

***In the Senate of the United States,***

*May 19, 2016.*

*Resolved*, That the bill from the House of Representatives (H.R. 2577) entitled “An Act 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.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 ***DIVISION A—DEPARTMENTS OF TRANS-***  
2 ***PORTATION, AND HOUSING AND***  
3 ***URBAN DEVELOPMENT, AND RELATED***  
4 ***AGENCIES***

5 *The following sums are appropriated, out of any*  
6 *money in the Treasury not otherwise appropriated, for the*  
7 *Departments of Transportation, and Housing and Urban*  
8 *Development, and related agencies for the fiscal year ending*  
9 *September 30, 2017, and for other purposes, namely:*

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*TITLE I*

*DEPARTMENT OF TRANSPORTATION*

*OFFICE OF THE SECRETARY*

*SALARIES AND EXPENSES*

*For necessary expenses of the Office of the Secretary, \$116,396,000, of which not to exceed \$2,758,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,772,000 shall be available for the Office of the General Counsel; not to exceed \$11,108,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$16,020,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,569,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$30,054,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,142,000 shall be available for the Office of Public Affairs; not to exceed \$1,760,000 shall be available for the Office of the Executive Secretariat; not to exceed \$11,089,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$17,084,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer*

1 *funds appropriated for any office of the Office of the Sec-*  
2 *retary to any other office of the Office of the Secretary: Pro-*  
3 *vided further, That no appropriation for any office shall*  
4 *be increased or decreased by more than 5 percent by all*  
5 *such transfers: Provided further, That notice of any change*  
6 *in funding greater than 5 percent shall be submitted for*  
7 *approval to the House and Senate Committees on Appro-*  
8 *priations: Provided further, That not to exceed \$60,000*  
9 *shall be for allocation within the Department for official*  
10 *reception and representation expenses as the Secretary may*  
11 *determine: Provided further, That notwithstanding any*  
12 *other provision of law, excluding fees authorized in Public*  
13 *Law 107-71, there may be credited to this appropriation*  
14 *up to \$2,500,000 in funds received in user fees: Provided*  
15 *further, That none of the funds provided in this Act shall*  
16 *be available for the position of Assistant Secretary for Pub-*  
17 *lic Affairs.*

18 *RESEARCH AND TECHNOLOGY*

19 *For necessary expenses related to the Office of the As-*  
20 *stant Secretary for Research and Technology,*  
21 *\$13,044,000, of which \$8,218,000 shall remain available*  
22 *until September 30, 2019: Provided, That there may be*  
23 *credited to this appropriation, to be available until ex-*  
24 *pendent, funds received from States, counties, municipali-*  
25 *ties, other public authorities, and private sources for ex-*

1 *penses incurred for training: Provided further, That any*  
2 *reference in law, regulation, judicial proceedings, or else-*  
3 *where to the Research and Innovative Technology Adminis-*  
4 *tration shall continue to be deemed to be a reference to the*  
5 *Office of the Assistant Secretary for Research and Tech-*  
6 *nology of the Department of Transportation.*

7 *NATIONAL INFRASTRUCTURE INVESTMENTS*

8 *For capital investments in surface transportation in-*  
9 *frastructure, \$525,000,000, to remain available through*  
10 *September 30, 2020: Provided, That the Secretary of Trans-*  
11 *portation shall distribute funds provided under this heading*  
12 *as discretionary grants to be awarded to a State, local gov-*  
13 *ernment, transit agency, or a collaboration among such en-*  
14 *tities on a competitive basis for projects that will have a*  
15 *significant impact on the Nation, a metropolitan area, or*  
16 *a region: Provided further, That projects eligible for funding*  
17 *provided under this heading shall include, but not be lim-*  
18 *ited to, highway or bridge projects eligible under title 23,*  
19 *United States Code; public transportation projects eligible*  
20 *under chapter 53 of title 49, United States Code; passenger*  
21 *and freight rail transportation projects; and port infra-*  
22 *structure investments (including inland port infrastructure*  
23 *and land ports of entry): Provided further, That the Sec-*  
24 *retary may use up to 20 percent of the funds made available*  
25 *under this heading for the purpose of paying the subsidy*

1 *and administrative costs of projects eligible for Federal*  
2 *credit assistance under chapter 6 of title 23, United States*  
3 *Code, if the Secretary finds that such use of the funds would*  
4 *advance the purposes of this paragraph: Provided further,*  
5 *That in distributing funds provided under this heading, the*  
6 *Secretary shall take such measures so as to ensure an equi-*  
7 *table geographic distribution of funds, an appropriate bal-*  
8 *ance in addressing the needs of urban and rural areas, and*  
9 *the investment in a variety of transportation modes: Pro-*  
10 *vided further, That a grant funded under this heading shall*  
11 *be not less than \$5,000,000 and not greater than*  
12 *\$25,000,000: Provided further, That not more than 10 per-*  
13 *cent of the funds made available under this heading may*  
14 *be awarded to projects in a single State: Provided further,*  
15 *That the Federal share of the costs for which an expenditure*  
16 *is made under this heading shall be, at the option of the*  
17 *recipient, up to 80 percent: Provided further, That the Sec-*  
18 *retary shall give priority to projects that require a contribu-*  
19 *tion of Federal funds in order to complete an overall financ-*  
20 *ing package: Provided further, That not less than 30 percent*  
21 *of the funds provided under this heading shall be for projects*  
22 *located in rural areas: Provided further, That for projects*  
23 *located in rural areas, the minimum grant size shall be*  
24 *\$1,000,000 and the Secretary may increase the Federal*  
25 *share of costs above 80 percent: Provided further, That*

1 *projects conducted using funds provided under this heading*  
2 *must comply with the requirements of subchapter IV of*  
3 *chapter 31 of title 40, United States Code: Provided further,*  
4 *That the Secretary shall conduct a new competition to select*  
5 *the grants and credit assistance awarded under this head-*  
6 *ing: Provided further, That the Secretary may retain up*  
7 *to \$20,000,000 of the funds provided under this heading,*  
8 *and may transfer portions of those funds to the Administra-*  
9 *tors of the Federal Highway Administration, the Federal*  
10 *Transit Administration, the Federal Railroad Administra-*  
11 *tion and the Maritime Administration, to fund the award*  
12 *and oversight of grants and credit assistance made under*  
13 *the National Infrastructure Investments program.*

14 *NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE*  
15 *FINANCE BUREAU*

16 *For necessary expenses for the establishment and ad-*  
17 *ministration of a new National Surface Transportation*  
18 *and Innovative Finance Bureau (the Bureau) within the*  
19 *Office of the Secretary of Transportation, \$3,000,000, to re-*  
20 *main available until expended: Provided, That the Sec-*  
21 *retary of Transportation shall use such amount for the nec-*  
22 *essary expenses to establish the Bureau and to fulfill the*  
23 *responsibilities of the Bureau, as detailed in section 9001*  
24 *of the Fixing America's Surface Transportation (FAST)*  
25 *Act (Public Law 114–94) (49 U.S.C. 116): Provided fur-*

1 *ther, That the Secretary is required to receive the advance*  
2 *approval of the House and Senate Committees on Appro-*  
3 *priations prior to exercising the authorities of 49 U.S.C.*  
4 *116(h): Provided further, That the program be available to*  
5 *other Federal agencies, States, municipalities and project*  
6 *sponsors seeking Federal transportation expertise in obtain-*  
7 *ing financing.*

8 *FINANCIAL MANAGEMENT CAPITAL*

9 *For necessary expenses for upgrading and enhancing*  
10 *the Department of Transportation's financial systems and*  
11 *re-engineering business processes, \$4,000,000, to remain*  
12 *available through September 30, 2018.*

13 *CYBER SECURITY INITIATIVES*

14 *For necessary expenses for cyber security initiatives,*  
15 *including necessary upgrades to wide area network and in-*  
16 *formation technology infrastructure, improvement of net-*  
17 *work perimeter controls and identity management, testing*  
18 *and assessment of information technology against business,*  
19 *security, and other requirements, implementation of Fed-*  
20 *eral cyber security initiatives and information infrastruc-*  
21 *ture enhancements, implementation of enhanced security*  
22 *controls on network devices, \$15,000,000, to remain avail-*  
23 *able through September 30, 2018.*



1 *available to the Department of Transportation: Provided,*  
2 *That such services shall be provided on a competitive basis*  
3 *to entities within the Department of Transportation: Pro-*  
4 *vided further, That the above limitation on operating ex-*  
5 *penses shall not apply to non-DOT entities: Provided fur-*  
6 *ther, That no funds appropriated in this Act to an agency*  
7 *of the Department shall be transferred to the Working Cap-*  
8 *ital Fund without majority approval of the Working Cap-*  
9 *ital Fund Steering Committee and approval of the Sec-*  
10 *retary: Provided further, That no assessments may be levied*  
11 *against any program, budget activity, subactivity or project*  
12 *funded by this Act unless notice of such assessments and*  
13 *the basis therefor are presented to the House and Senate*  
14 *Committees on Appropriations and are approved by such*  
15 *Committees.*

16 *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

17 *For the cost of guaranteed loans, \$339,000, as author-*  
18 *ized by 49 U.S.C. 332: Provided, That such costs, including*  
19 *the cost of modifying such loans, shall be as defined in sec-*  
20 *tion 502 of the Congressional Budget Act of 1974: Provided*  
21 *further, That these funds are available to subsidize total*  
22 *loan principal, any part of which is to be guaranteed, not*  
23 *to exceed \$18,367,000.*

24 *In addition, for administrative expenses to carry out*  
25 *the guaranteed loan program, \$602,000.*

1 *SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND*  
2 *OUTREACH*

3 *For the necessary expenses to establish Small and Dis-*  
4 *advantaged Business Utilization and Outreach, that will*  
5 *ensure small and disadvantaged business policies of the Sec-*  
6 *retary of Transportation are developed and implemented in*  
7 *a fair, efficient and effective manner, \$4,646,000, to remain*  
8 *available until September 30, 2018: Provided, That not-*  
9 *withstanding 49 U.S.C. 332, these funds may be used for*  
10 *business opportunities related to any mode of transpor-*  
11 *tation.*

12 *PAYMENTS TO AIR CARRIERS*  
13 *(AIRPORT AND AIRWAY TRUST FUND)*

14 *In addition to funds made available from any other*  
15 *source to carry out the essential air service program under*  
16 *49 U.S.C. 41731 through 41742, \$150,000,000, to be derived*  
17 *from the Airport and Airway Trust Fund, to remain avail-*  
18 *able until expended: Provided, That in determining between*  
19 *or among carriers competing to provide service to a commu-*  
20 *nity, the Secretary may consider the relative subsidy re-*  
21 *quirements of the carriers: Provided further, That basic es-*  
22 *sential air service minimum requirements shall not include*  
23 *the 15-passenger capacity requirement under subsection*  
24 *41732(b)(3) of title 49, United States Code: Provided fur-*  
25 *ther, That none of the funds in this Act or any other Act*

1 *shall be used to enter into a new contract with a community*  
2 *located less than 40 miles from the nearest small hub air-*  
3 *port before the Secretary has negotiated with the commu-*  
4 *nity over a local cost share: Provided further, That amounts*  
5 *authorized to be distributed for the essential air service pro-*  
6 *gram under subsection 41742(b) of title 49, United States*  
7 *Code, shall be made available immediately from amounts*  
8 *otherwise provided to the Administrator of the Federal*  
9 *Aviation Administration: Provided further, That the Ad-*  
10 *ministrator may reimburse such amounts from fees credited*  
11 *to the account established under section 45303 of title 49,*  
12 *United States Code.*

13 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*  
14 *OF TRANSPORTATION*

15 *SEC. 101. None of the funds made available in this*  
16 *Act to the Department of Transportation may be obligated*  
17 *for the Office of the Secretary of Transportation to approve*  
18 *assessments or reimbursable agreements pertaining to funds*  
19 *appropriated to the modal administrations in this Act, ex-*  
20 *cept for activities underway on the date of enactment of*  
21 *this Act, unless such assessments or agreements have com-*  
22 *pleted the normal reprogramming process for Congressional*  
23 *notification.*

24 *SEC. 102. Notwithstanding section 3324 of title 31,*  
25 *United States Code, in addition to authority provided by*

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

10 *SEC. 103. The Secretary shall post on the Web site of*  
11 *the Department of Transportation a schedule of all meetings*  
12 *of the Council on Credit and Finance, including the agenda*  
13 *for each meeting, and require the Council on Credit and*  
14 *Finance to record the decisions and actions of each meeting.*

15 *SEC. 104. Notwithstanding any other provision of this*  
16 *Act—*

17 *(1) the total amount made available under the*  
18 *heading “ADMINISTRATIVE EXPENSES” under the*  
19 *heading “FEDERAL TRANSIT ADMINISTRATION” shall*  
20 *be \$113,165,000; and*

21 *(2) the total amount made available under the*  
22 *heading “SALARIES AND EXPENSES” under the head-*  
23 *ing “OFFICE OF THE SECRETARY” shall be*  
24 *\$113,896,000.*

1 *FEDERAL AVIATION ADMINISTRATION*2 *OPERATIONS*3 *(AIRPORT AND AIRWAY TRUST FUND)*

4 *For necessary expenses of the Federal Aviation Admin-*  
5 *istration, not otherwise provided for, including operations*  
6 *and research activities related to commercial space trans-*  
7 *portation, administrative expenses for research and develop-*  
8 *ment, establishment of air navigation facilities, the oper-*  
9 *ation (including leasing) and maintenance of aircraft, sub-*  
10 *sidizing the cost of aeronautical charts and maps sold to*  
11 *the public, lease or purchase of passenger motor vehicles for*  
12 *replacement only, in addition to amounts made available*  
13 *by Public Law 112–95, \$10,048,352,000 of which*  
14 *\$9,190,000,000 shall be derived from the Airport and Air-*  
15 *way Trust Fund, of which not to exceed \$7,593,785,000*  
16 *shall be available for air traffic organization activities; not*  
17 *to exceed \$1,286,982,000 shall be available for aviation safe-*  
18 *ty activities; not to exceed \$19,826,000 shall be available*  
19 *for commercial space transportation activities; not to exceed*  
20 *\$771,342,000 shall be available for finance and manage-*  
21 *ment activities; not to exceed \$60,155,000 shall be available*  
22 *for NextGen and operations planning activities; not to ex-*  
23 *ceed \$107,161,000 shall be available for security and haz-*  
24 *ardous materials safety; and not to exceed \$209,101,000*  
25 *shall be available for staff offices: Provided, That not to ex-*

1 *ceed 2 percent of any budget activity, except for aviation*  
2 *safety budget activity, may be transferred to any budget*  
3 *activity under this heading: Provided further, That no*  
4 *transfer may increase or decrease any appropriation by*  
5 *more than 2 percent: Provided further, That any transfer*  
6 *in excess of 2 percent shall be treated as a reprogramming*  
7 *of funds under section 405 of this Act and shall not be avail-*  
8 *able for obligation or expenditure except in compliance with*  
9 *the procedures set forth in that section: Provided further,*  
10 *That not later than March 31 of each fiscal year hereafter,*  
11 *the Administrator of the Federal Aviation Administration*  
12 *shall transmit to Congress an annual update to the report*  
13 *submitted to Congress in December 2004 pursuant to sec-*  
14 *tion 221 of Public Law 108–176: Provided further, That*  
15 *not later than March 31 of each fiscal year hereafter, the*  
16 *Administrator shall transmit to Congress a companion re-*  
17 *port that describes a comprehensive strategy for staffing,*  
18 *hiring, and training flight standards and aircraft certifi-*  
19 *cation staff in a format similar to the one utilized for the*  
20 *controller staffing plan, including stated attrition estimates*  
21 *and numerical hiring goals by fiscal year: Provided further,*  
22 *That the amount herein appropriated shall be reduced by*  
23 *\$100,000 per day for each day after March 31 that such*  
24 *report has not been submitted to Congress: Provided further,*  
25 *That funds may be used to enter into a grant agreement*

1 *with a nonprofit standard-setting organization to assist in*  
2 *the development of aviation safety standards: Provided fur-*  
3 *ther, That none of the funds in this Act shall be available*  
4 *for new applicants for the second career training program:*  
5 *Provided further, That none of the funds in this Act shall*  
6 *be available for the Federal Aviation Administration to fi-*  
7 *nalize or implement any regulation that would promulgate*  
8 *new aviation user fees not specifically authorized by law*  
9 *after the date of the enactment of this Act: Provided further,*  
10 *That there may be credited to this appropriation, as offset-*  
11 *ting collections, funds received from States, counties, mu-*  
12 *nicipalities, foreign authorities, other public authorities,*  
13 *and private sources for expenses incurred in the provision*  
14 *of agency services, including receipts for the maintenance*  
15 *and operation of air navigation facilities, and for issuance,*  
16 *renewal or modification of certificates, including airman,*  
17 *aircraft, and repair station certificates, or for tests related*  
18 *thereto, or for processing major repair or alteration forms:*  
19 *Provided further, That of the funds appropriated under this*  
20 *heading, not less than \$159,000,000 shall be for the contract*  
21 *tower program, including the contract tower cost share pro-*  
22 *gram: Provided further, That none of the funds in this Act*  
23 *for aeronautical charting and cartography are available for*  
24 *activities conducted by, or coordinated through, the Work-*  
25 *ing Capital Fund: Provided further, That none of the funds*

1 *appropriated or otherwise made available by this Act or*  
2 *any other Act may be used to eliminate the Contract Weath-*  
3 *er Observers program at any airport.*

4 *FACILITIES AND EQUIPMENT*

5 *(AIRPORT AND AIRWAY TRUST FUND)*

6 *For necessary expenses, not otherwise provided for, for*  
7 *acquisition, establishment, technical support services, im-*  
8 *provement by contract or purchase, and hire of national*  
9 *airspace systems and experimental facilities and equip-*  
10 *ment, as authorized under part A of subtitle VII of title*  
11 *49, United States Code, including initial acquisition of nec-*  
12 *essary sites by lease or grant; engineering and service test-*  
13 *ing, including construction of test facilities and acquisition*  
14 *of necessary sites by lease or grant; construction and fur-*  
15 *nishing of quarters and related accommodations for officers*  
16 *and employees of the Federal Aviation Administration sta-*  
17 *tioned at remote localities where such accommodations are*  
18 *not available; and the purchase, lease, or transfer of aircraft*  
19 *from funds available under this heading, including aircraft*  
20 *for aviation regulation and certification; to be derived from*  
21 *the Airport and Airway Trust Fund, \$2,838,000,000, of*  
22 *which \$489,000,000 shall remain available until September*  
23 *30, 2017, and \$2,349,000,000 shall remain available until*  
24 *September 30, 2019: Provided, That there may be credited*  
25 *to this appropriation funds received from States, counties,*

