
5 amount made available by this Act for the “Information
6 Technology Systems” account: *Provided further*, That, be-
7 fore a transfer may take place, the Secretary of Veterans
8 Affairs shall request from the Committees on Appropria-
9 tions of both Houses of Congress the authority to make
10 the transfer and an approval is issued.

11 SEC. 221. None of the funds appropriated or other-
12 wise made available by this Act or any other Act for the
13 Department of Veterans Affairs may be used in a manner
14 that is inconsistent with: (1) section 842 of the Transpor-
15 tation, Treasury, Housing and Urban Development, the
16 Judiciary, the District of Columbia, and Independent
17 Agencies Appropriations Act, 2006 (Public Law 109–115;
18 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
19 United States Code.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 222. Of the amounts appropriated to the De-
22 partment of Veterans Affairs for fiscal year 2017 for
23 “Medical Services”, “Medical Support and Compliance”,
24 “Medical Facilities”, “Construction, Minor Projects”, and
25 “Information Technology Systems”, up to \$274,731,000,

1 plus reimbursements, may be transferred to the Joint De-
2 partment of Defense-Department of Veterans Affairs
3 Medical Facility Demonstration Fund, established by sec-
4 tion 1704 of the National Defense Authorization Act for
5 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
6 and may be used for operation of the facilities designated
7 as combined Federal medical facilities as described by sec-
8 tion 706 of the Duncan Hunter National Defense Author-
9 ization Act for Fiscal Year 2009 (Public Law 110–417;
10 122 Stat. 4500): *Provided*, That additional funds may be
11 transferred from accounts designated in this section to the
12 Joint Department of Defense-Department of Veterans Af-
13 fairs Medical Facility Demonstration Fund upon written
14 notification by the Secretary of Veterans Affairs to the
15 Committees on Appropriations of both Houses of Con-
16 gress: *Provided further*, That section 223 of title II of divi-
17 sion J of Public Law 114–113 is repealed.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 223. Of the amounts appropriated to the De-
20 partment of Veterans Affairs which become available on
21 October 1, 2017, for “Medical Services”, “Medical Sup-
22 port and Compliance”, and “Medical Facilities”, up to
23 \$280,802,000, plus reimbursements, may be transferred
24 to the Joint Department of Defense-Department of Vet-
25 erans Affairs Medical Facility Demonstration Fund, es-

1 established by section 1704 of the National Defense Author-
2 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
3 Stat. 3571) and may be used for operation of the facilities
4 designated as combined Federal medical facilities as de-
5 scribed by section 706 of the Duncan Hunter National De-
6 fense Authorization Act for Fiscal Year 2009 (Public Law
7 110–417; 122 Stat. 4500): *Provided*, That additional
8 funds may be transferred from accounts designated in this
9 section to the Joint Department of Defense-Department
10 of Veterans Affairs Medical Facility Demonstration Fund
11 upon written notification by the Secretary of Veterans Af-
12 fairs to the Committees on Appropriations of both Houses
13 of Congress.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 224. Such sums as may be deposited to the
16 Medical Care Collections Fund pursuant to section 1729A
17 of title 38, United States Code, for healthcare provided
18 at facilities designated as combined Federal medical facili-
19 ties as described by section 706 of the Duncan Hunter
20 National Defense Authorization Act for Fiscal Year 2009
21 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
22 able: (1) for transfer to the Joint Department of Defense-
23 Department of Veterans Affairs Medical Facility Dem-
24 onstration Fund, established by section 1704 of the Na-
25 tional Defense Authorization Act for Fiscal Year 2010

1 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
2 ations of the facilities designated as combined Federal
3 medical facilities as described by section 706 of the Dun-
4 can Hunter National Defense Authorization Act for Fiscal
5 Year 2009 (Public Law 110–417; 122 Stat. 4500).

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 225. Of the amounts available in this title for
8 “Medical Services”, “Medical Support and Compliance”,
9 and “Medical Facilities”, a minimum of \$15,000,000 shall
10 be transferred to the DOD–VA Health Care Sharing In-
11 centive Fund, as authorized by section 8111(d) of title 38,
12 United States Code, to remain available until expended,
13 for any purpose authorized by section 8111 of title 38,
14 United States Code.

15 SEC. 226. None of the funds available to the Depart-
16 ment of Veterans Affairs, in this or any other Act, may
17 be used to replace the current system by which the Vet-
18 erans Integrated Service Networks select and contract for
19 diabetes monitoring supplies and equipment.

20 SEC. 227. The Secretary of Veterans Affairs shall no-
21 tify the Committees on Appropriations of both Houses of
22 Congress of all bid savings in a major construction project
23 that total at least \$5,000,000, or 5 percent of the pro-
24 grammed amount of the project, whichever is less: *Pro-*
25 *vided*, That such notification shall occur within 14 days

1 of a contract identifying the programmed amount: *Pro-*
2 *vided further*, That the Secretary shall notify the Commit-
3 tees on Appropriations of both Houses of Congress 14
4 days prior to the obligation of such bid savings and shall
5 describe the anticipated use of such savings.

6 SEC. 228. None of the funds made available for
7 “Construction, Major Projects” may be used for a project
8 in excess of the scope specified for that project in the origi-
9 nal justification data provided to the Congress as part of
10 the request for appropriations unless the Secretary of Vet-
11 erans Affairs receives approval from the Committees on
12 Appropriations of both Houses of Congress.