1 *municipalities, other public authorities, and private*  
2 *sources, for expenses incurred in the establishment, im-*  
3 *provement, and modernization of national airspace sys-*  
4 *tems: Provided further, That no later than March 31, the*  
5 *Secretary of Transportation shall transmit to the Congress*  
6 *an investment plan for the Federal Aviation Administra-*  
7 *tion which includes funding for each budget line item for*  
8 *fiscal years 2018 through 2022, with total funding for each*  
9 *year of the plan constrained to the funding targets for those*  
10 *years as estimated and approved by the Office of Manage-*  
11 *ment and Budget: Provided further, That the amount herein*  
12 *appropriated shall be reduced by \$100,000 per day for each*  
13 *day after March 31 that such report has not been submitted*  
14 *to Congress.*

15 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

16 *(AIRPORT AND AIRWAY TRUST FUND)*

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

1 *municipalities, other public authorities, and private sources,*  
 2 *which shall be available for expenses incurred for research,*  
 3 *engineering, and development.*

4 *GRANTS-IN-AID FOR AIRPORTS*

5 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

6 *(LIMITATION ON OBLIGATIONS)*

7 *(AIRPORT AND AIRWAY TRUST FUND)*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For liquidation of obligations incurred for grants-in-*  
 10 *aid for airport planning and development, and noise com-*  
 11 *patibility planning and programs as authorized under sub-*  
 12 *chapter I of chapter 471 and subchapter I of chapter 475*  
 13 *of title 49, United States Code, and under other law author-*  
 14 *izing such obligations; for procurement, installation, and*  
 15 *commissioning of runway incursion prevention devices and*  
 16 *systems at airports of such title; for grants authorized under*  
 17 *section 41743 of title 49, United States Code; and for in-*  
 18 *spection activities and administration of airport safety pro-*  
 19 *grams, including those related to airport operating certifi-*  
 20 *cates under section 44706 of title 49, United States Code,*  
 21 *\$3,750,000,000, to be derived from the Airport and Airway*  
 22 *Trust Fund and to remain available until expended: Pro-*  
 23 *vided, That none of the funds under this heading shall be*  
 24 *available for the planning or execution of programs the obli-*  
 25 *gations for which are in excess of \$3,350,000,000 in fiscal*

1 year 2017, notwithstanding section 47117(g) of title 49,  
2 United States Code: Provided further, That none of the  
3 funds under this heading shall be available for the replace-  
4 ment of baggage conveyor systems, reconfiguration of ter-  
5 minal baggage areas, or other airport improvements that  
6 are necessary to install bulk explosive detection systems:  
7 Provided further, That notwithstanding section 47109(a) of  
8 title 49, United States Code, the Government's share of al-  
9 lowable project costs under paragraph (2) for subgrants or  
10 paragraph (3) of that section shall be 95 percent for a  
11 project at other than a large or medium hub airport that  
12 is a successive phase of a multi-phased construction project  
13 for which the project sponsor received a grant in fiscal year  
14 2011 for the construction project: Provided further, That  
15 notwithstanding any other provision of law, of funds lim-  
16 ited under this heading, not more than \$107,691,000 shall  
17 be available for administration, not less than \$15,000,000  
18 shall be available for the Airport Cooperative Research Pro-  
19 gram, not less than \$31,375,000 shall be available for Air-  
20 port Technology Research, and \$10,000,000, to remain  
21 available until expended, shall be available and transferred  
22 to "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 in-

1 *clude the participation of an airport that serves a commu-*  
2 *nity or consortium that is not larger than a small hub air-*  
3 *port, according to FAA hub classifications effective at the*  
4 *time the Office of the Secretary issues a request for pro-*  
5 *posals.*

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 during*  
13 *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 prohi-*  
21 *bition of funds in this section does not apply to negotiations*  
22 *between the agency and airport sponsors to achieve agree-*  
23 *ment on “below-market” rates for these items or to grant*  
24 *assurances that require airport sponsors to provide land*  
25 *without cost to the FAA for air traffic control facilities.*

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

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

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

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

20       *SEC. 116. The Secretary shall apportion to the sponsor*  
21 *of an airport that received scheduled or unscheduled air*  
22 *service from a large certified air carrier (as defined in part*  
23 *241 of title 14 Code of Federal Regulations, or such other*  
24 *regulations as may be issued by the Secretary under the*  
25 *authority of section 41709) an amount equal to the min-*

1 *imum apportionment specified in 49 U.S.C. 47114(c), if*  
2 *the Secretary determines that airport had more than 10,000*  
3 *passenger boardings in the preceding calendar year, based*  
4 *on data submitted to the Secretary under part 241 of title*  
5 *14, Code of Federal Regulations.*

6 *SEC. 117. None of the funds in this Act may be obli-*  
7 *gated or expended for retention bonuses for an employee of*  
8 *the Federal Aviation Administration without the prior*  
9 *written approval of the Assistant Secretary for Administra-*  
10 *tion of the Department of Transportation.*

11 *SEC. 118. Notwithstanding any other provision of law,*  
12 *none of the funds made available under this Act or any*  
13 *prior Act may be used to implement or to continue to im-*  
14 *plement any limitation on the ability of any owner or oper-*  
15 *ator of a private aircraft to obtain, upon a request to the*  
16 *Administrator of the Federal Aviation Administration, a*  
17 *blocking of that owner's or operator's aircraft registration*  
18 *number from any display of the Federal Aviation Adminis-*  
19 *tration's Aircraft Situational Display to Industry data*  
20 *that is made available to the public, except data made*  
21 *available to a Government agency, for the noncommercial*  
22 *flights of that owner or operator.*

23 *SEC. 119. None of the funds in this Act shall be avail-*  
24 *able for salaries and expenses of more than nine political*

1 *and Presidential appointees in the Federal Aviation Ad-*  
2 *ministration.*

3       *SEC. 119A. None of the funds made available under*  
4 *this Act may be used to increase fees pursuant to section*  
5 *44721 of title 49, United States Code, until the Federal*  
6 *Aviation Administration provides to the House and Senate*  
7 *Committees on Appropriations a report that justifies all*  
8 *fees related to aeronautical navigation products and ex-*  
9 *plains how such fees are consistent with Executive Order*  
10 *13642.*

11       *SEC. 119B. None of the funds in this Act may be used*  
12 *to close a regional operations center of the Federal Aviation*  
13 *Administration or reduce its services unless the Adminis-*  
14 *trator notifies the House and Senate Committees on Appro-*  
15 *priations not less than 90 full business days in advance.*

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

20       *SEC. 119D. None of the funds provided under this Act*  
21 *may be used by the Administrator of the Federal Aviation*  
22 *Administration to withhold from consideration and ap-*  
23 *proval any application for participation in the Contract*  
24 *Tower Program, pending as of January 1, 2016, including*  
25 *applications from Cost-share Program participants if the*

1 Administrator determines such tower is eligible under the  
2 criteria set forth in the Federal Aviation report, *Establish-*  
3 *ment and Discontinuance Criteria for Airport Traffic Con-*  
4 *trol Towers (FAA–APO–90–7).*

5       *SEC. 119E. For fiscal year 2017, the Secretary of*  
6 *Transportation shall apportion to the sponsor of a primary*  
7 *airport under section 47114(c)(1)(A) of title 49, United*  
8 *States Code, an amount based on the number of passenger*  
9 *boardings at the airport during calendar year 2012 if the*  
10 *airport had—*

11           (1) *fewer than 10,000 passenger boardings dur-*  
12 *ing the calendar year used to calculate the apportion-*  
13 *ment for fiscal year 2017 under section 116; and*

14           (2) *10,000 or more passenger boardings during*  
15 *calendar year 2012.*

16       *SEC. 119F. Section 47109(c)(2) of title 49, United*  
17 *States Code, is amended to read as follows: “The Govern-*  
18 *ment’s share of allowable project costs determined under*  
19 *this subsection shall not exceed the lesser of 93.75 percent*  
20 *or the highest percentage Government share applicable to*  
21 *any project in any State under subsection (b), except that*  
22 *at a primary non-hub and non-primary commercial service*  
23 *airport located in a State as set forth in paragraph (1)*  
24 *of this subsection that is within 15 miles of another State*  
25 *as set forth in paragraph (1) of this subsection, the Govern-*

1 *ment's share shall be an average of the Government share*  
2 *applicable to any project in each of the States.”.*

3 *SEC. 119G. Section 911 of the FAA Modernization and*  
4 *Reform Act of 2012 (Public Law 112–95) is amended by*  
5 *inserting after subsection (b) the following new subsection:*

6 *“(c) COLLABORATION AND REPORTING.—*

7 *“(1) The Administrator, in coordination with*  
8 *NASA, the Department of Energy, U.S. Department*  
9 *of Agriculture, and after consultation with other rel-*  
10 *evant agencies shall develop a joint plan to carry out*  
11 *the research under subsection (a) and report back to*  
12 *Congress within 180 days.*

13 *“(2) The Administrator, in coordination with*  
14 *the Administrator of NASA, the Secretary of Energy,*  
15 *and the Secretary of Agriculture, shall continue re-*  
16 *search and development activities into the develop-*  
17 *ment and deployment of jet fuels as outlined in sub-*  
18 *section (a).”.*

19 *SEC. 119H. Section 332(c) of the FAA Modernization*  
20 *and Reform Act of 2012 (Public Law 112–95; 49 U.S.C.*  
21 *40101 note) is amended by adding at the end the following:*

22 *“(6) INCLUSION OF CERTAIN FLIGHT TEST FA-*  
23 *CILITIES.—The Administrator shall expand the pro-*  
24 *gram established under paragraph (1) to permit*  
25 *projects under the program to be carried out at any*

1        *public entity authorized by the Federal Aviation Ad-*  
2        *ministration as an unmanned aircraft system flight*  
3        *test center before January 1, 2009.”.*

4        *SEC. 119I. Notwithstanding Section 40117(b)(1) of*  
5        *title 49, United States Code, the Secretary of Transpor-*  
6        *tation may authorize use of a passenger facility charge to*  
7        *finance an eligible airport-related project if the eligible*  
8        *agency seeking to impose the new charge controls an airport*  
9        *where a \$2 passenger facility charge became effective on*  
10       *January 1, 2013; and the airport where the passenger facil-*  
11       *ity charge is collected and the airport at which the project*  
12       *will be carried out were under the control of the same eligi-*  
13       *ble agency on October 1, 2015.*

14       *SEC. 119J. (a) Not later than one year after the date*  
15       *of the enactment of this Act, the Comptroller General of the*  
16       *United States shall submit to Congress a report assessing*  
17       *the importance of collegiate aviation flight training oper-*  
18       *ations and the effect of such operations on the economy and*  
19       *infrastructure of airports in the National Plan of Inte-*  
20       *grated Airport Systems.*

21       *(b) In the report required by subsection (a), the Comp-*  
22       *troller General shall include the following:*

23                *(1) An assessment of the total capacity of colle-*  
24        *giate aviation flight training programs in the United*

1       *States to meet the needs of the United States to train*  
2       *commercial pilots.*

3               (2) *An assessment of the footprint of collegiate*  
4       *aviation flight training operations at the airports in*  
5       *the United States.*

6               (3) *An assessment of whether infrastructure be-*  
7       *yond that necessary for operations of commercial air*  
8       *carriers is needed at airports at which collegiate avia-*  
9       *tion flight training operations are conducted.*

10              (4) *If such infrastructure is needed, an estimate*  
11       *of the cost of such infrastructure.*

12              (5) *An identification of funding sources, avail-*  
13       *able before the date of the enactment of this Act or*  
14       *that may become available after such date of enact-*  
15       *ment, that may be used to construct such infrastruc-*  
16       *ture.*

17              (6) *Recommendations for improving technical*  
18       *and financial assistance to airports to construct such*  
19       *infrastructure.*

20       *SEC. 119K. (a) Subchapter I of chapter 471, as amend-*  
21       *ed by this subtitle, is further amended by adding at the*  
22       *end the following:*

1 **“§ 47144. Use of funds for repairs for runway safety re-**  
2 **pairs**

3 “(a) *IN GENERAL.*—*The Secretary of Transportation*  
4 *may make project grants under this subchapter to an air-*  
5 *port described in subsection (b) from funds under section*  
6 *47114 apportioned to that airport or funds available for*  
7 *discretionary grants to that airport under section 47115 to*  
8 *conduct airport development to repair the runway safety*  
9 *area of the airport damaged as a result of a natural disaster*  
10 *in order to maintain compliance with the regulations of*  
11 *the Federal Aviation Administration relating to runway*  
12 *safety areas, without regard to whether construction of the*  
13 *runway safety area damaged was carried out using*  
14 *amounts the airport received under this subchapter.*

15 “(b) *AIRPORTS DESCRIBED.*—*An airport is described*  
16 *in this subsection if—*

17 “(1) *the airport is a public-use airport;*

18 “(2) *the airport is listed in the National Plan of*  
19 *Integrated Airport Systems of the Federal Aviation*  
20 *Administration;*

21 “(3) *the runway safety area of the airport was*  
22 *damaged as a result of a natural disaster;*

23 “(4) *the airport was denied funding under the*  
24 *Robert T. Stafford Disaster Relief and Emergency As-*  
25 *sistance Act (42 U.S.C. 4121 et seq.) with respect to*  
26 *the disaster;*

1           “(5) the operator of the airport has exhausted all  
2           legal remedies, including legal action against any  
3           parties (or insurers thereof) whose action or inaction  
4           may have contributed to the need for the repair of the  
5           runway safety area;

6           “(6) there is still a demonstrated need for the  
7           runway safety area to accommodate current or immi-  
8           nent aeronautical demand; and

9           “(7) the cost of repairing or replacing the run-  
10          way safety area is reasonable in relation to the an-  
11          ticipated operational benefit of repairing the runway  
12          safety area, as determined by the Administrator of the  
13          Federal Aviation Administration.”.

14          (b) The analysis for chapter 471, as amended by this  
15          subtitle, is further amended by inserting after the item re-  
16          lating to section 47143 the following:

          “47144. Use of funds for repairs for runway safety repairs.”.

17                                **FEDERAL HIGHWAY ADMINISTRATION**  
18                                **LIMITATION ON ADMINISTRATIVE EXPENSES**  
19                                **(HIGHWAY TRUST FUND)**  
20                                **(INCLUDING TRANSFER OF FUNDS)**

21          Not to exceed \$433,295,000, together with advances  
22          and reimbursements received by the Federal Highway Ad-  
23          ministration, shall be obligated for necessary expenses for  
24          administration and operation of the Federal Highway Ad-  
25          ministration. In addition, not to exceed \$2,500,000 shall

1 *be transferred to the Appalachian Regional Commission in*  
2 *accordance with section 104(a) of title 23, United States*  
3 *Code.*

4 *FEDERAL-AID HIGHWAYS*

5 *(LIMITATION ON OBLIGATIONS)*

6 *(HIGHWAY TRUST FUND)*

7 *Funds available for the implementation or execution*  
8 *of Federal-aid highway and highway safety construction*  
9 *programs authorized under titles 23 and 49, United States*  
10 *Code, and the provisions of the Fixing America's Surface*  
11 *Transportation Act shall not exceed total obligations of*  
12 *\$43,266,100,000 for fiscal year 2017: Provided, That the*  
13 *Secretary may collect and spend fees, as authorized by title*  
14 *23, United States Code, to cover the costs of services of ex-*  
15 *pert firms, including counsel, in the field of municipal and*  
16 *project finance to assist in the underwriting and servicing*  
17 *of Federal credit instruments and all or a portion of the*  
18 *costs to the Federal Government of servicing such credit in-*  
19 *struments: Provided further, That such fees are available*  
20 *until expended to pay for such costs: Provided further, That*  
21 *such amounts are in addition to administrative expenses*  
22 *that are also available for such purpose, and are not subject*  
23 *to any obligation limitation or the limitation on adminis-*  
24 *trative expenses under section 608 of title 23, United States*  
25 *Code.*

1           (LIQUIDATION OF CONTRACT AUTHORIZATION)

2                           (HIGHWAY TRUST FUND)

3       *For the payment of obligations incurred in carrying*  
4 *out Federal-aid highway and highway safety construction*  
5 *programs authorized under title 23, United States Code,*  
6 *\$44,005,100,000 derived from the Highway Trust Fund*  
7 *(other than the Mass Transit Account), to remain available*  
8 *until expended.*

9                           (RESCISSION)

10                           (HIGHWAY TRUST FUND)

11       *Of the unobligated balances of funds apportioned*  
12 *among the States under chapter 1 of title 23, United States*  
13 *Code, a total of \$2,211,000,000 is hereby rescinded: Pro-*  
14 *vided, That such rescission shall not apply to funds distrib-*  
15 *uted in accordance with sections 104(b)(3) and 130(f) of*  
16 *title 23, United States Code; section 133(d)(1)(A) of such*  
17 *title; the first sentence of section 133(d)(3)(A) of such title,*  
18 *as in effect on the day before the date of enactment of MAP-*  
19 *21 (Public Law 112-141); sections 133(d)(1) and 163 of*  
20 *such title, as in effect on the day before the date of enact-*  
21 *ment of SAFETEA-LU (Public Law 109-59); and section*  
22 *104(b)(5) of such title, as in effect on the day before the*  
23 *date of enactment of MAP-21 (Public Law 112-141): Pro-*  
24 *vided further, That such rescission shall not apply to funds*  
25 *that are exempt from the obligation limitation or subject*

1 *to special no-year obligation limitation: Provided further,*  
2 *That the amount to be rescinded from a State shall be deter-*  
3 *mined by multiplying the total amount of the rescission by*  
4 *the ratio that the unobligated balances subject to the rescis-*  
5 *sion as of September 30, 2016, for the State; bears to the*  
6 *unobligated balances subject to the rescission as of Sep-*  
7 *tember 30, 2016, for all States: Provided further, That the*  
8 *amount to be rescinded under this section from each pro-*  
9 *gram to which the rescission applies within a State shall*  
10 *be determined by multiplying the rescission amount cal-*  
11 *culated for such State by the ratio that the unobligated bal-*  
12 *ance as of September 30, 2016, for such program in such*  
13 *State; bears to the unobligated balances as of September 30,*  
14 *2016, for all programs to which the rescission applies in*  
15 *such State.*