13 SEC. 229. The Secretary of Veterans Affairs shall
14 submit to the Committees on Appropriations of both
15 Houses of Congress a quarterly report that contains the
16 following information from each Veterans Benefits Admin-
17 istration Regional Office: (1) the average time to complete
18 a disability compensation claim; (2) the number of claims
19 pending more than 125 days, disaggregated by initial and
20 supplemental claims; (3) error rates; (4) the number of
21 claims personnel; (5) any corrective action taken within
22 the quarter to address poor performance; (6) training pro-
23 grams undertaken; and (7) the number and results of
24 Quality Review Team audits: *Provided*, That each quar-

1 terly report shall be submitted no later than 30 days after
2 the end of the respective quarter.

3 SEC. 230. Of the funds provided to the Department
4 of Veterans Affairs for fiscal year 2017 for “Medical Sup-
5 port and Compliance” a maximum of \$40,000,000 may
6 be obligated from the “Medical Support and Compliance”
7 account for the VistA Evolution and electronic health
8 record interoperability projects: *Provided*, That funds in
9 addition to these amounts may be obligated for the VistA
10 Evolution and electronic health record interoperability
11 projects upon written notification by the Secretary of Vet-
12 erans Affairs to the Committees on Appropriations of both
13 Houses of Congress.

14 SEC. 231. The Secretary of Veterans Affairs shall
15 provide written notification to the Committees on Appro-
16 priations of both Houses of Congress 15 days prior to or-
17 ganizational changes which result in the transfer of 25 or
18 more full-time equivalents from one organizational unit of
19 the Department of Veterans Affairs to another.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 232. Amounts made available for the Depart-
22 ment of Veterans Affairs for fiscal year 2017, under the
23 “Board of Veterans Appeals” and the “General Operating
24 Expenses, Veterans Benefits Administration” accounts
25 may be transferred between such accounts: *Provided*, That

1 before a transfer may take place, the Secretary of Vet-
2 erans Affairs shall request from the Committees on Appro-
3 priations of both Houses of Congress the authority to
4 make the transfer and receive approval of that request.

5 (RESCISSION OF FUNDS)

6 SEC. 233. Of the unobligated balances available with-
7 in the “DOD–VA Health Care Sharing Incentive Fund”,
8 \$52,000,000 are hereby rescinded.

9 SEC. 234. The Secretary of Veterans Affairs may not
10 reprogram funds among major construction projects or
11 programs if such instance of reprogramming will exceed
12 \$5,000,000, unless such reprogramming is approved by
13 the Committees on Appropriations of both Houses of Con-
14 gress.

15 SEC. 235. None of the funds appropriated in this or
16 prior appropriations Acts or otherwise made available to
17 the Department of Veterans Affairs may be used to trans-
18 fer any amounts from the Filipino Veterans Equity Com-
19 pensation Fund to any other account within the Depart-
20 ment of Veterans Affairs.

21 SEC. 236. Paragraph (3) of section 403(a) of the Vet-
22 erans’ Mental Health and Other Care Improvements Act
23 of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is
24 amended to read as follows:

1 “(3) DURATION.—A veteran may receive health
2 services under this section during the period begin-
3 ning on the date specified in paragraph (2) and end-
4 ing on September 30, 2018.”.

5 SEC. 237. (a) Section 1722A(a) of title 38, United
6 States Code, is amended by adding at the end the fol-
7 lowing new paragraph:

8 “(4) Paragraph (1) does not apply to opioid an-
9 tagonists furnished under this chapter to a veteran
10 who is at high risk for overdose of a specific medica-
11 tion or substance in order to reverse the effect of
12 such an overdose.”.

13 (b) Section 1710(g)(3) of such title is amended—

14 (1) by striking “with respect to home health
15 services” and inserting “with respect to the fol-
16 lowing:”

17 “(A) Home health services”; and

18 (2) by adding at the end the following new sub-
19 paragraph:

20 “(B) Education on the use of opioid an-
21 tagonists to reverse the effects of overdoses of
22 specific medications or substances.”.

23 SEC. 238. Section 312 of title 38, United States
24 Code, is amended in subsection(c)(1) by striking the

1 phrase “that makes a recommendation or otherwise sug-
2 gests corrective action,”.

3 SEC. 239. The Department of Veterans Affairs is au-
4 thorized to administer financial assistance grants and
5 enter into cooperative agreements with organizations, uti-
6 lizing a competitive selection process, to train and employ
7 homeless and at-risk veterans in natural resource con-
8 servation management.

9 SEC. 240. The Department of Veterans Affairs shall
10 seek to enter into an agreement with the National Acad-
11 emy of Medicine for an assessment on research relating
12 to the descendants of individuals with toxic exposure and
13 to evaluate the feasibility of a research entity or entities
14 to conduct research relating to health conditions of de-
15 scendants of veterans with toxic exposure while serving in
16 the Armed Forces.

17 SEC. 241. Of the funds provided to the Department
18 of Veterans Affairs for each of fiscal year 2017 and fiscal
19 year 2018 for “Medical Services”, \$3,000,000 in each year
20 for carrying out and expanding to each medical center of
21 the Department the child care program authorized by sec-
22 tion 205 of Public Law 111–163, notwithstanding sub-
23 section (e) of such section.