16 *ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY*

17 *ADMINISTRATION*

18 *SEC. 120. (a) For fiscal year 2017, the Secretary of*  
19 *Transportation shall—*

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

22 *(A) amounts authorized for administrative*  
23 *expenses and programs by section 104(a) of title*  
24 *23, United States Code; and*

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

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

6           (A) made available from the Highway Trust  
7           Fund (other than the Mass Transit Account) for  
8           Federal-aid highway and highway safety con-  
9           struction programs for previous fiscal years the  
10          funds for which are allocated by the Secretary  
11          (or apportioned by the Secretary under sections  
12          202 or 204 of title 23, United States Code); and

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

15          (3) determine the proportion that—

16               (A) the obligation limitation for Federal-aid  
17               highways, less the aggregate of amounts not dis-  
18               tributed under paragraphs (1) and (2) of this  
19               subsection; bears to

20               (B) the total of the sums authorized to be  
21               appropriated for the Federal-aid highway and  
22               highway safety construction programs (other  
23               than sums authorized to be appropriated for pro-  
24               visions of law described in paragraphs (1)  
25               through (11) of subsection (b) and sums author-

1            *ized to be appropriated for section 119 of title*  
2            *23, United States Code, equal to the amount re-*  
3            *ferred to in subsection (b)(12) for such fiscal*  
4            *year), less the aggregate of the amounts not dis-*  
5            *tributed under paragraphs (1) and (2) of this*  
6            *subsection;*

7            *(4) distribute the obligation limitation for Fed-*  
8            *eral-aid highways, less the aggregate amounts not dis-*  
9            *tributed under paragraphs (1) and (2), for each of the*  
10           *programs (other than programs to which paragraph*  
11           *(1) applies) that are allocated by the Secretary under*  
12           *the Fixing America's Surface Transportation Act and*  
13           *title 23, United States Code, or apportioned by the*  
14           *Secretary under sections 202 or 204 of that title, by*  
15           *multiplying—*

16                    *(A) the proportion determined under para-*  
17                    *graph (3); by*

18                    *(B) the amounts authorized to be appro-*  
19                    *riated for each such program for such fiscal*  
20                    *year; and*

21            *(5) distribute the obligation limitation for Fed-*  
22            *eral-aid highways, less the aggregate amounts not dis-*  
23            *tributed under paragraphs (1) and (2) and the*  
24            *amounts distributed under paragraph (4), for Fed-*  
25            *eral-aid highway and highway safety construction*

1 *programs that are apportioned by the Secretary*  
2 *under title 23, United States Code (other than the*  
3 *amounts apportioned for the National Highway Per-*  
4 *formance Program in section 119 of title 23, United*  
5 *States Code, that are exempt from the limitation*  
6 *under subsection (b)(12) and the amounts appor-*  
7 *tioned under sections 202 and 204 of that title) in the*  
8 *proportion that—*

9 *(A) amounts authorized to be appropriated*  
10 *for the programs that are apportioned under title*  
11 *23, United States Code, to each State for such*  
12 *fiscal year; bears to*

13 *(B) the total of the amounts authorized to*  
14 *be appropriated for the programs that are ap-*  
15 *portioned under title 23, United States Code, to*  
16 *all States for such fiscal year.*

17 *(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—*

18 *The obligation limitation for Federal-aid highways shall*  
19 *not apply to obligations under or for—*

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

21 *(2) section 147 of the Surface Transportation As-*  
22 *sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.*  
23 *2714);*

24 *(3) section 9 of the Federal-Aid Highway Act of*  
25 *1981 (95 Stat. 1701);*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11                   *(B) title VI of the Fixing America’s Surface*  
12                   *Transportation Act.*

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

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

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

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

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

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

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

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

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

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

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

1 *pose of reimbursing the Bureau for such expenses: Provided,*  
2 *That such funds shall be subject to the obligation limitation*  
3 *for Federal-aid highway and highway safety construction*  
4 *programs.*

5 *SEC. 122. (a) TRANSFER OF AMOUNTS.—*

6 *(1) STATE OF VIRGINIA.—*

7 *(A) IN GENERAL.—Of the total amount ap-*  
8 *portioned to the State of Virginia under section*  
9 *104 of title 23, United States Code, for fiscal*  
10 *year 2017, the Secretary of Transportation shall,*  
11 *by the later of November 30, 2016, or 30 days*  
12 *after the enactment of this Act, transfer to the*  
13 *National Park Service—*

14 *(i) an amount equal to—*

15 *(I) \$30,000,000; multiplied by*

16 *(II) the ratio that—*

17 *(aa) the amount apportioned*  
18 *to the State of Virginia under*  
19 *such section 104; bears to*

20 *(bb) the combined amount*  
21 *apportioned to the State of Vir-*  
22 *ginia and the District of Colum-*  
23 *bia under such section 104; and*

1                   (ii) an amount of obligation limitation  
2                   equal to the amount calculated under clause  
3                   (i).

4                   (B) SOURCE AND AMOUNT.—For purpose of  
5                   the transfer under subparagraph (A), the State  
6                   of Virginia shall select at the discretion of the  
7                   State—

8                   (i) the programs (among those for  
9                   which funding is apportioned as described  
10                  in that subparagraph) from which to trans-  
11                  fer the amount specified in that subpara-  
12                  graph; and

13                  (ii) the amount to transfer from each  
14                  of those programs (equal in aggregate to the  
15                  amount calculated under subparagraph  
16                  (A)(i)).

17                  (2) DISTRICT OF COLUMBIA.—

18                  (A) IN GENERAL.—Of the total amount ap-  
19                  portioned to the District of Columbia under sec-  
20                  tion 104 of title 23, United States Code, for fis-  
21                  cal year 2017, the Secretary of Transportation  
22                  shall, by the later of November 30, 2016, or 30  
23                  days after the enactment of this Act, transfer to  
24                  the National Park Service—

25                  (i) an amount equal to—

1 (I) \$30,000,000; multiplied by

2 (II) the ratio that—

3 (aa) the amount apportioned  
4 to the District of Columbia under  
5 such section 104; bears to

6 (bb) the combined amount  
7 apportioned to the State of Vir-  
8 ginia and the District of Colum-  
9 bia under such section 104; and

10 (ii) an amount of obligation limitation  
11 equal to the amount calculated under clause  
12 (i).

13 (B) SOURCE AND AMOUNT.—For purpose of  
14 the transfer under subparagraph (A), the Dis-  
15 trict of Columbia shall select at the discretion of  
16 the District—

17 (i) the programs (among those for  
18 which funding is apportioned as described  
19 in that subparagraph) from which to trans-  
20 fer the amount specified in that subpara-  
21 graph; and

22 (ii) the amount to transfer from each  
23 of those programs (equal in aggregate to the  
24 amount calculated under subparagraph  
25 (A)(i)).

1           (3) *FEDERAL LANDS TRANSPORTATION PRO-*  
2 *GRAM.*—*Of the amounts otherwise made available to*  
3 *the National Park Service under section 203 of title*  
4 *23, United States Code, not less than 10 percent shall*  
5 *be set aside for purposes of this section.*

6           (b) *ELIGIBILITY AND FEDERAL SHARE.*—*The amounts*  
7 *under subsection (a) shall be—*

8           (1) *available to the National Park Service only*  
9 *for projects that—*

10           (A) *are eligible under section 203 of title 23,*  
11 *United States Code;*

12           (B) *are located on bridges on the National*  
13 *Highway System that were originally con-*  
14 *structed before 1945 and are in poor condition;*  
15 *and*

16           (C) *each have an estimated total project cost*  
17 *of not less than \$150,000,000; and*

18           (2) *subject to the Federal share described in sec-*  
19 *tion 201(b)(7)(A) of title 23, United States Code.*

20           (c) *OTHER FUNDS AND OBLIGATION LIMITATION.*—  
21 *Any funds and obligation limitation transferred under sub-*  
22 *section (a) shall be in addition to funds or obligation limi-*  
23 *tation otherwise made available to the National Park Serv-*  
24 *ice under sections 203 and 204 of title 23, United States*  
25 *Code.*

1       *SEC. 123. Not less than 15 days prior to waiving,*  
2 *under his or her statutory authority, any Buy America re-*  
3 *quirement for Federal-aid highways projects, the Secretary*  
4 *of Transportation shall make an informal public notice and*  
5 *comment opportunity on the intent to issue such waiver and*  
6 *the reasons therefor: Provided, That the Secretary shall pro-*  
7 *vide an annual report to the House and Senate Committees*  
8 *on Appropriations on any waivers granted under the Buy*  
9 *America requirements.*

10       *SEC. 124. None of the funds in this Act to the Depart-*  
11 *ment of Transportation may be used to provide credit as-*  
12 *sistance unless not less than 3 days before any application*  
13 *approval to provide credit assistance under sections 603*  
14 *and 604 of title 23, United States Code, the Secretary of*  
15 *Transportation provides notification in writing to the fol-*  
16 *lowing committees: the House and Senate Committees on*  
17 *Appropriations; the Committee on Environment and Public*  
18 *Works and the Committee on Banking, Housing and Urban*  
19 *Affairs of the Senate; and the Committee on Transportation*  
20 *and Infrastructure of the House of Representatives: Pro-*  
21 *vided, That such notification shall include, but not be lim-*  
22 *ited to, the name of the project sponsor; a description of*  
23 *the project; whether credit assistance will be provided as*  
24 *a direct loan, loan guarantee, or line of credit; and the*  
25 *amount of credit assistance.*

1        *SEC. 125. (a) A State or territory, as defined in section*  
2 *165 of title 23, United States Code, may, hereafter, use for*  
3 *any project eligible under section 133(b) of title 23 or sec-*  
4 *tion 165 of title 23 and located within the boundary of the*  
5 *State or territory any earmarked amount, and any associ-*  
6 *ated obligation limitation, provided that the Department*  
7 *of Transportation for the State or territory for which the*  
8 *earmarked amount was originally designated or directed*  
9 *notifies the Secretary of Transportation of its intent to use*  
10 *its authority under this section and submits a quarterly*  
11 *report to the Secretary identifying the projects to which the*  
12 *funding would be applied. Notwithstanding the original pe-*  
13 *riod of availability of funds to be obligated under this sec-*  
14 *tion, such funds and associated obligation limitation shall*  
15 *remain available for obligation for a period of 3 fiscal years*  
16 *after the fiscal year in which the Secretary of Transpor-*  
17 *tation is notified. The Federal share of the cost of a project*  
18 *carried out with funds made available under this section*  
19 *shall be the same as associated with the earmark.*

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

22            *(1) congressionally directed spending, as defined*  
23 *in rule XLIV of the Standing Rules of the Senate,*  
24 *identified in a prior law, report, or joint explanatory*  
25 *statement, which was authorized to be appropriated*

1       or appropriated more than 10 fiscal years prior to  
2       the current fiscal year, and administered by the Fed-  
3       eral Highway Administration; or

4               (2) a congressional earmark, as defined in rule  
5       XXI of the Rules of the House of Representatives iden-  
6       tified in a prior law, report, or joint explanatory  
7       statement, which was authorized to be appropriated  
8       or appropriated more than 10 fiscal years prior to  
9       the current fiscal year, and administered by the Fed-  
10      eral Highway Administration.

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

21      (d) The Secretary shall—

22               (1) for fiscal year 2017, submit consolidated re-  
23      ports of the information provided by the States and  
24      territories each quarter to the House and Senate Com-  
25      mittees on Appropriations; and

1           (2) for fiscal year 2018 and thereafter, post such  
2           information annually on the Department’s public  
3           Web site.

4           SEC. 126. None of the funds in this Act may be used  
5           to make a grant for a project under section 117 of title 23,  
6           United States Code, unless the Secretary, at least 60 days  
7           before making a grant under that section, provides written  
8           notification to the House and Senate Committees on Appro-  
9           priations of the proposed grant, including an evaluation  
10          and justification for the project and the amount of the pro-  
11          posed grant award.

12          SEC. 127. (a) IDENTIFICATION OF HIGH PRIORITY  
13          CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section  
14          1105(c) of the Intermodal Surface Transportation Effi-  
15          ciency Act of 1991 is amended by adding at the end the  
16          following:

17                 “(89) United States Route 67 from Interstate 40  
18                 in North Little Rock, Arkansas, to United States  
19                 Route 412.

20                 “(90) The Edward T. Breathitt Parkway from  
21                 Interstate 24 to Interstate 69.”.

22          (b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON  
23          INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Inter-  
24          modal Surface Transportation Efficiency Act of 1991 is  
25          amended in the first sentence by striking “and subsection

1 (c)(83)” and inserting “subsection (c)(83), subsection  
2 (c)(89), and subsection (c)(90)”.

3 (c) *DESIGNATION*.—Section 1105(e)(5)(C)(i) of the  
4 *Intermodal Surface Transportation Efficiency Act of 1991*  
5 *is amended by adding at the end the following: “The route*  
6 *referred to in subsection (c)(89) is designated as Interstate*  
7 *Route I–57. The route referred to in subsection (c)(90) is*  
8 *designated as Interstate Route I–169.”.*

9 *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*  
10 *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*

11 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

12 *(LIMITATION ON OBLIGATIONS)*

13 *(HIGHWAY TRUST FUND)*

14 *For payment of obligations incurred in the implemen-*  
15 *tation, execution and administration of motor carrier safe-*  
16 *ty operations and programs pursuant to section 31110 of*  
17 *title 49, United States Code, as amended by the Fixing*  
18 *America’s Surface Transportation Act, \$277,200,000, to be*  
19 *derived from the Highway Trust Fund (other than the Mass*  
20 *Transit Account), together with advances and reimburse-*  
21 *ments received by the Federal Motor Carrier Safety Admin-*  
22 *istration, the sum of which shall remain available until ex-*  
23 *pendent: Provided, That funds available for implementation,*  
24 *execution or administration of motor carrier safety oper-*  
25 *ations and programs authorized under title 49, United*

1 *States Code, shall not exceed total obligations of*  
 2 *\$277,200,000 for “Motor Carrier Safety Operations and*  
 3 *Programs” for fiscal year 2017, of which \$9,180,000, to re-*  
 4 *main available for obligation until September 30, 2019, is*  
 5 *for the research and technology program.*

6 *MOTOR CARRIER SAFETY GRANTS*

7 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

8 *(LIMITATION ON OBLIGATIONS)*

9 *(HIGHWAY TRUST FUND)*

10 *For payment of obligations incurred in carrying out*  
 11 *sections 31102, 31103, 31104, and 31313 of title 49, United*  
 12 *States Code, as amended by the Fixing America’s Surface*  
 13 *Transportation Act, \$367,000,000, to be derived from the*  
 14 *Highway Trust Fund (other than the Mass Transit Ac-*  
 15 *count) and to remain available until expended: Provided,*  
 16 *That funds available for the implementation or execution*  
 17 *of motor carrier safety programs shall not exceed total obli-*  
 18 *gations of \$367,000,000 in fiscal year 2017 for “Motor Car-*  
 19 *rier Safety Grants”; of which \$292,600,000 shall be avail-*  
 20 *able for the motor carrier safety assistance program,*  
 21 *\$31,200,000 shall be available for the commercial driver’s*  
 22 *license program implementation program, \$42,200,000*  
 23 *shall be available for the high priority activities program,*  
 24 *and \$1,000,000 shall be available for the commercial motor*  
 25 *vehicle operator grant program.*

1 *ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER*  
2 *SAFETY ADMINISTRATION*

3 *SEC. 130. Funds appropriated or limited in this Act*  
4 *shall be subject to the terms and conditions stipulated in*  
5 *section 350 of Public Law 107–87 and section 6901 of Pub-*  
6 *lic Law 110–28.*

7 *SEC. 131. Section 133 of division L, title I of the Con-*  
8 *solidated Appropriations Act, 2016, Public Law 114–113,*  
9 *is amended to read as follows:*

10 *“(a) None of the funds appropriated or otherwise made*  
11 *available by this Act or any other Act may be used to imple-*  
12 *ment, administer, or enforce the requirement for two off-*  
13 *duty periods from 1:00 a.m. to 5:00 a.m. under subsection*  
14 *395.3(c) or the restriction on use of more than one restart*  
15 *during a 168-hour period under subsection 395.3(d) of title*  
16 *49, Code of Federal Regulations, and such provisions shall*  
17 *have no force or effect as of the date of submission of the*  
18 *final report issued by the Secretary of Transportation, as*  
19 *required by section 133 of division K of Public Law 113–*  
20 *235, unless the Secretary and the Inspector General of the*  
21 *Department of Transportation each review and determine*  
22 *that the final report—*

23 *“(1) meets the statutory requirements set forth in*  
24 *such section; and*

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

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

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

1    *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*  
2                                    *OPERATIONS AND RESEARCH*

3           *For expenses necessary to discharge the functions of the*  
4 *Secretary, with respect to traffic and highway safety au-*  
5 *thorized under chapter 301 and part C of subtitle VI of*  
6 *title 49, United States Code, \$160,075,000, of which*  
7 *\$20,000,000 shall remain available through September 30,*  
8 *2018.*

9                                    *OPERATIONS AND RESEARCH*  
10                                *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
11                                *(LIMITATION ON OBLIGATIONS)*  
12                                *(HIGHWAY TRUST FUND)*

13           *For payment of obligations incurred in carrying out*  
14 *the provisions of 23 U.S.C. 403, and chapter 303 of title*  
15 *49, United States Code, \$145,900,000, to be derived from*  
16 *the Highway Trust Fund (other than the Mass Transit Ac-*  
17 *count) and to remain available until expended: Provided,*  
18 *That none of the funds in this Act shall be available for*  
19 *the planning or execution of programs the total obligations*  
20 *for which, in fiscal year 2017, are in excess of \$145,900,000,*  
21 *of which \$140,700,000 shall be for programs authorized*  
22 *under 23 U.S.C. 403 and \$5,200,000 shall be for the Na-*  
23 *tional Driver Register authorized under chapter 303 of title*  
24 *49, United States Code: Provided further, That within the*  
25 *\$145,900,000 obligation limitation for operations and re-*

1 search, \$20,000,000 shall remain available until September  
 2 30, 2018, and shall be in addition to the amount of any  
 3 limitation imposed on obligations for future years.

4 HIGHWAY TRAFFIC SAFETY GRANTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

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

1 *ther, That none of these funds shall be used for construction,*  
2 *rehabilitation, or remodeling costs, or for office furnishings*  
3 *and fixtures for State, local or private buildings or struc-*  
4 *tures: Provided further, That not to exceed \$500,000 of the*  
5 *funds made available for “National Priority Safety Pro-*  
6 *grams” under 23 U.S.C. 405 for “Impaired Driving Coun-*  
7 *termeasures” (as described in subsection (d) of that section)*  
8 *shall be available for technical assistance to the States: Pro-*  
9 *vided further, That with respect to the “Transfers” provi-*  
10 *sion under 23 U.S.C. 405(a)(1)(8), any amounts trans-*  
11 *ferred to increase the amounts made available under section*  
12 *402 shall include the obligation authority for such amounts:*  
13 *Provided further, That the Administrator shall notify the*  
14 *House and Senate Committees on Appropriations of any*  
15 *exercise of the authority granted under the previous proviso*  
16 *or under 23 U.S.C. 405(a)(1)(8) within 5 days.*

17 *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*

18 *TRAFFIC SAFETY ADMINISTRATION*

19 *SEC. 140. An additional \$130,000 shall be made avail-*  
20 *able to the National Highway Traffic Safety Administra-*  
21 *tion, out of the amount limited for section 402 of title 23,*  
22 *United States Code, to pay for travel and related expenses*  
23 *for State management reviews and to pay for core com-*  
24 *petency development training and related expenses for high-*  
25 *way safety staff.*

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

7        *SEC. 142. Not later than 6 months after the date of*  
8 *the enactment of this Act, the Secretary of Transportation*  
9 *shall issue a final rule requiring the use of speed limiting*  
10 *devices on trucks with a gross vehicle weight rating in excess*  
11 *of 26,000 pounds.*

12                    *FEDERAL RAILROAD ADMINISTRATION*

13                    *SAFETY AND OPERATIONS*

14        *For necessary expenses of the Federal Railroad Admin-*  
15 *istration, not otherwise provided for, \$208,500,000, of which*  
16 *\$15,900,000 shall remain available until expended.*

17                    *RAILROAD RESEARCH AND DEVELOPMENT*

18        *For necessary expenses for railroad research and devel-*  
19 *opment, \$40,100,000, to remain available until expended.*

20                    *RAILROAD REHABILITATION AND IMPROVEMENT FINANCING*

21                    *PROGRAM*

22        *The Secretary of Transportation is authorized to issue*  
23 *direct loans and loan guarantees pursuant to sections 501*  
24 *through 504 of the Railroad Revitalization and Regulatory*  
25 *Reform Act of 1976 (Public Law 94–210), as amended, such*

1 *authority to exist as long as any such direct loan or loan*  
2 *guarantee is outstanding.*

3 *CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY*

4 *IMPROVEMENTS GRANTS*

5 *For necessary expenses related to Consolidated Rail*  
6 *Infrastructure and Safety Improvements Grants as author-*  
7 *ized by section 24407 of title 49, United States Code,*  
8 *\$50,000,000, to remain available until expended, of which*  
9 *up to \$25,000,000 shall be available to carry out section*  
10 *24407(c)(1) of title 49, United States Code; and not less*  
11 *than \$25,000,000 shall be available to carry out paragraphs*  
12 *(2), (5), (6), (7) and (10) of section 24407(c) of such title:*  
13 *Provided, That the Secretary may withhold up to one per-*  
14 *cent of the amount provided under this heading for the costs*  
15 *of project management oversight of grants carried out under*  
16 *section 24407 of title 49, United States Code: Provided fur-*  
17 *ther, That such funds shall only be used for grants related*  
18 *to railroad safety.*

19 *FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD*

20 *REPAIR GRANTS*

21 *For necessary expenses related to Federal-State Part-*  
22 *nership for State of Good Repair Grants as authorized by*  
23 *section 24911 of title 49, United States Code, \$20,000,000,*  
24 *to remain available until expended: Provided, That the Sec-*  
25 *retary may withhold up to one percent of the amount pro-*

1 *vided under this heading for the costs of project manage-*  
2 *ment oversight of grants carried out under section 24911*  
3 *of title 49, United States Code.*

4 *RESTORATION AND ENHANCEMENT GRANTS*

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

15 *NORTHEAST CORRIDOR GRANTS TO THE NATIONAL*

16 *RAILROAD PASSENGER CORPORATION*

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

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

16 *NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD*  
17 *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 fund*

1 *expenses associated with the State-Supported Route Com-*  
2 *mittee established under 24712 of title 49, United States*  
3 *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 poses*  
12 *a risk to the safety and operational efficiency of the system:*  
13 *Provided further, That the President of Amtrak shall report*  
14 *to the House and Senate Committees on Appropriations*  
15 *each quarter within 60 days of such quarter of the calendar*  
16 *year on waivers granted to employees and amounts paid*  
17 *above the cap for each month within such quarter and de-*  
18 *lineate the reasons each waiver was granted: Provided fur-*  
19 *ther, That the President of Amtrak shall report to the House*  
20 *and Senate Committees on Appropriations by May 15,*  
21 *2017, a summary of all overtime payments incurred by the*  
22 *Corporation for 2016 and the three prior calendar years:*  
23 *Provided further, That such summary shall include the total*  
24 *number of employees that received waivers and the total*  
25 *overtime payments the Corporation paid to those employees*

1 *receiving waivers for each month for 2016 and for the three*  
2 *prior calendar years.*

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

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

8 *(2) Striking subparagraph (c)(3)(C);*

9 *(3) Striking paragraph (d)(5); and*

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

14 *FEDERAL TRANSIT ADMINISTRATION*

15 *ADMINISTRATIVE EXPENSES*

16 *For necessary administrative expenses of the Federal*  
17 *Transit Administration’s programs authorized by chapter*  
18 *53 of title 49, United States Code, \$110,665,000: Provided,*  
19 *That none of the funds provided or limited in this Act may*  
20 *be used to create a permanent office of transit security*  
21 *under this heading: Provided further, That upon submission*  
22 *to the Congress of the fiscal year 2018 President’s budget,*  
23 *the Secretary of Transportation shall transmit to Congress*  
24 *the annual report on New Starts, including proposed allo-*  
25 *cations for fiscal year 2018.*

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TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

*For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America's Surface Transportation Act, \$10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America's Surface Transportation Act, shall not exceed total obligations of \$9,733,706,043 in fiscal year 2017: Provided further, That the Federal share of the cost of activities carried out under section 5312 shall not exceed 80 percent, except that if there*

1 *is substantial public interest or benefit, the Secretary may*  
2 *approve a greater Federal share.*

3 *CAPITAL INVESTMENT GRANTS*

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

7 *GRANTS TO THE WASHINGTON METROPOLITAN AREA*

8 *TRANSIT AUTHORITY*

9 *For grants to the Washington Metropolitan Area Tran-*  
10 *sit Authority as authorized under section 601 of division*  
11 *B of Public Law 110–432, \$150,000,000, to remain avail-*  
12 *able until expended: Provided, That the Secretary of Trans-*  
13 *portation shall approve grants for capital and preventive*  
14 *maintenance expenditures for the Washington Metropolitan*  
15 *Area Transit Authority only after receiving and reviewing*  
16 *a request for each specific project: Provided further, That*  
17 *prior to approving such grants, the Secretary shall certify*  
18 *that the Washington Metropolitan Area Transit Authority*  
19 *is making progress to improve its safety management sys-*  
20 *tem in response to the Federal Transit Administration’s*  
21 *2015 safety management inspection: Provided further, That*  
22 *prior to approving such grants, the Secretary shall certify*  
23 *that the Washington Metropolitan Area Transit Authority*  
24 *is making progress toward full implementation of the cor-*  
25 *rective actions identified in the 2014 Financial Manage-*

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

9 *ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT*

10 *ADMINISTRATION*

11 *(INCLUDING RESCISSION)*

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

17 *SEC. 161. Notwithstanding any other provision of law,*  
18 *funds appropriated or limited by this Act under the heading*  
19 *“Fixed Guideway Capital Investment” of the Federal Tran-*  
20 *sit Administration for projects specified in this Act or iden-*  
21 *tified in reports accompanying this Act not obligated by*  
22 *September 30, 2021, and other recoveries, shall be directed*  
23 *to projects eligible to use the funds for the purposes for*  
24 *which they were originally provided.*

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

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

9             *(1) by inserting “and 25 square miles of land*  
10 *area” after “145,000”; and*

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

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

20       *SEC. 165. Section 5307(a) of title 49, United States*  
21 *Code, is amended by striking paragraphs (2) and (3) and*  
22 *inserting the following:*

23             *“(2) SPECIAL RULE.—The Secretary may make*  
24 *grants under this section to finance the operating cost*  
25 *of equipment and facilities for use in public transpor-*

1 *tation, excluding rail fixed guideway, in an urban-*  
2 *ized area with a population of not fewer than 200,000*  
3 *individuals, as determined by the Bureau of the Cen-*  
4 *sus—*

5 “(A) *for public transportation systems*  
6 *that—*

7 “(i) *operate 75 or fewer buses in fixed*  
8 *route service or demand response service, ex-*  
9 *cluding ADA complementary paratransit*  
10 *service, during peak service hours, in an*  
11 *amount not to exceed 75 percent of the share*  
12 *of the apportionment which is attributable*  
13 *to such systems within the urbanized area,*  
14 *as measured by vehicle revenue hours; or*

15 “(ii) *operate a minimum of 76 buses*  
16 *and a maximum of 100 buses in fixed route*  
17 *service or demand response service, exclud-*  
18 *ing ADA complementary paratransit serv-*  
19 *ice, during peak service hours, in an*  
20 *amount not to exceed 50 percent of the share*  
21 *of the apportionment which is attributable*  
22 *to such systems within the urbanized area,*  
23 *as measured by vehicle revenue hours; or*

24 “(B) *subject to paragraph (3), for public*  
25 *transportation systems that—*

1           “(i) operate 75 or fewer buses in fixed  
2           route service or demand response service, ex-  
3           cluding ADA complementary paratransit  
4           service, during peak service hours, in an  
5           amount not to exceed 75 percent of the share  
6           of the apportionment allocated to such sys-  
7           tems within the urbanized area, as deter-  
8           mined by the local planning process and in-  
9           cluded in the designated recipient’s final  
10          program of projects prepared under sub-  
11          section (b); or

12          “(ii) operate a minimum of 76 buses  
13          and a maximum of 100 buses in fixed route  
14          service or demand response service, exclud-  
15          ing ADA complementary paratransit service  
16          during peak service hours, in an amount  
17          not to exceed 50 percent of the share of the  
18          apportionment allocated to such systems  
19          within the urbanized area, as determined by  
20          the local planning process and included in  
21          the designated recipient’s final program of  
22          projects prepared under subsection (b).

23          “(3) *LIMITATION.*—The amount available to a  
24          public transportation system under subparagraph (B)  
25          of paragraph (2) shall be not more than 10 percent

1       *greater than the amount that would otherwise be*  
2       *available to the system under subparagraph (A) of*  
3       *that paragraph.”.*

4       *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

5       *The Saint Lawrence Seaway Development Corpora-*  
6       *tion is hereby authorized to make such expenditures, within*  
7       *the limits of funds and borrowing authority available to*  
8       *the Corporation, and in accord with law, and to make such*  
9       *contracts and commitments without regard to fiscal year*  
10       *limitations as provided by section 104 of the Government*  
11       *Corporation Control Act, as amended, as may be necessary*  
12       *in carrying out the programs set forth in the Corporation’s*  
13       *budget for the current fiscal year.*

14                       *OPERATIONS AND MAINTENANCE*

15                       *(HARBOR MAINTENANCE TRUST FUND)*

16       *For necessary expenses to conduct the operations,*  
17       *maintenance, and capital asset renewal activities of those*  
18       *portions of the St. Lawrence Seaway owned, operated, and*  
19       *maintained by the Saint Lawrence Seaway Development*  
20       *Corporation, \$36,028,000, to be derived from the Harbor*  
21       *Maintenance Trust Fund, pursuant to Public Law 99–662.*

22                       *MARITIME ADMINISTRATION*

23                       *MARITIME SECURITY PROGRAM*

24       *For necessary expenses to maintain and preserve a*  
25       *U.S.-flag merchant fleet to serve the national security needs*

1 of the United States, \$275,000,000, to remain available  
2 until expended: Provided, That the Maritime Administra-  
3 tion may make a reduction in payment pro rata in the  
4 event sufficient funds have not been appropriated to pay  
5 the full annual payment authorized for the Maritime Secu-  
6 rity Fleet pursuant to section 53106 of title 46: Provided  
7 further, That the Maritime Administration shall allocate  
8 the funds across 60 ships.

9 *OPERATIONS AND TRAINING*

10 For necessary expenses of operations and training ac-  
11 tivities authorized by law, \$175,160,000, of which  
12 \$22,000,000 shall remain available until expended for  
13 maintenance and repair of training ships at State Mari-  
14 time Academies, and of which \$6,000,000 shall remain  
15 available until expended for National Security Multi-Mis-  
16 sion Vessel Program for State Maritime Academies and Na-  
17 tional Security, and of which \$2,400,000 shall remain  
18 available through September 30, 2018, for the Student In-  
19 centive Program at State Maritime Academies, and of  
20 which \$1,200,000 shall remain available until expended for  
21 training ship fuel assistance payments, and of which  
22 \$18,000,000 shall remain available until expended for fa-  
23 cilities maintenance and repair, equipment, and capital  
24 improvements at the United States Merchant Marine Acad-  
25 emy, and of which \$3,000,000 shall remain available

1 *through September 30, 2018, for Maritime Environment*  
2 *and Technology Assistance grants, contracts, and coopera-*  
3 *tive agreement, and of which \$5,000,000 shall remain avail-*  
4 *able until expended for the Short Sea Transportation Pro-*  
5 *gram (America's Marine Highways) to make grants for the*  
6 *purposes provided in title 46 sections 55601(b)(1) and*  
7 *55601(b)(3): Provided further, That not later than January*  
8 *12, 2017, the Administrator of the Maritime Administra-*  
9 *tion shall transmit to the House and Senate Committees*  
10 *on Appropriations the annual report on sexual assault and*  
11 *sexual harassment at the United States Merchant Marine*  
12 *Academy as required pursuant to section 3507 of Public*  
13 *Law 110-417.*

14 *ASSISTANCE TO SMALL SHIPYARDS*

15 *To make grants to qualified shipyards as authorized*  
16 *under section 54101 of title 46, United States Code, as*  
17 *amended by Public Law 113-281, \$10,000,000 to remain*  
18 *available until expended: Provided, That the Secretary shall*  
19 *issue the Notice of Funding Availability no later than 15*  
20 *days after enactment of this Act: Provided further, That*  
21 *from applications submitted under the previous proviso, the*  
22 *Secretary of Transportation shall make grants no later than*  
23 *120 days after enactment of this Act in such amounts as*  
24 *the Secretary determines: Provided further, That not to ex-*  
25 *ceed 2 percent of the funds appropriated under this heading*

1 *shall be available for necessary costs of grant administra-*  
2 *tion.*

3 *SHIP DISPOSAL*

4 *For necessary expenses related to the disposal of obso-*  
5 *lete vessels in the National Defense Reserve Fleet of the Mar-*  
6 *itime Administration, \$20,000,000, to remain available*  
7 *until expended, of which \$8,000,000 shall be for the decom-*  
8 *missioning of the Nuclear Ship Savannah.*

9 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*

10 *ACCOUNT*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For the cost of guaranteed loans, as authorized,*  
13 *\$5,000,000, of which \$2,000,000 shall remain available*  
14 *until expended: Provided, That such costs, including the*  
15 *cost of modifying such loans, shall be as defined in section*  
16 *502 of the Congressional Budget Act of 1974, as amended:*  
17 *Provided further, That not to exceed \$3,000,000 shall be*  
18 *available for administrative expenses to carry out the guar-*  
19 *anteed loan program, which shall be transferred to and*  
20 *merged with the appropriations for "Operations and Train-*  
21 *ing", Maritime Administration.*

22 *ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION*

23 *SEC. 170. Notwithstanding any other provision of this*  
24 *Act, in addition to any existing authority, the Maritime*  
25 *Administration is authorized to furnish utilities and serv-*

1 *ices and make necessary repairs in connection with any*  
2 *lease, contract, or occupancy involving Government prop-*  
3 *erty under control of the Maritime Administration: Pro-*  
4 *vided, That payments received therefor shall be credited to*  
5 *the appropriation charged with the cost thereof and shall*  
6 *remain available until expended: Provided further, That*  
7 *rental payments under any such lease, contract, or occu-*  
8 *pancy for items other than such utilities, services, or repairs*  
9 *shall be covered into the Treasury as miscellaneous receipts.*

10 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

11 *ADMINISTRATION*

12 *OPERATIONAL EXPENSES*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For necessary operational expenses of the Pipeline and*  
15 *Hazardous Materials Safety Administration, \$23,207,000:*  
16 *Provided, That no later than June 30, 2016, the Secretary*  
17 *of Transportation shall initiate a rulemaking to expand the*  
18 *applicability of comprehensive oil spill response plans, and*  
19 *shall issue a final rule no later than December 18, 2016:*  
20 *Provided further, That \$1,500,000 shall be transferred to*  
21 *“Pipeline Safety” in order to fund “Pipeline Safety Infor-*  
22 *mation Grants to Communities” as authorized under sec-*  
23 *tion 60130 of title 49, United States Code.*



1 2019; and of which \$129,671,000 shall be derived from the  
2 Pipeline Safety Fund, of which \$59,835,000 shall remain  
3 available until September 30, 2018: Provided, That not less  
4 than \$1,058,000 of the funds provided under this heading  
5 shall be for the One-Call state grant program.