24 SEC. 242. Section 5701(l) of title 38, United States
25 Code, is amended by striking “may” and inserting “shall”.

1 SEC. 243. (a) The Secretary of Veterans Affairs
2 shall, as part of the hiring process for each health care
3 provider considered for a position at the Department of
4 Veterans Affairs after the date of the enactment of this
5 Act, require from the medical board of each State in which
6 the health care provider holds or has held a medical li-
7 cense—

8 (1) information on any violation of the require-
9 ments of the medical license of the health care pro-
10 vider; and

11 (2) information on whether the health care pro-
12 vider has entered into any settlement agreement for
13 a disciplinary charge relating to the practice of med-
14 icine by the health care provider.

15 (b) The Secretary shall prescribe regulations to carry
16 out this section.

17 SEC. 244. (a) Notwithstanding section 552a of title
18 5, United States Code, the Secretary of Veterans Affairs
19 shall, with respect to each health care provider of the De-
20 partment of Veterans Affairs that has violated a require-
21 ment of their medical license, provide to the medical board
22 of each State in which the health care provider is licensed
23 or practices all relevant information contained in the State
24 Licensing Board Reporting File or any successor file of
25 the Department with respect to such violation.

1 (b) The Secretary shall provide the information re-
2 quired in subsection (a) to a medical board described in
3 such subsection notwithstanding that such board may not
4 have formally requested such information from the De-
5 partment.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 245. Upon determination by the Secretary of
8 Veterans Affairs that such action is necessary for pro-
9 viding health care, benefits and other services, the Sec-
10 retary may transfer amounts made available to the De-
11 partment of Veterans Affairs for fiscal year 2017 by this
12 Act between any discretionary appropriations accounts for
13 fiscal year 2017: *Provided*, That amounts so transferred
14 shall be merged with the account to which transferred:
15 *Provided further*, That the total amount that the Secretary
16 may transfer under this section may not exceed two per-
17 cent of the total discretionary appropriations made avail-
18 able to the Department for fiscal year 2017 by this Act:
19 *Provided further*, That a transfer of funds between the
20 “Medical Services”, “Medical Community Care”, “Medical
21 Support and Compliance”, and “Medical Facilities” ac-
22 counts shall not be counted toward the two percent limita-
23 tion in the previous proviso: *Provided further*, That the
24 transfer authority provided by this section may be exer-
25 cised only to support activities in an appropriations ac-

1 count that have a higher priority than those undertaken
2 in the appropriations account from which budget authority
3 is transferred, as determined by the Secretary: *Provided*
4 *further*, That such transfer authority may not be used to
5 provide budget authority for an activity that the Secretary
6 lacks the authority to carry out: *Provided further*, That
7 the transfer authority provided in this section is in addi-
8 tion to any other transfer authority provided by law: *Pro-*
9 *vided further*, That before a transfer may take place, the
10 Secretary of Veterans Affairs shall request from the Com-
11 mittees on Appropriations of both Houses of Congress the
12 authority to make the transfer and receive approval of
13 that request.

14 VA PATIENT PROTECTION ACT OF 2016

15 SEC. 246. (a) PROCEDURE AND ADMINISTRATION.—

16 (1) IN GENERAL.—Chapter 7 of title 38, United
17 States Code, is amended by adding at the end the fol-
18 lowing new subchapter:

19 “SUBCHAPTER II—WHISTLEBLOWER

20 COMPLAINTS

21 “§ 731. Whistleblower complaint defined

22 “In this subchapter, the term ‘whistleblower com-
23 plaint’ means a complaint by an employee of the Depart-
24 ment disclosing, or assisting another employee to disclose,
25 a potential violation of any law, rule, or regulation, or

1 gross mismanagement, gross waste of funds, abuse of au-
2 thority, or substantial and specific danger to public health
3 and safety.

4 **“§ 732. Treatment of whistleblower complaints**

5 “(a) FILING.—(1) In addition to any other method
6 established by law in which an employee may file a whistle-
7 blower complaint, an employee of the Department may file
8 a whistleblower complaint in accordance with subsection
9 (g) with a supervisor of the employee.

10 “(2) Except as provided by subsection (d)(1), in mak-
11 ing a whistleblower complaint under paragraph (1), an
12 employee shall file the initial complaint with the imme-
13 diate supervisor of the employee.

14 “(b) NOTIFICATION.—(1)(A) Not later than four
15 business days after the date on which a supervisor receives
16 a whistleblower complaint by an employee under this sec-
17 tion, the supervisor shall notify, in writing, the employee
18 of whether the supervisor determines that there is a rea-
19 sonable likelihood that the complaint discloses a violation
20 of any law, rule, or regulation, or gross mismanagement,
21 gross waste of funds, abuse of authority, or substantial
22 and specific danger to public health and safety.

23 “(B) The supervisor shall retain written documenta-
24 tion regarding the whistleblower complaint and shall sub-
25 mit to the next-level supervisor and the central whistle-

1 blower office described in subsection (h) a written report
2 on the complaint.

3 “(2)(A) On a monthly basis, the supervisor shall sub-
4 mit to the appropriate director or other official who is su-
5 perior to the supervisor a written report that includes the
6 number of whistleblower complaints received by the super-
7 visor under this section during the month covered by the
8 report, the disposition of such complaints, and any actions
9 taken because of such complaints pursuant to subsection
10 (c).