6 *EMERGENCY PREPAREDNESS GRANTS*

7 *(EMERGENCY PREPAREDNESS FUND)*

8 *Notwithstanding the fiscal year limitation specified in*  
9 *49 U.S.C. 5116, not more than \$28,318,000 shall be made*  
10 *available for obligation in fiscal year 2017 from amounts*  
11 *made available by 49 U.S.C. 5116(h), and 5128(b) and (c):*  
12 *Provided further, That notwithstanding 49 U.S.C.*  
13 *5116(h)(4), not more than 4 percent of the amounts made*  
14 *available from this account shall be available to pay admin-*  
15 *istrative costs: Provided further, That none of the funds*  
16 *made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c)*  
17 *shall be made available for obligation by individuals other*  
18 *than the Secretary of Transportation, or his or her designee:*  
19 *Provided further, That notwithstanding 49 U.S.C. 5128(b)*  
20 *and (c) and the current year obligation limitation, prior*  
21 *year recoveries recognized in the current year shall be avail-*  
22 *able to develop a hazardous materials response training*  
23 *curriculum for emergency responders, including response*  
24 *activities for the transportation of crude oil, ethanol and*  
25 *other flammable liquids by rail, consistent with National*

1 *Fire Protection Association standards, and to make such*  
2 *training available through an electronic format: Provided*  
3 *further, That the prior year recoveries made available under*  
4 *this heading shall also be available to carry out 49 U.S.C.*  
5 *5116(a)(1)(C) and 5116(i).*

6 *OFFICE OF INSPECTOR GENERAL*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of the Inspector*  
9 *General to carry out the provisions of the Inspector General*  
10 *Act of 1978, as amended, \$93,550,000: Provided, That the*  
11 *Inspector General shall have all necessary authority, in car-*  
12 *rying out the duties specified in the Inspector General Act,*  
13 *as amended (5 U.S.C. App. 3), to investigate allegations*  
14 *of fraud, including false statements to the government (18*  
15 *U.S.C. 1001), by any person or entity that is subject to*  
16 *regulation by the Department of Transportation.*

17 *GENERAL PROVISIONS—DEPARTMENT OF*

18 *TRANSPORTATION*

19 *SEC. 180. During the current fiscal year, applicable*  
20 *appropriations to the Department of Transportation shall*  
21 *be available for maintenance and operation of aircraft; hire*  
22 *of passenger motor vehicles and aircraft; purchase of liabil-*  
23 *ity insurance for motor vehicles operating in foreign coun-*  
24 *tries on official department business; and uniforms or al-*

1 *lowances therefor, as authorized by law (5 U.S.C. 5901–*  
2 *5902).*

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

8       *SEC. 182. None of the funds in this Act shall be avail-*  
9 *able for salaries and expenses of more than 110 political*  
10 *and Presidential appointees in the Department of Trans-*  
11 *portation: Provided, That none of the personnel covered by*  
12 *this provision may be assigned on temporary detail outside*  
13 *the Department of Transportation.*

14       *SEC. 183. (a) No recipient of funds made available in*  
15 *this Act shall disseminate personal information (as defined*  
16 *in 18 U.S.C. 2725(3)) obtained by a State department of*  
17 *motor vehicles in connection with a motor vehicle record*  
18 *as defined in 18 U.S.C. 2725(1), except as provided in 18*  
19 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

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

23       *SEC. 184. Funds received by the Federal Highway Ad-*  
24 *ministration and Federal Railroad Administration from*  
25 *States, counties, municipalities, other public authorities,*

1 *and private sources for expenses incurred for training may*  
2 *be credited respectively to the Federal Highway Adminis-*  
3 *tration’s “Federal-Aid Highways” account and to the Fed-*  
4 *eral Railroad Administration’s “Safety and Operations”*  
5 *account, except for State rail safety inspectors participating*  
6 *in training pursuant to 49 U.S.C. 20105.*

7       *SEC. 185. None of the funds in this Act to the Depart-*  
8 *ment of Transportation may be used to make a loan, loan*  
9 *guarantee, line of credit, or grant unless the Secretary of*  
10 *Transportation notifies the House and Senate Committees*  
11 *on Appropriations not less than 3 full business days before*  
12 *any project competitively selected to receive a discretionary*  
13 *grant award, any discretionary grant award, letter of in-*  
14 *tent, loan commitment, loan guarantee commitment, line*  
15 *of credit commitment, or full funding grant agreement.*

16       *SEC. 186. Rebates, refunds, incentive payments, minor*  
17 *fees and other funds received by the Department of Trans-*  
18 *portation from travel management centers, charge card pro-*  
19 *grams, the subleasing of building space, and miscellaneous*  
20 *sources are to be credited to appropriations of the Depart-*  
21 *ment of Transportation and allocated to elements of the De-*  
22 *partment of Transportation using fair and equitable cri-*  
23 *teria and such funds shall be available until expended.*

24       *SEC. 187. Amounts made available in this or any other*  
25 *Act that the Secretary determines represent improper pay-*

1 ments by the Department of Transportation to a third-  
2 party contractor under a financial assistance award, which  
3 are recovered pursuant to law, shall be available—

4 (1) to reimburse the actual expenses incurred by  
5 the Department of Transportation in recovering im-  
6 proper payments; and

7 (2) to pay contractors for services provided in re-  
8 covering improper payments or contractor support in  
9 the implementation of the Improper Payments Infor-  
10 mation Act of 2002: Provided, That amounts in excess  
11 of that required for paragraphs (1) and (2)—

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

23 (B) if no such appropriation remains avail-  
24 able, shall be deposited in the Treasury as mis-  
25 cellaneous receipts: Provided further, That prior

1           to the transfer of any such recovery to an appro-  
2           priations account, the Secretary shall notify the  
3           House and Senate Committees on Appropria-  
4           tions of the amount and reasons for such trans-  
5           fer: Provided further, That for purposes of this  
6           section, the term “improper payments” has the  
7           same meaning as that provided in section  
8           2(d)(2) of Public Law 107–300.

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

24          SEC. 189. Funds appropriated in this Act to the modal  
25          administrations may be obligated for the Office of the Sec-

1 *retary for the costs related to assessments or reimbursable*  
2 *agreements only when such amounts are for the costs of*  
3 *goods and services that are purchased to provide a direct*  
4 *benefit to the applicable modal administration or adminis-*  
5 *trations.*

6       *SEC. 190. The Secretary of Transportation is author-*  
7 *ized to carry out a program that establishes uniform stand-*  
8 *ards for developing and supporting agency transit pass and*  
9 *transit benefits authorized under section 7905 of title 5,*  
10 *United States Code, including distribution of transit bene-*  
11 *fits by various paper and electronic media.*

12       *SEC. 191. The Department of Transportation may use*  
13 *funds provided by this Act, or any other Act, to assist a*  
14 *contract under title 49 U.S.C. or title 23 U.S.C. utilizing*  
15 *geographic, economic, or any other hiring preference not*  
16 *otherwise authorized by law, except for such preferences au-*  
17 *thorized in this Act, or to amend a rule, regulation, policy*  
18 *or other measure that forbids a recipient of a Federal High-*  
19 *way Administration or Federal Transit Administration*  
20 *grant from imposing such hiring preference on a contract*  
21 *or construction project with which the Department of*  
22 *Transportation is assisting, only if the grant recipient cer-*  
23 *tifies the following:*

24               *(1) that except with respect to apprentices or*  
25               *trainees, a pool of readily available but unemployed*

1 *individuals possessing the knowledge, skill, and abil-*  
2 *ity to perform the work that the contract requires re-*  
3 *sides in the jurisdiction;*

4 *(2) that the grant recipient will include appro-*  
5 *priate provisions in its bid document ensuring that*  
6 *the contractor does not displace any of its existing*  
7 *employees in order to satisfy such hiring preference;*  
8 *and*

9 *(3) that any increase in the cost of labor, train-*  
10 *ing, or delays resulting from the use of such hiring*  
11 *preference does not delay or displace any transpor-*  
12 *tation project in the applicable Statewide Transpor-*  
13 *tation Improvement Program or Transportation Im-*  
14 *provement Program.*

15 *This title may be cited as the “Department of Trans-*  
16 *portation Appropriations Act, 2017”.*

## 17 *TITLE II*

### 18 *DEPARTMENT OF HOUSING AND URBAN*

#### 19 *DEVELOPMENT*

#### 20 *MANAGEMENT AND ADMINISTRATION*

#### 21 *EXECUTIVE OFFICES*

22 *For necessary salaries and expenses for Executive Of-*  
23 *fices, which shall be comprised of the offices of the Secretary,*  
24 *Deputy Secretary, Adjudicatory Services, Congressional*  
25 *and Intergovernmental Relations, Public Affairs, Small*

1 *and Disadvantaged Business Utilization, the Departmental*  
2 *Enforcement Center, and the Center for Faith-Based and*  
3 *Neighborhood Partnerships, \$30,608,000: Provided, That*  
4 *not to exceed \$25,000 of the amount made available under*  
5 *this heading shall be available to the Secretary for official*  
6 *reception and representation expenses as the Secretary may*  
7 *determine.*

8 *ADMINISTRATIVE SUPPORT OFFICES*

9 *For necessary salaries and expenses for Administrative*  
10 *Support Offices, \$503,852,000, of which \$53,451,000 shall*  
11 *be available for the Office of the Chief Financial Officer;*  
12 *\$79,053,000 shall be available for the Office of the General*  
13 *Counsel; \$202,823,000 shall be available for the Office of*  
14 *Administration; \$41,641,000 shall be available for the Of-*  
15 *fice of the Chief Human Capital Officer; \$52,568,000 shall*  
16 *be available for the Office of Field Policy and Management;*  
17 *\$19,130,000 shall be available for the Office of the Chief*  
18 *Procurement Officer; \$3,891,000 shall be available for the*  
19 *Office of Departmental Equal Employment Opportunity;*  
20 *\$5,147,000 shall be available for the Office of Strategic*  
21 *Planning and Management; and \$46,148,000 shall be avail-*  
22 *able for the Office of the Chief Information Officer: Pro-*  
23 *vided, That funds provided under this heading may be used*  
24 *for necessary administrative and non-administrative ex-*  
25 *penses of the Department of Housing and Urban Develop-*

1 *ment, not otherwise provided for, including purchase of uni-*  
2 *forms, or allowances therefor, as authorized by 5 U.S.C.*  
3 *5901–5902; hire of passenger motor vehicles; and services*  
4 *as authorized by 5 U.S.C. 3109: Provided further, That not-*  
5 *withstanding any other provision of law, funds appro-*  
6 *priated under this heading may be used for advertising and*  
7 *promotional activities that directly support program activi-*  
8 *ties funded in this title: Provided further, That the Sec-*  
9 *retary shall provide the House and Senate Committees on*  
10 *Appropriations quarterly written notification regarding the*  
11 *status of pending congressional reports: Provided further,*  
12 *That the Secretary shall provide in electronic form all*  
13 *signed reports required by Congress.*

14 *PROGRAM OFFICE SALARIES AND EXPENSES*

15 *PUBLIC AND INDIAN HOUSING*

16 *For necessary salaries and expenses of the Office of*  
17 *Public and Indian Housing, \$220,500,000.*

18 *COMMUNITY PLANNING AND DEVELOPMENT*

19 *For necessary salaries and expenses of the Office of*  
20 *Community Planning and Development, \$110,000,000.*

21 *HOUSING*

22 *For necessary salaries and expenses of the Office of*  
23 *Housing, \$393,000,000.*

1                    *POLICY DEVELOPMENT AND RESEARCH*

2            *For necessary salaries and expenses of the Office of*  
3 *Policy Development and Research, \$24,500,000.*

4                    *FAIR HOUSING AND EQUAL OPPORTUNITY*

5            *For necessary salaries and expenses of the Office of*  
6 *Fair Housing and Equal Opportunity, \$74,235,000.*

7                    *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES*

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

10                    *WORKING CAPITAL FUND*

11                    *(INCLUDING TRANSFER OF FUNDS)*

12            *For the working capital fund for the Department of*  
13 *Housing and Urban Development (referred to in this para-*  
14 *graph as the “Fund”), pursuant, in part, to section 7(f)*  
15 *of the Department of Housing and Urban Development Act*  
16 *(42 U.S.C. 3535(f)), amounts transferred to the Fund under*  
17 *this heading shall be available for Federal shared services*  
18 *used by offices and agencies of the Department, and for such*  
19 *portion of any office or agency’s printing, records manage-*  
20 *ment, space renovation, furniture, or supply services as the*  
21 *Secretary determines shall be derived from centralized*  
22 *sources made available by the Department to all offices and*  
23 *agencies and funded through the Fund: Provided, That of*  
24 *the amounts made available in this title for salaries and*  
25 *expenses under the headings “Executive Offices”, “Adminis-*

1 *trative Support Offices*”, “*Program Office Salaries and Ex-*  
2 *penses*”, and “*Government National Mortgage Association*”,  
3 *the Secretary shall transfer to the Fund such amounts, to*  
4 *remain available until expended, as are necessary to fund*  
5 *services, specified in the first proviso, for which the appro-*  
6 *priation would otherwise have been available, and may*  
7 *transfer not to exceed an additional \$10,000,000, in aggre-*  
8 *gate, from all such appropriations, to be merged with the*  
9 *Fund and to remain available until expended for use for*  
10 *any office or agency: Provided further, That amounts in*  
11 *the Fund shall be the only amounts available to each office*  
12 *or agency of the Department for the services, or portion of*  
13 *services, specified in the first proviso: Provided further,*  
14 *That with respect to the Fund, the authorities and condi-*  
15 *tions under this heading shall supplement the authorities*  
16 *and conditions provided under section 7(f).*

17 *PUBLIC AND INDIAN HOUSING*

18 *TENANT-BASED RENTAL ASSISTANCE*

19 *For activities and assistance for the provision of ten-*  
20 *ant-based rental assistance authorized under the United*  
21 *States Housing Act of 1937, as amended (42 U.S.C. 1437*  
22 *et seq.) (“the Act” herein), not otherwise provided for,*  
23 *\$16,431,696,000, to remain available until expended, shall*  
24 *be available on October 1, 2016 (in addition to the*  
25 *\$4,000,000,000 previously appropriated under this heading*

1 *that shall be available on October 1, 2016), and*  
2 *\$4,000,000,000, to remain available until expended, shall*  
3 *be available on October 1, 2017: Provided, That the*  
4 *amounts made available under this heading are provided*  
5 *as follows:*

6           (1) *\$18,355,000,000 shall be available for renew-*  
7 *als of expiring section 8 tenant-based annual con-*  
8 *tributions contracts (including renewals of enhanced*  
9 *vouchers under any provision of law authorizing such*  
10 *assistance under section 8(t) of the Act) and includ-*  
11 *ing renewal of other special purpose incremental*  
12 *vouchers: Provided, That notwithstanding any other*  
13 *provision of law, from amounts provided under this*  
14 *paragraph and any carryover, the Secretary for the*  
15 *calendar year 2017 funding cycle shall provide re-*  
16 *newal funding for each public housing agency based*  
17 *on validated voucher management system (VMS) leas-*  
18 *ing and cost data for the prior calendar year and by*  
19 *applying an inflation factor as established by the Sec-*  
20 *retary, by notice published in the Federal Register,*  
21 *and by making any necessary adjustments for the*  
22 *costs associated with the first-time renewal of vouch-*  
23 *ers under this paragraph including tenant protection,*  
24 *HOPE VI, and Choice Neighborhoods vouchers: Pro-*  
25 *vided further, That none of the funds provided under*

1     *this paragraph may be used to fund a total number*  
2     *of unit months under lease which exceeds a public*  
3     *housing agency's authorized level of units under con-*  
4     *tract, except for public housing agencies participating*  
5     *in the MTW demonstration, which are instead gov-*  
6     *erned by the terms and conditions of their MTW*  
7     *agreements: Provided further, That the Secretary*  
8     *shall, to the extent necessary to stay within the*  
9     *amount specified under this paragraph (except as oth-*  
10    *erwise modified under this paragraph), prorate each*  
11    *public housing agency's allocation otherwise estab-*  
12    *lished pursuant to this paragraph: Provided further,*  
13    *That except as provided in the following provisos, the*  
14    *entire amount specified under this paragraph (except*  
15    *as otherwise modified under this paragraph) shall be*  
16    *obligated to the public housing agencies based on the*  
17    *allocation and pro rata method described above, and*  
18    *the Secretary shall notify public housing agencies of*  
19    *their annual budget by the latter of 60 days after en-*  
20    *actment of this Act or March 1, 2017: Provided fur-*  
21    *ther, That the Secretary may extend the notification*  
22    *period with the prior written approval of the House*  
23    *and Senate Committees on Appropriations: Provided*  
24    *further, That public housing agencies participating in*  
25    *the MTW demonstration shall be funded pursuant to*

1 *their MTW agreements and shall be subject to the*  
2 *same pro rata adjustments under the previous pro-*  
3 *visos: Provided further, That the Secretary may offset*  
4 *public housing agencies' calendar year 2017 alloca-*  
5 *tions based on the excess amounts of public housing*  
6 *agencies' net restricted assets accounts, including*  
7 *HUD held programmatic reserves (in accordance with*  
8 *VMS data in calendar year 2016 that is verifiable*  
9 *and complete), as determined by the Secretary: Pro-*  
10 *vided further, That public housing agencies partici-*  
11 *parting in the MTW demonstration shall also be sub-*  
12 *ject to the offset, as determined by the Secretary, ex-*  
13 *cluding amounts subject to the single fund budget au-*  
14 *thority provisions of their MTW agreements, from the*  
15 *agencies' calendar year 2017 MTW funding alloca-*  
16 *tion: Provided further, That the Secretary shall use*  
17 *any offset referred to in the previous two provisos*  
18 *throughout the calendar year to prevent the termi-*  
19 *nation of rental assistance for families as the result*  
20 *of insufficient funding, as determined by the Sec-*  
21 *retary, and to avoid or reduce the proration of re-*  
22 *newal funding allocations: Provided further, That up*  
23 *to \$75,000,000 shall be available only: (1) for adjust-*  
24 *ments in the allocations for public housing agencies,*  
25 *after application for an adjustment by a public hous-*

1     *ing agency that experienced a significant increase, as*  
2     *determined by the Secretary, in renewal costs of*  
3     *vouchers resulting from unforeseen circumstances or*  
4     *from portability under section 8(r) of the Act; (2) for*  
5     *vouchers that were not in use during the previous 12-*  
6     *month period in order to be available to meet a com-*  
7     *mitment pursuant to section 8(o)(13) of the Act; (3)*  
8     *for adjustments for costs associated with HUD-Vet-*  
9     *erans Affairs Supportive Housing (HUD-VASH)*  
10    *vouchers; and (4) for public housing agencies that de-*  
11    *spite taking reasonable cost savings measures, as de-*  
12    *termined by the Secretary, would otherwise be re-*  
13    *quired to terminate rental assistance for families as*  
14    *a result of insufficient funding: Provided further,*  
15    *That the Secretary shall allocate amounts under the*  
16    *previous proviso based on need, as determined by the*  
17    *Secretary;*

18            (2) \$110,000,000 shall be for section 8 rental as-  
19    *istance for relocation and replacement of housing*  
20    *units that are demolished or disposed of pursuant to*  
21    *section 18 of the Act, conversion of section 23 projects*  
22    *to assistance under section 8, the family unification*  
23    *program under section 8(x) of the Act, relocation of*  
24    *witnesses in connection with efforts to combat crime*  
25    *in public and assisted housing pursuant to a request*