11 “(B) In the case in which such a director or official
12 carries out this paragraph, the director or official shall
13 submit such monthly report to the supervisor of the direc-
14 tor or official and to the central whistleblower office de-
15 scribed in subsection (h).

16 “(c) POSITIVE DETERMINATION.—If a supervisor
17 makes a positive determination under subsection (b)(1) re-
18 garding a whistleblower complaint of an employee, the su-
19 pervisor shall include in the notification to the employee
20 under such subsection the specific actions that the super-
21 visor will take to address the complaint.

22 “(d) FILING COMPLAINT WITH NEXT-LEVEL SUPER-
23 VISORS.—(1) If any circumstance described in paragraph
24 (3) is met, an employee may file a whistleblower complaint
25 in accordance with subsection (g) with the next-level su-

1 pervisor who shall treat such complaint in accordance with
2 this section.

3 “(2) An employee may file a whistleblower complaint
4 with the Secretary if the employee has filed the whistle-
5 blower complaint to each level of supervisors between the
6 employee and the Secretary in accordance with paragraph
7 (1).

8 “(3) A circumstance described in this paragraph is
9 any of the following circumstances:

10 “(A) A supervisor does not make a timely de-
11 termination under subsection (b)(1) regarding a
12 whistleblower complaint.

13 “(B) The employee who made a whistleblower
14 complaint determines that the supervisor did not
15 adequately address the complaint pursuant to sub-
16 section (c).

17 “(C) The immediate supervisor of the employee
18 is the basis of the whistleblower complaint.

19 “(e) TRANSFER OF EMPLOYEE WHO FILES WHIS-
20 TLEBLOWER COMPLAINT.—If a supervisor makes a posi-
21 tive determination under subsection (b)(1) regarding a
22 whistleblower complaint filed by an employee, the Sec-
23 retary shall—

1 “(1) inform the employee of the ability to vol-
2 unteer for a transfer in accordance with section
3 3352 of title 5; and

4 “(2) give preference to the employee for such a
5 transfer in accordance with such section.

6 “(f) PROHIBITION ON EXEMPTION.—The Secretary
7 may not exempt any employee of the Department from
8 being covered by this section.

9 “(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A
10 whistleblower complaint filed by an employee under sub-
11 section (a) or (d) shall consist of the form described in
12 paragraph (2) and any supporting materials or docu-
13 mentation the employee determines necessary.

14 “(2) The form described in this paragraph is a form
15 developed by the Secretary, in consultation with the Spe-
16 cial Counsel, that includes the following:

17 “(A) An explanation of the purpose of the whis-
18 tleblower complaint form.

19 “(B) Instructions for filing a whistleblower
20 complaint as described in this section.

21 “(C) An explanation that filing a whistleblower
22 complaint under this section does not preclude the
23 employee from any other method established by law
24 in which an employee may file a whistleblower com-
25 plaint.

1 “(D) A statement directing the employee to in-
2 formation accessible on the Internet website of the
3 Department as described in section 735(d).

4 “(E) Fields for the employee to provide—

5 “(i) the date that the form is submitted;

6 “(ii) the name of the employee;

7 “(iii) the contact information of the em-
8 ployee;

9 “(iv) a summary of the whistleblower com-
10 plaint (including the option to append sup-
11 porting documents pursuant to paragraph (1));
12 and

13 “(v) proposed solutions to the complaint.

14 “(F) Any other information or fields that the
15 Secretary determines appropriate.

16 “(3) The Secretary, in consultation with the Special
17 Counsel, shall develop the form described in paragraph (2)
18 by not later than 60 days after the date of the enactment
19 of this section.

20 “(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The
21 Secretary shall ensure that the central whistleblower of-
22 fice—

23 “(A) is not an element of the Office of the Gen-
24 eral Counsel;

1 “(B) is not headed by an official who reports to
2 the General Counsel;

3 “(C) does not provide, or receive from, the Gen-
4 eral Counsel any information regarding a whistle-
5 blower complaint except pursuant to an action re-
6 garding the complaint before an administrative body
7 or court; and

8 “(D) does not provide advice to the General
9 Counsel.

10 “(2) The central whistleblower office shall be respon-
11 sible for investigating all whistleblower complaints of the
12 Department, regardless of whether such complaints are
13 made by or against an employee who is not a member of
14 the Senior Executive Service.

15 “(3) The Secretary shall ensure that the central whis-
16 tleblower office maintains a toll-free hotline to anony-
17 mously receive whistleblower complaints.

18 “(4) The Secretary shall ensure that the central whis-
19 tleblower office has such staff and resources as the Sec-
20 retary considers necessary to carry out the functions of
21 the central whistleblower office.

22 “(5) In this subsection, the term ‘central whistle-
23 blower office’ means the Office of Accountability Review
24 or a successor office that is established or designated by

1 the Secretary to investigate whistleblower complaints filed
2 under this section or any other method established by law.

3 **“§ 733. Adverse actions against supervisory employ-**
4 **ees who commit prohibited personnel ac-**
5 **tions relating to whistleblower com-**
6 **plaints**

7 “(a) IN GENERAL.—(1) In accordance with para-
8 graph (2), the Secretary shall carry out the following ad-
9 verse actions against supervisory employees (as defined in
10 section 7103(a) of title 5) whom the Secretary, an admin-
11 istrative judge, the Merit Systems Protection Board, the
12 Office of Special Counsel, an adjudicating body provided
13 under a union contract, a Federal judge, or the Inspector
14 General of the Department determines committed a pro-
15 hibited personnel action described in subsection (c):

16 “(A) With respect to the first offense, an ad-
17 verse action that is not less than a 12-day suspen-
18 sion and not more than removal.

19 “(B) With respect to the second offense, re-
20 moval.

21 “(2)(A) An employee against whom an adverse action
22 under paragraph (1) is proposed is entitled to written no-
23 tice.

24 “(B)(i) An employee who is notified under subpara-
25 graph (A) of being the subject of a proposed adverse ac-

1 tion under paragraph (1) is entitled to 14 days following
2 such notification to answer and furnish evidence in sup-
3 port of the answer.

4 “(ii) If the employee does not furnish any such evi-
5 dence as described in clause (i) or if the Secretary deter-
6 mines that such evidence is not sufficient to reverse the
7 determination to propose the adverse action, the Secretary
8 shall carry out the adverse action following such 14-day
9 period.

10 “(C) Paragraphs (1) and (2) of subsection (b) of sec-
11 tion 7513 of title 5, subsection (c) of such section, para-
12 graphs (1) and (2) of subsection (b) of section 7543 of
13 such title, and subsection (c) of such section shall not
14 apply with respect to an adverse action carried out under
15 paragraph (1).

16 “(b) LIMITATION ON OTHER ADVERSE ACTIONS.—
17 With respect to a prohibited personnel action described in
18 subsection (c), if the Secretary carries out an adverse ac-
19 tion against a supervisory employee, the Secretary may
20 carry out an additional adverse action under this section
21 based on the same prohibited personnel action if the total
22 severity of the adverse actions do not exceed the level spec-
23 ified in subsection (a).

1 “(c) PROHIBITED PERSONNEL ACTION DE-
2 SCRIBED.—A prohibited personnel action described in this
3 subsection is any of the following actions:

4 “(1) Taking or failing to take a personnel ac-
5 tion in violation of section 2302 of title 5 against an
6 employee relating to the employee—

7 “(A) filing a whistleblower complaint in ac-
8 cordance with section 732 of this title;

9 “(B) filing a whistleblower complaint with
10 the Inspector General of the Department, the
11 Special Counsel, or Congress;

12 “(C) providing information or participating
13 as a witness in an investigation of a whistle-
14 blower complaint in accordance with section
15 732 or with the Inspector General of the De-
16 partment, the Special Counsel, or Congress;

17 “(D) participating in an audit or investiga-
18 tion by the Comptroller General of the United
19 States;

20 “(E) refusing to perform an action that is
21 unlawful or prohibited by the Department; or

22 “(F) engaging in communications that are
23 related to the duties of the position or are oth-
24 erwise protected.

1 “(2) Preventing or restricting an employee from
2 making an action described in any of subparagraphs
3 (A) through (F) of paragraph (1).

4 “(3) Conducting a negative peer review or open-
5 ing a retaliatory investigation because of an activity
6 of an employee that is protected by section 2302 of
7 title 5.

8 “(4) Requesting a contractor to carry out an
9 action that is prohibited by section 4705(b) or sec-
10 tion 4712(a)(1) of title 41, as the case may be.

11 **“§ 734. Evaluation criteria of supervisors and treat-**
12 **ment of bonuses**

13 “(a) EVALUATION CRITERIA.—(1) In evaluating the
14 performance of supervisors of the Department, the Sec-
15 retary shall include the criteria described in paragraph
16 (2).

17 “(2) The criteria described in this subsection are the
18 following:

19 “(A) Whether the supervisor treats whistle-
20 blower complaints in accordance with section 732 of
21 this title.

22 “(B) Whether the appropriate deciding official,
23 performance review board, or performance review
24 committee determines that the supervisor was found
25 to have committed a prohibited personnel action de-

1 scribed in section 733(b) of this title by an adminis-
2 trative judge, the Merit Systems Protection Board,
3 the Office of Special Counsel, an adjudicating body
4 provided under a union contract, a Federal judge,
5 or, in the case of a settlement of a whistleblower
6 complaint (regardless of whether any fault was as-
7 signed under such settlement), the Secretary.

8 “(b) BONUSES.—(1) The Secretary may not pay to
9 a supervisor described in subsection (a)(2)(B) an award
10 or bonus under this title or title 5, including under chapter
11 45 or 53 of such title, during the one-year period begin-
12 ning on the date on which the determination was made
13 under such subsection.

14 “(2) Notwithstanding any other provision of law, the
15 Secretary shall issue an order directing a supervisor de-
16 scribed in subsection (a)(2)(B) to repay the amount of any
17 award or bonus paid under this title or title 5, including
18 under chapter 45 or 53 of such title, if—

19 “(A) such award or bonus was paid for per-
20 formance during a period in which the supervisor
21 committed a prohibited personnel action as deter-
22 mined pursuant to such subsection (a)(2)(B);

23 “(B) the Secretary determines such repayment
24 appropriate pursuant to regulations prescribed by
25 the Secretary to carry out this section; and

1 “(C) the supervisor is afforded notice and an
2 opportunity for a hearing before making such repay-
3 ment.