1     *from a law enforcement or prosecution agency, en-*  
2     *hanced vouchers under any provision of law author-*  
3     *izing such assistance under section 8(t) of the Act,*  
4     *HOPE VI and Choice Neighborhood vouchers, manda-*  
5     *tory and voluntary conversions, and tenant protection*  
6     *assistance including replacement and relocation as-*  
7     *sistance or for project-based assistance to prevent the*  
8     *displacement of unassisted elderly tenants currently*  
9     *residing in section 202 properties financed between*  
10    *1959 and 1974 that are refinanced pursuant to Pub-*  
11    *lic Law 106–569, as amended, or under the authority*  
12    *as provided under this Act: Provided, That when a*  
13    *public housing development is submitted for demoli-*  
14    *tion or disposition under section 18 of the Act, the*  
15    *Secretary may provide section 8 rental assistance*  
16    *when the units pose an imminent health and safety*  
17    *risk to residents: Provided further, That the Secretary*  
18    *may provide section 8 rental assistance from amounts*  
19    *made available under this paragraph for units as-*  
20    *sisted under a project-based subsidy contract funded*  
21    *under the “Project-Based Rental Assistance” heading*  
22    *under this title where the owner has received a Notice*  
23    *of Default and the units pose an imminent health and*  
24    *safety risk to residents: Provided further, That to the*  
25    *extent that the Secretary determines that such units*

1     *are not feasible for continued rental assistance pay-*  
2     *ments or transfer of the subsidy contract associated*  
3     *with such units to another project or projects and*  
4     *owner or owners, any remaining amounts associated*  
5     *with such units under such contract shall be recap-*  
6     *tured and used to reimburse amounts used under this*  
7     *paragraph for rental assistance under the preceding*  
8     *proviso: Provided further, That the Secretary may*  
9     *only provide replacement vouchers for units that were*  
10    *occupied within the previous 24 months that cease to*  
11    *be available as assisted housing, subject only to the*  
12    *availability of funds: Provided further, That any ten-*  
13    *ant protection voucher made available from amounts*  
14    *under this paragraph shall not be reissued by any*  
15    *public housing agency, except the replacement vouch-*  
16    *ers as defined by the Secretary by notice, when the*  
17    *initial family that received any such voucher no*  
18    *longer receives such voucher, and the authority for*  
19    *any public housing agency to issue any such voucher*  
20    *shall cease to exist;*

21           (3) *\$1,768,696,000 shall be for administrative*  
22    *and other expenses of public housing agencies in ad-*  
23    *ministering the section 8 tenant-based rental assist-*  
24    *ance program, of which up to \$10,000,000 shall be*  
25    *available to the Secretary to allocate to public hous-*

1     *ing agencies that need additional funds to administer*  
2     *their section 8 programs, including fees associated*  
3     *with section 8 tenant protection rental assistance, the*  
4     *administration of disaster related vouchers, Veterans*  
5     *Affairs Supportive Housing vouchers, and other spe-*  
6     *cial purpose incremental vouchers: Provided, That no*  
7     *less than \$1,758,696,000 of the amount provided in*  
8     *this paragraph shall be allocated to public housing*  
9     *agencies for the calendar year 2017 funding cycle*  
10    *based on section 8(q) of the Act (and related Appro-*  
11    *priation Act provisions) as in effect immediately be-*  
12    *fore the enactment of the Quality Housing and Work*  
13    *Responsibility Act of 1998 (Public Law 105–276):*  
14    *Provided further, That if the amounts made available*  
15    *under this paragraph are insufficient to pay the*  
16    *amounts determined under the previous proviso, the*  
17    *Secretary may decrease the amounts allocated to*  
18    *agencies by a uniform percentage applicable to all*  
19    *agencies receiving funding under this paragraph or*  
20    *may, to the extent necessary to provide full payment*  
21    *of amounts determined under the previous proviso,*  
22    *utilize unobligated balances, including recaptures and*  
23    *carryovers, remaining from funds appropriated to the*  
24    *Department of Housing and Urban Development*  
25    *under this heading from prior fiscal years, excluding*

1 *special purpose vouchers, notwithstanding the pur-*  
2 *poses for which such amounts were appropriated: Pro-*  
3 *vided further, That all public housing agencies par-*  
4 *ticipating in the MTW demonstration shall be funded*  
5 *pursuant to their MTW agreements, and shall be sub-*  
6 *ject to the same uniform percentage decrease as under*  
7 *the previous proviso: Provided further, That amounts*  
8 *provided under this paragraph shall be only for ac-*  
9 *tivities related to the provision of tenant-based rental*  
10 *assistance authorized under section 8, including re-*  
11 *lated development activities;*

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

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

1 *erans that are homeless or at-risk of homelessness liv-*  
2 *ing on or near a reservation or other Indian areas:*  
3 *Provided, That such amount shall be made available*  
4 *for renewal grants to the recipients that received as-*  
5 *sistance under the rental assistance and supportive*  
6 *housing demonstration program for Native American*  
7 *veterans authorized under the heading “Tenant-Based*  
8 *Rental Assistance” in title II of division K of the*  
9 *Consolidated and Further Continuing Appropriations*  
10 *Act, 2015 (Public Law 113–235, 128 Stat. 2733):*  
11 *Provided further, That the Secretary shall be author-*  
12 *ized to specify criteria for renewal grants, including*  
13 *data on the utilization of assistance reported by grant*  
14 *recipients under the demonstration program: Pro-*  
15 *vided further, That any amounts remaining after*  
16 *such renewal assistance is awarded may be available*  
17 *for new grants to recipients eligible to receive block*  
18 *grants under the Native American Housing Assist-*  
19 *ance and Self-Determination Act of 1996 (25 U.S.C.*  
20 *section 4101 et seq.) for rental assistance and associ-*  
21 *ated administrative fees for Tribal HUD–VA Sup-*  
22 *portive Housing to serve Native American veterans*  
23 *that are homeless or at-risk of homelessness living on*  
24 *or near a reservation or other Indian areas: Provided*  
25 *further, That funds shall be awarded based on need*

1     *and administrative capacity established by the Sec-*  
2     *retary in a Notice published in the Federal Register*  
3     *after coordination with the Secretary of the Depart-*  
4     *ment of Veterans Affairs: Provided further, That re-*  
5     *newal grants and new grants under this paragraph*  
6     *shall be administered by block grant recipients in ac-*  
7     *cordance with program requirements under the Native*  
8     *American Housing Assistance and Self-Determination*  
9     *Act of 1996: Provided further, That assistance under*  
10    *this paragraph shall be modeled after, with necessary*  
11    *and appropriate adjustments for Native American*  
12    *grant recipients and veterans, the rental assistance*  
13    *and supportive housing program known as HUD-*  
14    *VASH program, including administration in con-*  
15    *junction with the Department of Veterans Affairs and*  
16    *overall implementation of section 8(o)(19) of the*  
17    *United States Housing Act of 1937: Provided further,*  
18    *That the Secretary of Housing and Urban Develop-*  
19    *ment may waive, or specify alternative requirements*  
20    *for any provision of any statute or regulation that the*  
21    *Secretary of Housing and Urban Development ad-*  
22    *ministers in connection with the use of funds made*  
23    *available under this paragraph (except for require-*  
24    *ments related to fair housing, nondiscrimination,*  
25    *labor stands, and the environment), upon a finding*

1 *by the Secretary that any such waivers or alternative*  
2 *requirements are necessary for the effective delivery*  
3 *and administration of such assistance: Provided fur-*  
4 *ther, That grant recipients shall report to the Sec-*  
5 *retary on utilization of such rental assistance and*  
6 *other program data, as prescribed by the Secretary;*

7 *(6) \$50,000,000 for incremental rental voucher*  
8 *assistance for use through a supported housing pro-*  
9 *gram administered in conjunction with the Depart-*  
10 *ment of Veterans Affairs as authorized under section*  
11 *8(o)(19) of the United States Housing Act of 1937:*  
12 *Provided, That the Secretary of Housing and Urban*  
13 *Development shall make such funding available, not-*  
14 *withstanding section 204 (competition provision) of*  
15 *this title, to public housing agencies that partner with*  
16 *eligible VA Medical Centers or other entities as des-*  
17 *ignated by the Secretary of the Department of Vet-*  
18 *erans Affairs, based on geographical need for such as-*  
19 *sistance as identified by the Secretary of the Depart-*  
20 *ment of Veterans Affairs, public housing agency ad-*  
21 *ministrative performance, and other factors as speci-*  
22 *fied by the Secretary of Housing and Urban Develop-*  
23 *ment in consultation with the Secretary of the De-*  
24 *partment of Veterans Affairs: Provided further, That*  
25 *the Secretary of Housing and Urban Development*

1     *may waive, or specify alternative requirements for (in*  
2     *consultation with the Secretary of the Department of*  
3     *Veterans Affairs), any provision of any statute or reg-*  
4     *ulation that the Secretary of Housing and Urban De-*  
5     *velopment administers in connection with the use of*  
6     *funds made available under this paragraph (except*  
7     *for requirements related to fair housing, non-*  
8     *discrimination, labor standards, and the environ-*  
9     *ment), upon a finding by the Secretary that any such*  
10    *waivers or alternative requirements are necessary for*  
11    *the effective delivery and administration of such*  
12    *voucher assistance: Provided further, That assistance*  
13    *made available under this paragraph shall continue*  
14    *to remain available for homeless veterans upon turn-*  
15    *over;*

16           (7) *\$20,000,000 shall be made available for new*  
17    *incremental voucher assistance through the family*  
18    *unification program as authorized by section 8(x) of*  
19    *the Act: Provided, That the assistance made available*  
20    *under this paragraph shall continue to remain avail-*  
21    *able for family unification upon turnover: Provided*  
22    *further, That for any public housing agency admin-*  
23    *istering voucher assistance appropriated in a prior*  
24    *Act under the family unification program that deter-*  
25    *mines that it no longer has an identified need for*

1        *such assistance upon turnover, such agency shall no-*  
2        *tify the Secretary, and the Secretary shall recapture*  
3        *such assistance from the agency and reallocate it to*  
4        *any other public housing agency or agencies based on*  
5        *need for voucher assistance in connection with such*  
6        *program;*

7                (8) *\$11,000,000 shall be made available for the*  
8        *housing choice voucher mobility demonstration au-*  
9        *thorized under section 243 of this title; and*

10                (9) *the Secretary shall separately track all spe-*  
11        *cial purpose vouchers funded under this heading.*

12                                *HOUSING CERTIFICATE FUND*

13                                *(INCLUDING RESCISSIONS)*

14        *Unobligated balances, including recaptures and carry-*  
15        *over, remaining from funds appropriated to the Depart-*  
16        *ment of Housing and Urban Development under this head-*  
17        *ing, the heading “Annual Contributions for Assisted Hous-*  
18        *ing” and the heading “Project-Based Rental Assistance”,*  
19        *for fiscal year 2017 and prior years may be used for re-*  
20        *newal of or amendments to section 8 project-based contracts*  
21        *and for performance-based contract administrators, not-*  
22        *withstanding the purposes for which such funds were appro-*  
23        *priated: Provided, That any obligated balances of contract*  
24        *authority from fiscal year 1974 and prior that have been*  
25        *terminated shall be rescinded: Provided further, That*

1 amounts heretofore recaptured, or recaptured during the  
2 current fiscal year, from section 8 project-based contracts  
3 from source years fiscal year 1975 through fiscal year 1987  
4 are hereby rescinded, and an amount of additional new  
5 budget authority, equivalent to the amount rescinded is  
6 hereby appropriated, to remain available until expended,  
7 for the purposes set forth under this heading, in addition  
8 to amounts otherwise available.

9 *PUBLIC HOUSING CAPITAL FUND*

10 *For the Public Housing Capital Fund Program to*  
11 *carry out capital and management activities for public*  
12 *housing agencies, as authorized under section 9 of the*  
13 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*  
14 *“Act”) \$1,925,000,000, to remain available until September*  
15 *30, 2020: Provided, That notwithstanding any other provi-*  
16 *sion of law or regulation, during fiscal year 2017, the Sec-*  
17 *retary of Housing and Urban Development may not dele-*  
18 *gate to any Department official other than the Deputy Sec-*  
19 *retary and the Assistant Secretary for Public and Indian*  
20 *Housing any authority under paragraph (2) of section 9(j)*  
21 *regarding the extension of the time periods under such sec-*  
22 *tion: Provided further, That for purposes of such section*  
23 *9(j), the term “obligate” means, with respect to amounts,*  
24 *that the amounts are subject to a binding agreement that*  
25 *will result in outlays, immediately or in the future: Pro-*

1 *vided further, That up to \$10,000,000 shall be to support*  
2 *ongoing public housing financial and physical assessment*  
3 *activities: Provided further, That up to \$1,000,000 shall be*  
4 *to support the costs of administrative and judicial receiver-*  
5 *ships: Provided further, That of the total amount provided*  
6 *under this heading, not to exceed \$21,500,000 shall be avail-*  
7 *able for the Secretary to make grants, notwithstanding sec-*  
8 *tion 204 of this Act, to public housing agencies for emer-*  
9 *gency capital needs including safety and security measures*  
10 *necessary to address crime and drug-related activity as well*  
11 *as needs resulting from unforeseen or unpreventable emer-*  
12 *gencies and natural disasters excluding Presidentially de-*  
13 *clared emergencies and natural disasters under the Robert*  
14 *T. Stafford Disaster Relief and Emergency Act (42 U.S.C.*  
15 *5121 et seq.) occurring in fiscal year 2017: Provided fur-*  
16 *ther, That of the amount made available under the previous*  
17 *proviso, not less than \$5,000,000 shall be for safety and se-*  
18 *curity measures: Provided further, That in addition to the*  
19 *amount in the previous proviso for such safety and security*  
20 *measures, any amounts that remain available, after all ap-*  
21 *plications received on or before September 30, 2018, for*  
22 *emergency capital needs have been processed, shall be allo-*  
23 *cated to public housing agencies for such safety and security*  
24 *measures: Provided further, That of the total amount pro-*  
25 *vided under this heading \$35,000,000 shall be for sup-*

1 *portive services, service coordinator and congregate services*  
2 *as authorized by section 34 of the Act (42 U.S.C. 1437z–*  
3 *6) and the Native American Housing Assistance and Self-*  
4 *Determination Act of 1996 (25 U.S.C. 4101 et seq.): Pro-*  
5 *vided further, That of the total amount made available*  
6 *under this heading, \$15,000,000 shall be for a Jobs-Plus*  
7 *initiative modeled after the Jobs-Plus demonstration: Pro-*  
8 *vided further, That the funding provided under the previous*  
9 *proviso shall provide competitive grants to partnerships be-*  
10 *tween public housing authorities, local workforce investment*  
11 *boards established under section 117 of the Workforce In-*  
12 *vestment Act of 1998, and other agencies and organizations*  
13 *that provide support to help public housing residents obtain*  
14 *employment and increase earnings: Provided further, That*  
15 *applicants must demonstrate the ability to provide services*  
16 *to residents, partner with workforce investment boards, and*  
17 *leverage service dollars: Provided further, That the Sec-*  
18 *retary may allow public housing agencies to request exemp-*  
19 *tions from rent and income limitation requirements under*  
20 *sections 3 and 6 of the United States Housing Act of 1937*  
21 *as necessary to implement the Jobs-Plus program, on such*  
22 *terms and conditions as the Secretary may approve upon*  
23 *a finding by the Secretary that any such waivers or alter-*  
24 *native requirements are necessary for the effective imple-*  
25 *mentation of the Jobs-Plus initiative as a voluntary pro-*

1 *gram for residents: Provided further, That the Secretary*  
2 *shall publish by notice in the Federal Register any waivers*  
3 *or alternative requirements pursuant to the preceding pro-*  
4 *viso no later than 10 days before the effective date of such*  
5 *notice: Provided further, That for funds provided under this*  
6 *heading, the limitation in section 9(g)(1) of the Act shall*  
7 *be 25 percent: Provided further, That the Secretary may*  
8 *waive the limitation in the previous proviso to allow public*  
9 *housing agencies to fund activities authorized under section*  
10 *9(e)(1)(C) of the Act: Provided further, That the Secretary*  
11 *shall notify public housing agencies requesting waivers*  
12 *under the previous proviso if the request is approved or de-*  
13 *nied within 14 days of submitting the request: Provided fur-*  
14 *ther, That from the funds made available under this head-*  
15 *ing, the Secretary shall provide bonus awards in fiscal year*  
16 *2017 to public housing agencies that are designated high*  
17 *performers: Provided further, That the Department shall*  
18 *notify public housing agencies of their formula allocation*  
19 *within 60 days of enactment of this Act: Provided further,*  
20 *That of the total amount provided under this heading,*  
21 *\$25,000,000 shall be available for competitive grants to*  
22 *public housing agencies to evaluate and reduce lead-based*  
23 *paint hazards in public housing by carrying out the activi-*  
24 *ties of risk assessments, abatement, and interim controls (as*  
25 *those terms are defined in section 1004 of the Residential*

1 *Lead-Based Paint Hazard Reduction Act of 1992 (42*  
2 *U.S.C. 4851b)*): *Provided further, That for purposes of envi-*  
3 *ronmental review, a grant under the previous proviso shall*  
4 *be considered funds for projects or activities under title I*  
5 *of the United States Housing Act of 1937 (42 U.S.C. 1437*  
6 *et seq.) for purposes of section 26 of such Act (42 U.S.C.*  
7 *1437x) and shall be subject to the regulations implementing*  
8 *such section.*

9 *PUBLIC HOUSING OPERATING FUND*

10 *For 2017 payments to public housing agencies for the*  
11 *operation and management of public housing, as authorized*  
12 *by section 9(e) of the United States Housing Act of 1937*  
13 *(42 U.S.C. 1437g(e)), \$4,675,000,000, to remain available*  
14 *until September 30, 2018.*

15 *CHOICE NEIGHBORHOODS INITIATIVE*

16 *For competitive grants under the Choice Neighborhoods*  
17 *Initiative (subject to section 24 of the United States Hous-*  
18 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*  
19 *fied under this heading), for transformation, rehabilitation,*  
20 *and replacement housing needs of both public and HUD-*  
21 *assisted housing and to transform neighborhoods of poverty*  
22 *into functioning, sustainable mixed income neighborhoods*  
23 *with appropriate services, schools, public assets, transpor-*  
24 *tation and access to jobs, \$80,000,000, to remain available*  
25 *until September 30, 2019: Provided, That grant funds may*

1 *be used for resident and community services, community*  
2 *development, and affordable housing needs in the commu-*  
3 *nity, and for conversion of vacant or foreclosed properties*  
4 *to affordable housing: Provided further, That the use of*  
5 *funds made available under this heading shall not be*  
6 *deemed to be public housing notwithstanding section 3(b)(1)*  
7 *of such Act: Provided further, That grantees shall commit*  
8 *to an additional period of affordability determined by the*  
9 *Secretary of not fewer than 20 years: Provided further, That*  
10 *grantees shall provide a match in State, local, other Federal*  
11 *or private funds: Provided further, That grantees may in-*  
12 *clude local governments, tribal entities, public housing au-*  
13 *thorities, and nonprofits: Provided further, That for-profit*  
14 *developers may apply jointly with a public entity: Provided*  
15 *further, That for purposes of environmental review, a grant-*  
16 *ee shall be treated as a public housing agency under section*  
17 *26 of the United States Housing Act of 1937 (42 U.S.C.*  
18 *1437x), and grants under this heading shall be subject to*  
19 *the regulations issued by the Secretary to implement such*  
20 *section: Provided further, That of the amount provided, not*  
21 *less than \$48,000,000 shall be awarded to public housing*  
22 *agencies: Provided further, That such grantees shall create*  
23 *partnerships with other local organizations including as-*  
24 *sisted housing owners, service agencies, and resident organi-*  
25 *zations: Provided further, That no more than \$5,000,000*

1 of funds made available under this heading may be pro-  
2 vided as grants to undertake comprehensive local planning  
3 with input from residents and the community: Provided  
4 further, That unobligated balances, including recaptures,  
5 remaining from funds appropriated under the heading “Re-  
6 vitalization of Severely Distressed Public Housing (HOPE  
7 VI)” in fiscal year 2011 and prior fiscal years may be used  
8 for purposes under this heading, notwithstanding the pur-  
9 poses for which such amounts were appropriated: Provided  
10 further, That implementation grants awarded under this  
11 heading may only be awarded to grantees that have pre-  
12 viously been awarded planning grants.