4 **“§ 735. Training regarding whistleblower complaints**

5 “(a) TRAINING.—Not less frequently than once each
6 year, the Secretary, in coordination with the Whistleblower
7 Protection Ombudsman designated under section
8 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C.
9 App.), shall provide to each employee of the Department
10 training regarding whistleblower complaints, including—

11 “(1) an explanation of each method established
12 by law in which an employee may file a whistle-
13 blower complaint;

14 “(2) an explanation of prohibited personnel ac-
15 tions described by section 733(c) of this title;

16 “(3) with respect to supervisors, how to treat
17 whistleblower complaints in accordance with section
18 732 of this title;

19 “(4) the right of the employee to petition Con-
20 gress regarding a whistleblower complaint in accord-
21 ance with section 7211 of title 5;

22 “(5) an explanation that the employee may not
23 be prosecuted or reprimed against for disclosing in-
24 formation to Congress, the Inspector General, or an-
25 other investigatory agency in instances where such

1 disclosure is permitted by law, including under sec-
2 tions 5701, 5705, and 7732 of this title, under sec-
3 tion 552a of title 5 (commonly referred to as the
4 Privacy Act), under chapter 93 of title 18, and pur-
5 suant to regulations promulgated under section
6 264(c) of the Health Insurance Portability and Ac-
7 countability Act of 1996 (Public Law 104–191);

8 “(6) an explanation of the language that is re-
9 quired to be included in all nondisclosure policies,
10 forms, and agreements pursuant to section
11 115(a)(1) of the Whistleblower Protection Enhance-
12 ment Act of 2012 (5 U.S.C. 2302 note); and

13 “(7) the right of contractors to be protected
14 from reprisal for the disclosure of certain informa-
15 tion under section 4705 or 4712 of title 41.

16 “(b) MANNER TRAINING IS PROVIDED.—The Sec-
17 retary shall ensure that training provided under sub-
18 section (a) is provided in person.

19 “(c) CERTIFICATION.—Not less frequently than once
20 each year, the Secretary shall provide training on merit
21 system protection in a manner that the Special Counsel
22 certifies as being satisfactory.

23 “(d) PUBLICATION.—(1) The Secretary shall publish
24 on the Internet website of the Department, and display
25 prominently at each facility of the Department, the rights

1 of an employee to file a whistleblower complaint, including
2 the information described in paragraphs (1) through (7)
3 of subsection (a).

4 “(2) The Secretary shall publish on the Internet
5 website of the Department, the whistleblower complaint
6 form described in section 732(g)(2).

7 **“§ 736. Reports to Congress**

8 “(a) ANNUAL REPORTS.—Not less frequently than
9 once each year, the Secretary shall submit to the appro-
10 priate committees of Congress a report that includes—

11 “(1) with respect to whistleblower complaints
12 filed under section 732 of this title during the year
13 covered by the report—

14 “(A) the number of such complaints filed;

15 “(B) the disposition of such complaints;

16 and

17 “(C) the ways in which the Secretary ad-
18 dressed such complaints in which a positive de-
19 termination was made by a supervisor under
20 subsection (b)(1) of such section;

21 “(2) the number of whistleblower complaints
22 filed during the year covered by the report that are
23 not included under paragraph (1), including—

24 “(A) the method in which such complaints
25 were filed;

1 “(B) the disposition of such complaints;
2 and

3 “(C) the ways in which the Secretary ad-
4 dressed such complaints; and

5 “(3) with respect to disclosures made by a con-
6 tractor under section 4705 or 4712 of title 41—

7 “(A) the number of complaints relating to
8 such disclosures that were investigated by the
9 Inspector General of the Department of Vet-
10 erans Affairs during the year covered by the re-
11 port;

12 “(B) the disposition of such complaints;
13 and

14 “(C) the ways in which the Secretary ad-
15 dressed such complaints.

16 “(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DE-
17 TERMINATIONS.—Not later than 30 days after the date
18 on which the Secretary receives from the Special Counsel
19 information relating to a whistleblower complaint pursu-
20 ant to section 1213 of title 5, the Secretary shall notify
21 the appropriate committees of Congress of such informa-
22 tion, including the determination made by the Special
23 Counsel.

1 “(c) APPROPRIATE COMMITTEES OF CONGRESS.—In
2 this section, the term ‘appropriate committees of Con-
3 gress’ means—

4 “(1) the Committee on Veterans’ Affairs and
5 the Committee on Homeland Security and Govern-
6 mental Affairs of the Senate; and

7 “(2) the Committee on Veterans’ Affairs and
8 the Committee on Oversight and Government Re-
9 form of the House of Representatives.”.

10 (2) CONFORMING AND CLERICAL AMENDMENTS.—

11 (A) CONFORMING AMENDMENT.—Such chapter
12 is further amended by inserting before section 701
13 the following:

14 “SUBCHAPTER I—GENERAL EMPLOYEE
15 MATTERS”.

16 (B) CLERICAL AMENDMENTS.—The table of
17 sections at the beginning of such chapter is amend-
18 ed—

19 (i) by inserting before the item relating to
20 section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

21 and

22 (ii) by adding at the end the following new
23 items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“731. Whistleblower complaint defined.

“732. Treatment of whistleblower complaints.

“733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“734. Evaluation criteria of supervisors and treatment of bonuses.

“735. Training regarding whistleblower complaints.

“736. Reports to Congress.”.

1 (b) TREATMENT OF CONGRESSIONAL TESTIMONY BY
2 DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS
3 OFFICIAL DUTY.—

4 (1) IN GENERAL.—Subchapter I of chapter 7 of
5 title 38, United States Code, as designated by sec-
6 tion 2(a)(2)(A), is amended by adding at the end the
7 following new section:

8 **“§ 715. Congressional testimony by employees: treat-**
9 **ment as official duty**

10 “(a) CONGRESSIONAL TESTIMONY.—An employee of
11 the Department is performing official duty during the pe-
12 riod with respect to which the employee is testifying in
13 an official capacity in front of either chamber of Congress,
14 a committee of either chamber of Congress, or a joint or
15 select committee of Congress.

16 “(b) TRAVEL EXPENSES.—The Secretary shall pro-
17 vide travel expenses, including per diem in lieu of subsist-
18 ence, in accordance with applicable provisions under sub-
19 chapter I of chapter 57 of title 5, to any employee of the
20 Department of Veterans Affairs performing official duty
21 described under subsection (a).”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of such chapter, as amended

1 by section 2(a)(2)(B), is further amended by insert-
2 ing after the item relating to section 713 the fol-
3 lowing new item:

“715. Congressional testimony by employees: treatment as official duty.”.

4 SEC. 247. (a) Notwithstanding any other provision
5 of law, of the amounts appropriated or otherwise made
6 available to the Department of Veterans Affairs for the
7 “Medical Services” account, for fiscal year 2017, not less
8 than \$18,000,000, and for fiscal year 2018, not less than
9 \$70,000,000, shall be used for the provision of fertility
10 treatment and counseling, including treatment using as-
11 sisted reproductive technology, to veterans and their
12 spouses if the veteran has a service-connected condition
13 that results in the veteran being unable to procreate with-
14 out the use of such fertility treatment.

15 (b) In this section, the term “service-connected condi-
16 tion” means a condition that was incurred or aggravated
17 in line of duty in the active military, naval, or air service
18 (as defined in section 101 of title 38, United States Code).

19 SEC. 248. None of the amounts appropriated or oth-
20 erwise made available by title II may be used to carry out
21 the Home Marketing Incentive Program of the Depart-
22 ment of Veterans Affairs or to carry out the Appraisal
23 Value Offer Program of the Department with respect to
24 an employee of the Department in a senior executive posi-
25 tion (as defined in section 713(g) of title 38, United States

1 Code): *Provided*, That the Secretary may waive this prohi-
2 bition with respect to the use of the Home Marketing In-
3 centive Program and Appraisal Value Offer Program to
4 recruit for a position for which recruitment or retention
5 of qualified personnel is likely to be difficult in the absence
6 of the use of these incentives: *Provided further*, That with-
7 in 15 days of a determination by the Secretary to waive
8 this prohibition, the Secretary shall submit written notifi-
9 cation thereof to the Committees on Appropriations of
10 both Houses of Congress containing the reasons and iden-
11 tifying the position title for which the waiver has been
12 issued.

13 SEC. 249. None of the funds appropriated or other-
14 wise made available to the Department of Veterans Affairs
15 in this Act may be used in a manner that would—

16 (1) interfere with the ability of a veteran to
17 participate in a medicinal marijuana program ap-
18 proved by a State;

19 (2) deny any services from the Department to
20 a veteran who is participating in such a program; or

21 (3) limit or interfere with the ability of a health
22 care provider of the Department to make appro-
23 priate recommendations, fill out forms, or take steps
24 to comply with such a program.

1 SEC. 250. (a) IN GENERAL.—For the purposes of
2 verifying that an individual performed service under hon-
3 orable conditions that satisfies the requirements of a
4 coastwise merchant seaman who is recognized pursuant to
5 section 401 of the GI Bill Improvement Act of 1977 (Pub-
6 lic Law 95–202; 38 U.S.C. 106 note) as having performed
7 active duty service for the purposes described in subsection
8 (c)(1), the Secretary of Defense shall accept the following:

9 (1) In the case of an individual who served on
10 a coastwise merchant vessel seeking such recognition
11 for whom no applicable Coast Guard shipping or dis-
12 charge form, ship logbook, merchant mariner’s docu-
13 ment or Z-card, or other official employment record
14 is available, the Secretary of Defense shall provide
15 such recognition on the basis of applicable Social Se-
16 curity Administration records submitted for or by
17 the individual, together with validated testimony
18 given by the individual or the primary next of kin
19 of the individual that the individual performed such
20 service during the period beginning on December 7,
21 1941, and ending on December 31, 1946.

22 (2) In the case of an individual who served on
23 a coastwise merchant vessel seeking such recognition
24 for whom the applicable Coast Guard shipping or
25 discharge form, ship logbook, merchant mariner’s

1 document or Z-card, or other official employment
2 record has been destroyed or otherwise become un-
3 available by reason of any action committed by a
4 person responsible for the control and maintenance
5 of such form, logbook, or record, the Secretary of
6 Defense shall accept other official documentation
7 demonstrating that the individual performed such
8 service during period beginning on December 7,
9 1941, and ending on December 31, 1946.

10 (3) For the purpose of determining whether to
11 recognize service allegedly performed during the pe-
12 riod beginning on December 7, 1941, and ending on
13 December 31, 1946, the Secretary shall recognize
14 masters of seagoing vessels or other officers in com-
15 mand of similarly organized groups as agents of the
16 United States who were authorized to document any
17 individual for purposes of hiring the individual to
18 perform service in the merchant marine or dis-
19 charging an individual from such service.