13 *FAMILY SELF-SUFFICIENCY*

14 *For the Family Self-Sufficiency program to support*  
15 *family self-sufficiency coordinators under section 23 of the*  
16 *United States Housing Act of 1937, to promote the develop-*  
17 *ment of local strategies to coordinate the use of assistance*  
18 *under sections 8(o) and 9 of such Act with public and pri-*  
19 *vate resources, and enable eligible families to achieve eco-*  
20 *nomie independence and self-sufficiency, \$75,000,000, to re-*  
21 *main available until September 30, 2018: Provided, That*  
22 *the Secretary may, by Federal Register notice, waive or*  
23 *specify alternative requirements under sections b(3), b(4),*  
24 *b(5), or c(1) of section 23 of such Act in order to facilitate*  
25 *the operation of a unified self-sufficiency program for indi-*

1 *viduals receiving assistance under different provisions of*  
2 *the Act, as determined by the Secretary: Provided further,*  
3 *That owners of a privately owned multifamily property*  
4 *with a section 8 contract may voluntarily make a Family*  
5 *Self-Sufficiency program available to the assisted tenants*  
6 *of such property in accordance with procedures established*  
7 *by the Secretary: Provided further, That such procedures*  
8 *established pursuant to the previous proviso shall permit*  
9 *participating tenants to accrue escrow funds in accordance*  
10 *with section 23(d)(2) and shall allow owners to use funding*  
11 *from residual receipt accounts to hire coordinators for their*  
12 *own Family Self-Sufficiency program.*

13 *INDIAN BLOCK GRANTS*

14 *For activities and assistance authorized under title I*  
15 *of the Native American Housing Assistance and Self-Deter-*  
16 *mination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et*  
17 *seq.), title I of the Housing and Community Development*  
18 *Act of 1974 with respect to Indian tribes (42 U.S.C.*  
19 *5306(a)(1)), and related technical assistance, \$714,000,000,*  
20 *to remain available until September 30, 2021: Provided,*  
21 *That the amounts made available under this heading are*  
22 *provided as follows:*

23 *(1) \$646,500,000 shall be available for the In-*  
24 *dian Housing Block Grant program, as authorized*  
25 *under title I of NAHASDA: Provided, That, notwith-*

1 *standing NAHASDA, to determine the amount of the*  
2 *allocation under title I of such Act for each Indian*  
3 *tribe, the Secretary shall apply the formula under sec-*  
4 *tion 302 of such Act with the need component based*  
5 *on single-race census data and with the need compo-*  
6 *nent based on multi-race census data, and the amount*  
7 *of the allocation for each Indian tribe shall be the*  
8 *greater of the two resulting allocation amounts: Pro-*  
9 *vided further, That notwithstanding section 302(d) of*  
10 *NAHASDA, if on January 1, 2017, a recipient's total*  
11 *amount of undisbursed block grant funds in the De-*  
12 *partment's line of credit control system is greater*  
13 *than three times the formula allocation it would oth-*  
14 *erwise receive under the first proviso under this para-*  
15 *graph, the Secretary shall adjust that recipient's for-*  
16 *mula allocation down by the difference between its*  
17 *total amount of undisbursed block grant funds in the*  
18 *Department's line of credit control system on Janu-*  
19 *ary 1, 2017, and three times the formula allocation*  
20 *it would otherwise receive: Provided further, That not-*  
21 *withstanding the previous two provisos, no Indian*  
22 *tribe shall receive an allocation amount greater than*  
23 *10 percent of the total amount made available under*  
24 *this paragraph: Provided further, That grant*  
25 *amounts not allocated to a recipient pursuant to the*

1     *previous two provisos shall be allocated under the*  
2     *need component of the formula proportionately among*  
3     *all other Indian tribes not subject to an adjustment*  
4     *under such provisos: Provided further, That the sec-*  
5     *ond and third provisos shall not apply to any Indian*  
6     *tribe that would otherwise receive a formula alloca-*  
7     *tion of less than \$8,000,000: Provided further, That to*  
8     *take effect, the four previous provisos do not require*  
9     *issuance or amendment of any regulation, and shall*  
10    *not be construed to confer hearing rights under any*  
11    *section of NAHASDA or its implementing regula-*  
12    *tions: Provided further, That the Department will no-*  
13    *tify grantees of their formula allocation within 60*  
14    *days of the date of enactment of this Act;*

15           (2) *\$2,000,000 shall be made available for the*  
16    *cost of guaranteed notes and other obligations, as au-*  
17    *thorized by title VI of NAHASDA: Provided, That*  
18    *such costs, including the costs of modifying such notes*  
19    *and other obligations, shall be as defined in section*  
20    *502 of the Congressional Budget Act of 1974, as*  
21    *amended: Provided further, That these funds are*  
22    *available to subsidize the total principal amount of*  
23    *any notes and other obligations, any part of which is*  
24    *to be guaranteed, not to exceed \$17,857,142 to remain*  
25    *available until September 30, 2021;*

1           (3) \$60,000,000 shall be for grants to Indian  
2       tribes for carrying out the Community Development  
3       Block Grant program as authorized under title I of  
4       the Housing and Community Development Act of  
5       1974, notwithstanding section 106(a)(1) of such Act,  
6       of which, up to \$4,000,000 may be used for emer-  
7       gencies that constitute imminent threats to health and  
8       safety notwithstanding any other provision of law  
9       (including section 204 of this title) and, notwith-  
10      standing title I of that Act (42 U.S.C. 5301 et seq.),  
11      eligible Indian tribes may use funds made available  
12      under this paragraph for the construction of housing  
13      for law enforcement, health care, educational, tech-  
14      nical, and other skilled workers: Provided, That not  
15      to exceed 20 percent of any grant made with funds  
16      appropriated under this paragraph shall be expended  
17      for planning and management development and ad-  
18      ministration; and

19           (4) \$5,500,000 shall be to support the inspection  
20      of Indian housing units, contract expertise, training,  
21      and technical assistance needs in Indian country re-  
22      lated to funding provided under this heading.



1 *previous two provisos through publication of a Mortgagee*  
2 *Letter or Notice.*

3 *NATIVE HAWAIIAN HOUSING BLOCK GRANT*

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

9 *COMMUNITY PLANNING AND DEVELOPMENT*

10 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

11 *For carrying out the Housing Opportunities for Per-*  
12 *sons with AIDS program, as authorized by the AIDS Hous-*  
13 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*  
14 *\$335,000,000, to remain available until September 30,*  
15 *2018, except that amounts allocated pursuant to section*  
16 *854(c)(3) of such Act shall remain available until Sep-*  
17 *tember 30, 2019: Provided, That the Secretary shall renew*  
18 *all expiring contracts for permanent supportive housing*  
19 *that initially were funded under section 854(c)(3) of such*  
20 *Act from funds made available under this heading in fiscal*  
21 *year 2010 and prior fiscal years that meet all program re-*  
22 *quirements before awarding funds for new contracts under*  
23 *such section: Provided further, That notwithstanding sec-*  
24 *tion 854(c)(1) of such Act or any implementing regulation,*  
25 *the Secretary shall allocate 90 percent of the funds by for-*

1 *mula, of which 75 percent shall be among cities that are*  
2 *the most populous unit of general local government in a*  
3 *metropolitan statistical area with a population greater*  
4 *than 500,000 and have more than 2,000 persons living with*  
5 *the human immunodeficiency virus (HIV) or AIDS, and*  
6 *States with more than 2,000 persons living with HIV or*  
7 *AIDS outside of metropolitan statistical areas, as reported*  
8 *to and confirmed by the Director of the Centers for Disease*  
9 *Control and Prevention (CDC) as of December 31 of the*  
10 *most recent calendar year for which such data is available,*  
11 *and of which 25 percent shall be among such eligible States*  
12 *and cities that are the most populous unit of general local*  
13 *government in a metropolitan statistical area based on fair*  
14 *market rents and area poverty indexes, as determined by*  
15 *the Secretary: Provided further, That a grantee's share shall*  
16 *not reflect a loss greater than 5 percent or a gain greater*  
17 *than 10 percent of the share of total available formula funds*  
18 *that the grantee received in the preceding fiscal year: Pro-*  
19 *vided further, That any grantee that received a formula al-*  
20 *location in fiscal year 2016 shall continue to be eligible for*  
21 *formula allocation in this fiscal year: Provided further,*  
22 *That the Department shall notify grantees of their formula*  
23 *allocation within 60 days of enactment of this Act.*



1 *been evaluated and selected in accordance with guidelines*  
2 *required under subparagraph (e)(2): Provided further, That*  
3 *the Department shall notify grantees of their formula allo-*  
4 *cation within 60 days of enactment of this Act.*

5 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*  
6 *ACCOUNT*

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

20 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

21 *For the HOME Investment Partnerships program, as*  
22 *authorized under title II of the Cranston-Gonzalez National*  
23 *Affordable Housing Act, as amended, \$950,000,000, to re-*  
24 *main available until September 30, 2020: Provided, That*  
25 *notwithstanding the amount made available under this*

1 heading, the threshold reduction requirements in sections  
 2 216(10) and 217(b)(4) of such Act shall not apply to alloca-  
 3 tions of such amount: Provided further, That the require-  
 4 ments under provisos 2 through 6 under this heading for  
 5 fiscal year 2012 and such requirements applicable pursuant  
 6 to the “Full-Year Continuing Appropriations Act, 2013”,  
 7 shall not apply to any project to which funds were com-  
 8 mitted on or after August 23, 2013, but such projects shall  
 9 instead be governed by the Final Rule titled “Home Invest-  
 10 ment Partnerships Program; Improving Performance and  
 11 Accountability; Updating Property Standards” which be-  
 12 came effective on such date: Provided further, That the De-  
 13 partment shall notify grantees of their formula allocation  
 14 within 60 days of enactment of this Act.

15 *SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY*  
 16 *PROGRAM*

17 *For the Self-Help and Assisted Homeownership Op-*  
 18 *portunity Program, as authorized under section 11 of the*  
 19 *Housing Opportunity Program Extension Act of 1996, as*  
 20 *amended, \$50,000,000, to remain available until September*  
 21 *30, 2019: Provided, That of the total amount provided*  
 22 *under this heading, \$10,000,000 shall be made available to*  
 23 *the Self-Help and Assisted Homeownership Opportunity*  
 24 *Program as authorized under section 11 of the Housing Op-*  
 25 *portunity Program Extension Act of 1996, as amended:*

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

19 *HOMELESS ASSISTANCE GRANTS*

20 *For the emergency solutions grants program as author-*  
21 *ized under subtitle B of title IV of the McKinney-Vento*  
22 *Homeless Assistance Act, as amended; the continuum of*  
23 *care program as authorized under subtitle C of title IV of*  
24 *such Act; and the rural housing stability assistance pro-*  
25 *gram as authorized under subtitle D of title IV of such Act,*

1 \$2,330,000,000, to remain available until September 30,  
2 2019: Provided, That any rental assistance amounts that  
3 are recaptured under such continuum of care program shall  
4 remain available until expended: Provided further, That  
5 not less than \$250,000,000 of the funds appropriated under  
6 this heading shall be available for such emergency solutions  
7 grants program: Provided further, That not less than  
8 \$2,013,000,000 of the funds appropriated under this head-  
9 ing shall be available for such continuum of care and rural  
10 housing stability assistance programs: Provided further,  
11 That up to \$7,000,000 of the funds appropriated under this  
12 heading shall be available for the national homeless data  
13 analysis project: Provided further, That all funds awarded  
14 for supportive services under the continuum of care pro-  
15 gram and the rural housing stability assistance program  
16 shall be matched by not less than 25 percent in cash or  
17 in kind by each grantee: Provided further, That for all  
18 match requirements applicable to funds made available  
19 under this heading for this fiscal year and prior years, a  
20 grantee may use (or could have used) as a source of match  
21 funds other funds administered by the Secretary and other  
22 Federal agencies unless there is (or was) a specific statutory  
23 prohibition on any such use of any such funds: Provided  
24 further, That none of the funds provided under this heading  
25 shall be available to provide funding for new projects, except

1 for projects created through reallocation, unless the Sec-  
2 retary determines that the continuum of care has dem-  
3 onstrated that projects are evaluated and ranked based on  
4 the degree to which they improve the continuum of care's  
5 system performance: Provided further, That the Secretary  
6 shall prioritize funding under the continuum of care pro-  
7 gram to continuums of care that have demonstrated a ca-  
8 pacity to reallocate funding from lower performing projects  
9 to higher performing projects: Provided further, That any  
10 unobligated amounts remaining from funds appropriated  
11 under this heading in fiscal year 2012 and prior years for  
12 project-based rental assistance for rehabilitation projects  
13 with 10-year grant terms may be used for purposes under  
14 this heading, notwithstanding the purposes for which such  
15 funds were appropriated: Provided further, That all bal-  
16 ances for Shelter Plus Care renewals previously funded from  
17 the Shelter Plus Care Renewal account and transferred to  
18 this account shall be available, if recaptured, for continuum  
19 of care renewals in fiscal year 2017: Provided further, That  
20 the Department shall notify grantees of their formula allo-  
21 cation from amounts allocated (which may represent initial  
22 or final amounts allocated) for the emergency solutions  
23 grant program within 60 days of enactment of this Act:  
24 Provided further, That up to \$40,000,000 of the funds ap-  
25 propriated under this heading shall be to implement

1 *projects to demonstrate how a comprehensive approach to*  
2 *servicing homeless youth, age 24 and under, in up to 11 com-*  
3 *munities, including at least five rural communities, can*  
4 *dramatically reduce youth homelessness: Provided further,*  
5 *That such projects shall be eligible for renewal under the*  
6 *continuum of care program subject to the same terms and*  
7 *conditions as other renewal applicants: Provided further,*  
8 *That youth aged 24 and under seeking assistance under this*  
9 *heading shall not be required to provide third party docu-*  
10 *mentation to establish their eligibility under 42 U.S.C.*  
11 *11302(a) or (b) to receive services: Provided further, That*  
12 *unaccompanied youth aged 24 and under or families head-*  
13 *ed by youth aged 24 and under who are living in unsafe*  
14 *situations may be served by youth-serving providers funded*  
15 *under this heading: Provided further, That none of the*  
16 *funds provided under this heading shall be available for the*  
17 *continuum of care program unless the Secretary ensures*  
18 *that zero-tolerance recovery housing programs are eligible*  
19 *to receive funds under the continuum of care program.*

20 *HOUSING PROGRAMS*

21 *RENTAL ASSISTANCE DEMONSTRATION*

22 *For continuing activities under the heading “Rental*  
23 *Assistance Demonstration” in the Department of Housing*  
24 *and Urban Development Appropriations Act, 2012 (Public*  
25 *Law 112–55), \$4,000,000, to remain available until Sep-*

1 *tember 30, 2020: Provided, That such funds shall only be*  
2 *available to properties converting from assistance under sec-*  
3 *tion 202(c)(2) of the Housing Act of 1959 (12 U.S.C.*  
4 *1701q(c)(2)).*

5 *PROJECT-BASED RENTAL ASSISTANCE*

6 *For activities and assistance for the provision of*  
7 *project-based subsidy contracts under the United States*  
8 *Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),*  
9 *not otherwise provided for, \$10,501,000,000, to remain*  
10 *available until expended, shall be available on October 1,*  
11 *2016 (in addition to the \$400,000,000 previously appro-*  
12 *priated under this heading that became available October*  
13 *1, 2016), and \$400,000,000, to remain available until ex-*  
14 *pended, shall be available on October 1, 2017: Provided,*  
15 *That the amounts made available under this heading shall*  
16 *be available for expiring or terminating section 8 project-*  
17 *based subsidy contracts (including section 8 moderate reha-*  
18 *bilitation contracts), for amendments to section 8 project-*  
19 *based subsidy contracts (including section 8 moderate reha-*  
20 *bilitation contracts), for contracts entered into pursuant to*  
21 *section 441 of the McKinney-Vento Homeless Assistance Act*  
22 *(42 U.S.C. 11401), for renewal of section 8 contracts for*  
23 *units in projects that are subject to approved plans of action*  
24 *under the Emergency Low Income Housing Preservation*  
25 *Act of 1987 or the Low-Income Housing Preservation and*