20 (b) TREATMENT OF OTHER DOCUMENTATION.—
21 Other documentation accepted by the Secretary of Defense
22 pursuant to subsection (a)(2) shall satisfy all requirements
23 for eligibility of service during the period beginning on De-
24 cember 7, 1941, and ending on December 31, 1946.

25 (c) BENEFITS ALLOWED.—

1 (1) MEDALS, RIBBONS, AND DECORATIONS.—

2 An individual whose service is recognized as active
3 duty pursuant to subsection (a) may be awarded an
4 appropriate medal, ribbon, or other military decora-
5 tion based on such service.

6 (2) STATUS OF VETERAN.—An individual whose
7 service is recognized as active duty pursuant to sub-
8 section (a) shall be honored as a veteran but shall
9 not be entitled by reason of such recognized service
10 to any benefit that is not described in this sub-
11 section.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$75,100,000 to remain available until expended.

17 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

18 For necessary expenses, not otherwise provided for,
19 of the American Battle Monuments Commission, such
20 sums as may be necessary, to remain available until ex-
21 pended, for purposes authorized by section 2109 of title
22 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$30,945,100: *Provided*, That
8 \$2,500,000 shall be available for the purpose of providing
9 financial assistance as described, and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$70,800,000 of which not to exceed \$28,000,000 shall re-
22 main available until September 30, 2019. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$64,300,000, of
11 which \$1,000,000 shall remain available until expended
12 for construction and renovation of the physical plants at
13 the Armed Forces Retirement Home—Washington, Dis-
14 trict of Columbia, and the Armed Forces Retirement
15 Home—Gulfport, Mississippi: *Provided*, That of the
16 amounts made available under this heading from funds
17 available in the Armed Forces Retirement Home Trust
18 Fund, \$22,000,000 shall be paid from the general fund
19 of the Treasury to the Trust Fund.

20 ADMINISTRATIVE PROVISIONS

21 SEC. 301. Funds appropriated in this Act under the
22 heading “Department of Defense—Civil, Cemeterial Ex-
23 penses, Army’’, may be provided to Arlington County, Vir-
24 ginia, for the relocation of the federally owned water main

1 at Arlington National Cemetery, making additional land
2 available for ground burials.

3 SEC. 302. Amounts deposited into the special account
4 established under 10 U.S.C. 4727 are appropriated and
5 shall be available until expended to support activities at
6 the Army National Military Cemeteries.

1 TITLE IV

2 GENERAL PROVISIONS

3 SEC. 401. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 402. None of the funds made available in this
7 Act may be used for any program, project, or activity,
8 when it is made known to the Federal entity or official
9 to which the funds are made available that the program,
10 project, or activity is not in compliance with any Federal
11 law relating to risk assessment, the protection of private
12 property rights, or unfunded mandates.

13 SEC. 403. All departments and agencies funded under
14 this Act are encouraged, within the limits of the existing
15 statutory authorities and funding, to expand their use of
16 “E-Commerce” technologies and procedures in the con-
17 duct of their business practices and public service activi-
18 ties.

19 SEC. 404. Unless stated otherwise, all reports and no-
20 tifications required by this Act shall be submitted to the
21 Subcommittee on Military Construction and Veterans Af-
22 fairs, and Related Agencies of the Committee on Appro-
23 priations of the House of Representatives and the Sub-
24 committee on Military Construction and Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the Senate.

3 SEC. 405. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this or any other appropriations Act.

8 SEC. 406. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

14 (b) Subsection (a) shall not apply to a report if—

15 (1) the public posting of the report com-
16 promises national security; or

17 (2) the report contains confidential or propri-
18 etary information.

19 (c) The head of the agency posting such report shall
20 do so only after such report has been made available to
21 the requesting Committee or Committees of Congress for
22 no less than 45 days.

23 SEC. 407. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

3 (b) Nothing in subsection (a) shall limit the use of
4 funds necessary for any Federal, State, tribal, or local law
5 enforcement agency or any other entity carrying out crimi-
6 nal investigations, prosecution, or adjudication activities.

7 SEC. 408. None of the funds made available in this
8 Act may be used by an agency of the executive branch
9 to pay for first-class travel by an employee of the agency
10 in contravention of sections 301–10.122 through 301–
11 10.124 of title 41, Code of Federal Regulations.

12 SEC. 409. (a) IN GENERAL.—None of the funds ap-
13 propriated or otherwise made available to the Department
14 of Defense in this Act may be used to construct, renovate,
15 or expand any facility in the United States, its territories,
16 or possessions to house any individual detained at United
17 States Naval Station, Guantánamo Bay, Cuba, for the
18 purposes of detention or imprisonment in the custody or
19 under the control of the Department of Defense.

20 (b) The prohibition in subsection (a) shall not apply
21 to any modification of facilities at United States Naval
22 Station, Guantánamo Bay, Cuba.

23 (c) An individual described in this subsection is any
24 individual who, as of June 24, 2009, is located at United
25 States Naval Station, Guantánamo Bay, Cuba, and who—

1 (1) is not a citizen of the United States or a
2 member of the Armed Forces of the United States;
3 and

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

7 (B) otherwise under detention at United
8 States Naval Station, Guantánamo Bay, Cuba.

9 This Act may be cited as the “Military Construction,
10 Veterans Affairs, and Related Agencies Appropriations
11 Act, 2017”.