1 *Resident Homeownership Act of 1990, and for administra-*  
2 *tive and other expenses associated with project-based activi-*  
3 *ties and assistance funded under this paragraph: Provided*  
4 *further, That of the total amounts provided under this head-*  
5 *ing, not to exceed \$235,000,000 shall be available for per-*  
6 *formance-based contract administrators for section 8*  
7 *project-based assistance, for carrying out 42 U.S.C. 1437(f):*  
8 *Provided further, That the Secretary of Housing and Urban*  
9 *Development may also use such amounts in the previous*  
10 *proviso for performance-based contract administrators for*  
11 *the administration of: interest reduction payments pursu-*  
12 *ant to section 236(a) of the National Housing Act (12*  
13 *U.S.C. 1715z-1(a)); rent supplement payments pursuant to*  
14 *section 101 of the Housing and Urban Development Act of*  
15 *1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance*  
16 *payments (12 U.S.C. 1715z-1(f)(2)); project rental assist-*  
17 *ance contracts for the elderly under section 202(c)(2) of the*  
18 *Housing Act of 1959 (12 U.S.C. 1701q); project rental as-*  
19 *sistance contracts for supportive housing for persons with*  
20 *disabilities under section 811(d)(2) of the Cranston-Gon-*  
21 *zalez National Affordable Housing Act (42 U.S.C.*  
22 *8013(d)(2)); project assistance contracts pursuant to section*  
23 *202(h) of the Housing Act of 1959 (Public Law 86-372;*  
24 *73 Stat. 667); and loans under section 202 of the Housing*  
25 *Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided*

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

22 *HOUSING FOR THE ELDERLY*

23 *For amendments to capital advance contracts for hous-*  
24 *ing for the elderly, as authorized by section 202 of the Hous-*  
25 *ing Act of 1959, as amended, and for project rental assist-*

1 *ance for the elderly under section 202(c)(2) of such Act, in-*  
2 *cluding amendments to contracts for such assistance and*  
3 *renewal of expiring contracts for such assistance for up to*  
4 *a 1-year term, and for senior preservation rental assistance*  
5 *contracts, including renewals, as authorized by section*  
6 *811(e) of the American Housing and Economic Oppor-*  
7 *tunity Act of 2000, as amended, and for supportive services*  
8 *associated with the housing, \$505,000,000 to remain avail-*  
9 *able until September 30, 2020: Provided, That of the*  
10 *amount provided under this heading, up to \$75,000,000*  
11 *shall be for service coordinators and the continuation of ex-*  
12 *isting congregate service grants for residents of assisted*  
13 *housing projects: Provided further, That amounts under this*  
14 *heading shall be available for Real Estate Assessment Cen-*  
15 *ter inspections and inspection-related activities associated*  
16 *with section 202 projects: Provided further, That the Sec-*  
17 *retary may waive the provisions of section 202 governing*  
18 *the terms and conditions of project rental assistance, except*  
19 *that the initial contract term for such assistance shall not*  
20 *exceed 5 years in duration: Provided further, That upon*  
21 *request of the Secretary of Housing and Urban Develop-*  
22 *ment, project funds that are held in residual receipts ac-*  
23 *counts for any project subject to a section 202 project rental*  
24 *assistance contract, and that upon termination of such con-*  
25 *tract are in excess of an amount to be determined by the*

1 *Secretary, shall be remitted to the Department and depos-*  
2 *ited in this account, to be available until September 30,*  
3 *2020: Provided further, That amounts deposited in this ac-*  
4 *count pursuant to the previous proviso shall be available,*  
5 *in addition to the amounts otherwise provided by this head-*  
6 *ing, for amendments and renewals: Provided further, That*  
7 *unobligated balances, including recaptures and carryover,*  
8 *remaining from funds transferred to or appropriated under*  
9 *this heading shall be available for amendments and renew-*  
10 *als notwithstanding the purposes for which such funds*  
11 *originally were appropriated.*

12           *HOUSING FOR PERSONS WITH DISABILITIES*

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

1 *and for supportive services associated with the housing for*  
2 *persons with disabilities as authorized by section 811(b)(1)*  
3 *of such Act, \$154,000,000, to remain available until Sep-*  
4 *tember 30, 2020: Provided, That amounts made available*  
5 *under this heading shall be available for Real Estate Assess-*  
6 *ment Center inspections and inspection-related activities*  
7 *associated with section 811 projects: Provided further, That,*  
8 *in this fiscal year, upon the request of the Secretary of*  
9 *Housing and Urban Development, project funds that are*  
10 *held in residual receipts accounts for any project subject*  
11 *to a section 811 project rental assistance contract and that*  
12 *upon termination of such contract are in excess of an*  
13 *amount to be determined by the Secretary shall be remitted*  
14 *to the Department and deposited in this account, to be*  
15 *available until September 30, 2020: Provided further, That*  
16 *amounts deposited in this account pursuant to the previous*  
17 *proviso shall be available in addition to the amounts other-*  
18 *wise provided by this heading for the purposes authorized*  
19 *under this heading: Provided further, That unobligated bal-*  
20 *ances, including recaptures and carryover, remaining from*  
21 *funds transferred to or appropriated under this heading*  
22 *may be used for the current purposes authorized under this*  
23 *heading notwithstanding the purposes for which such funds*  
24 *originally were appropriated.*

1                    *HOUSING COUNSELING ASSISTANCE*

2            *For contracts, grants, and other assistance excluding*  
3 *loans, as authorized under section 106 of the Housing and*  
4 *Urban Development Act of 1968, as amended, \$47,000,000,*  
5 *to remain available until September 30, 2018, including*  
6 *up to \$4,500,000 for administrative contract services: Pro-*  
7 *vided, That grants made available from amounts provided*  
8 *under this heading shall be awarded within 180 days of*  
9 *enactment of this Act: Provided further, That funds shall*  
10 *be used for providing counseling and advice to tenants and*  
11 *homeowners, both current and prospective, with respect to*  
12 *property maintenance, financial management/literacy, and*  
13 *such other matters as may be appropriate to assist them*  
14 *in improving their housing conditions, meeting their finan-*  
15 *cial needs, and fulfilling the responsibilities of tenancy or*  
16 *homeownership; for program administration; and for hous-*  
17 *ing counselor training: Provided further, That for purposes*  
18 *of providing such grants from amounts provided under this*  
19 *heading, the Secretary may enter into multiyear agree-*  
20 *ments as appropriate, subject to the availability of annual*  
21 *appropriations.*

22                    *RENTAL HOUSING ASSISTANCE*

23            *For amendments to contracts under section 101 of the*  
24 *Housing and Urban Development Act of 1965 (12 U.S.C.*  
25 *1701s) and section 236(f)(2) of the National Housing Act*

1 *(12 U.S.C. 1715z-1) in State-aided, noninsured rental*  
2 *housing projects, \$20,000,000, to remain available until ex-*  
3 *pended: Provided, That such amount, together with unobli-*  
4 *gated balances from recaptured amounts appropriated*  
5 *prior to fiscal year 2006 from terminated contracts under*  
6 *such sections of law, and any unobligated balances, includ-*  
7 *ing recaptures and carryover, remaining from funds appro-*  
8 *priated under this heading after fiscal year 2005, shall also*  
9 *be available for extensions of up to one year for expiring*  
10 *contracts under such sections of law.*

11 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

12 *For necessary expenses as authorized by the National*  
13 *Manufactured Housing Construction and Safety Standards*  
14 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,500,000,*  
15 *to remain available until expended, of which \$10,500,000*  
16 *is to be derived from the Manufactured Housing Fees Trust*  
17 *Fund: Provided, That not to exceed the total amount appro-*  
18 *priated under this heading shall be available from the gen-*  
19 *eral fund of the Treasury to the extent necessary to incur*  
20 *obligations and make expenditures pending the receipt of*  
21 *collections to the Fund pursuant to section 620 of such Act:*  
22 *Provided further, That the amount made available under*  
23 *this heading from the general fund shall be reduced as such*  
24 *collections are received during fiscal year 2017 so as to re-*  
25 *sult in a final fiscal year 2017 appropriation from the gen-*

1 eral fund estimated at zero, and fees pursuant to such sec-  
2 tion 620 shall be modified as necessary to ensure such a  
3 final fiscal year 2017 appropriation: Provided further,  
4 That for the dispute resolution and installation programs,  
5 the Secretary of Housing and Urban Development may as-  
6 sess and collect fees from any program participant: Pro-  
7 vided further, That such collections shall be deposited into  
8 the Fund, and the Secretary, as provided herein, may use  
9 such collections, as well as fees collected under section 620,  
10 for necessary expenses of such Act: Provided further, That,  
11 notwithstanding the requirements of section 620 of such Act,  
12 the Secretary may carry out responsibilities of the Sec-  
13 retary under such Act through the use of approved service  
14 providers that are paid directly by the recipients of their  
15 services.

16 *FEDERAL HOUSING ADMINISTRATION*

17 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

18 *New commitments to guarantee single family loans in-*  
19 *sured under the Mutual Mortgage Insurance Fund shall not*  
20 *exceed \$400,000,000,000, to remain available until Sep-*  
21 *tember 30, 2018: Provided, That during fiscal year 2017,*  
22 *obligations to make direct loans to carry out the purposes*  
23 *of section 204(g) of the National Housing Act, as amended,*  
24 *shall not exceed \$5,000,000: Provided further, That the fore-*  
25 *going amount in the previous proviso shall be for loans to*

1 *nonprofit and governmental entities in connection with*  
2 *sales of single family real properties owned by the Secretary*  
3 *and formerly insured under the Mutual Mortgage Insurance*  
4 *Fund: Provided further, That for administrative contract*  
5 *expenses of the Federal Housing Administration,*  
6 *\$130,000,000, to remain available until September 30,*  
7 *2018.*

8       *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

9       *New commitments to guarantee loans insured under*  
10 *the General and Special Risk Insurance Funds, as author-*  
11 *ized by sections 238 and 519 of the National Housing Act*  
12 *(12 U.S.C. 1715z-3 and 1735c), shall not exceed*  
13 *\$30,000,000,000 in total loan principal, any part of which*  
14 *is to be guaranteed, to remain available until September*  
15 *30, 2018: Provided, That during fiscal year 2017, gross ob-*  
16 *ligations for the principal amount of direct loans, as au-*  
17 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*  
18 *National Housing Act, shall not exceed \$5,000,000, which*  
19 *shall be for loans to nonprofit and governmental entities*  
20 *in connection with the sale of single family real properties*  
21 *owned by the Secretary and formerly insured under such*  
22 *Act.*

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

4        *New commitments to issue guarantees to carry out the*  
5 *purposes of section 306 of the National Housing Act, as*  
6 *amended (12 U.S.C. 1721(g)), shall not exceed*  
7 *\$500,000,000,000, to remain available until September 30,*  
8 *2018: Provided, That \$23,000,000 shall be available for nec-*  
9 *essary salaries and expenses of the Office of Government*  
10 *National Mortgage Association: Provided further, That to*  
11 *the extent that guaranteed loan commitments exceed*  
12 *\$155,000,000,000 on or before April 1, 2017, an additional*  
13 *\$100 for necessary salaries and expenses shall be available*  
14 *until expended for each \$1,000,000 in additional guaran-*  
15 *teed loan commitments (including a pro rata amount for*  
16 *any amount below \$1,000,000), but in no case shall funds*  
17 *made available by this proviso exceed \$3,000,000: Provided*  
18 *further, That receipts from Commitment and Multiclass fees*  
19 *collected pursuant to title III of the National Housing Act,*  
20 *as amended, shall be credited as offsetting collections to this*  
21 *account.*

22                *POLICY DEVELOPMENT AND RESEARCH*  
23                *RESEARCH AND TECHNOLOGY*

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

1 *urban problems, not otherwise provided for, as authorized*  
2 *by title V of the Housing and Urban Development Act of*  
3 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*  
4 *the functions of the Secretary of Housing and Urban Devel-*  
5 *opment under section 1(a)(1)(i) of Reorganization Plan No.*  
6 *2 of 1968, and for technical assistance, \$90,000,000, to re-*  
7 *main available until September 30, 2018: Provided, That*  
8 *with respect to amounts made available under this heading,*  
9 *notwithstanding section 204 of this title, the Secretary may*  
10 *enter into cooperative agreements funded with philan-*  
11 *thropic entities, other Federal agencies, or State or local*  
12 *governments and their agencies for research projects: Pro-*  
13 *vided further, That with respect to the previous proviso,*  
14 *such partners to the cooperative agreements must contribute*  
15 *at least a 50 percent match toward the cost of the project:*  
16 *Provided further, That for non-competitive agreements en-*  
17 *tered into in accordance with the previous two provisos, the*  
18 *Secretary of Housing and Urban Development shall comply*  
19 *with section 2(b) of the Federal Funding Accountability*  
20 *and Transparency Act of 2006 (Public Law 109-282, 31*  
21 *U.S.C. note) in lieu of compliance with section 102(a)(4)(C)*  
22 *with respect to documentation of award decisions: Provided*  
23 *further, That prior to obligation of technical assistance*  
24 *funding, the Secretary shall submit a plan, for approval,*  
25 *to the House and Senate Committees on Appropriations on*

1 *how it will allocate funding for this activity: Provided fur-*  
2 *ther, That none of the funds provided under this heading*  
3 *may be available for the doctoral dissertation research grant*  
4 *program.*

5 *FAIR HOUSING AND EQUAL OPPORTUNITY*

6 *FAIR HOUSING ACTIVITIES*

7 *For contracts, grants, and other assistance, not other-*  
8 *wise provided for, as authorized by title VIII of the Civil*  
9 *Rights Act of 1968, as amended by the Fair Housing*  
10 *Amendments Act of 1988, and section 561 of the Housing*  
11 *and Community Development Act of 1987, as amended,*  
12 *\$65,300,000, to remain available until September 30, 2018:*  
13 *Provided, That notwithstanding 31 U.S.C. 3302, the Sec-*  
14 *retary may assess and collect fees to cover the costs of the*  
15 *Fair Housing Training Academy, and may use such funds*  
16 *to provide such training: Provided further, That no funds*  
17 *made available under this heading shall be used to lobby*  
18 *the executive or legislative branches of the Federal Govern-*  
19 *ment in connection with a specific contract, grant, or loan:*  
20 *Provided further, That of the funds made available under*  
21 *this heading, \$300,000 shall be available to the Secretary*  
22 *of Housing and Urban Development for the creation and*  
23 *promotion of translated materials and other programs that*  
24 *support the assistance of persons with limited English pro-*

1 *iciency in utilizing the services provided by the Depart-*  
2 *ment of Housing and Urban Development.*

3 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY*

4 *HOMES*

5 *LEAD HAZARD REDUCTION*

6 *For the Lead Hazard Reduction Program, as author-*  
7 *ized by section 1011 of the Residential Lead-Based Paint*  
8 *Hazard Reduction Act of 1992, \$135,000,000, to remain*  
9 *available until September 30, 2018, of which \$20,000,000*  
10 *shall be for the Healthy Homes Initiative, pursuant to sec-*  
11 *tions 501 and 502 of the Housing and Urban Development*  
12 *Act of 1970, that shall include research, studies, testing, and*  
13 *demonstration efforts, including education and outreach*  
14 *concerning lead-based paint poisoning and other housing-*  
15 *related diseases and hazards: Provided, That for purposes*  
16 *of environmental review, pursuant to the National Environ-*  
17 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and*  
18 *other provisions of the law that further the purposes of such*  
19 *Act, a grant under the Healthy Homes Initiative, or the*  
20 *Lead Technical Studies program under this heading or*  
21 *under prior appropriations Acts for such purposes under*  
22 *this heading, shall be considered to be funds for a special*  
23 *project for purposes of section 305(c) of the Multifamily*  
24 *Housing Property Disposition Reform Act of 1994: Pro-*  
25 *vided further, That of the total amount made available*

1 *under this heading, \$55,000,000 shall be made available on*  
2 *a competitive basis for areas with the highest lead-based*  
3 *paint abatement needs: Provided further, That each recipi-*  
4 *ent of funds provided under the previous proviso shall con-*  
5 *tribute an amount not less than 25 percent of the total: Pro-*  
6 *vided further, That each applicant shall certify adequate*  
7 *capacity that is acceptable to the Secretary to carry out*  
8 *the proposed use of funds pursuant to a notice of funding*  
9 *availability: Provided further, That amounts made avail-*  
10 *able under this heading in this or prior appropriations*  
11 *Acts, and that still remain available, may be used for any*  
12 *purpose under this heading notwithstanding the purpose for*  
13 *which such amounts were appropriated if a program com-*  
14 *petition is undersubscribed and there are other program*  
15 *competitions under this heading that are oversubscribed.*

16 *INFORMATION TECHNOLOGY FUND*

17 *For the development of, modifications to, and infra-*  
18 *structure for Department-wide and program-specific infor-*  
19 *mation technology systems, for the continuing operation*  
20 *and maintenance of both Department-wide and program-*  
21 *specific information systems, and for program-related*  
22 *maintenance activities, \$273,000,000, of which*  
23 *\$250,000,000 shall remain available until September 30,*  
24 *2018, and of which \$23,000,000 shall remain available*  
25 *until September 30, 2019: Provided, That any amounts*

1 transferred to this Fund under this Act shall remain avail-  
2 able until expended: Provided further, That any amounts  
3 transferred to this Fund from amounts appropriated by  
4 previously enacted appropriations Acts may be used for the  
5 purposes specified under this Fund, in addition to any  
6 other information technology purposes for which such  
7 amounts were appropriated: Provided further, That not  
8 more than 10 percent of the funds made available under  
9 this heading for development, modernization and enhance-  
10 ment may be obligated until the Secretary submits to the  
11 House and Senate Committees on Appropriations, for ap-  
12 proval, a plan for expenditure that—(A) identifies for each  
13 modernization project: (i) the functional and performance  
14 capabilities to be delivered and the mission benefits to be  
15 realized, (ii) the estimated life-cycle cost, and (iii) key mile-  
16 stones to be met; and (B) demonstrates that each moderniza-  
17 tion project is: (i) compliant with the department’s enter-  
18 prise architecture, (ii) being managed in accordance with  
19 applicable life-cycle management policies and guidance,  
20 (iii) subject to the department’s capital planning and in-  
21 vestment control requirements, and (iv) supported by an  
22 adequately staffed project office.

23 *OFFICE OF INSPECTOR GENERAL*

24 *For necessary salaries and expenses of the Office of In-*  
25 *spector General in carrying out the Inspector General Act*

1 of 1978, as amended, \$129,000,000: *Provided, That the In-*  
2 *spector General shall have independent authority over all*  
3 *personnel issues within this office.*

4 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*  
5 *URBAN DEVELOPMENT*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *(INCLUDING RESCISSION)*

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

1        *SEC. 202. None of the amounts made available under*  
2 *this Act may be used during fiscal year 2017 to investigate*  
3 *or prosecute under the Fair Housing Act any otherwise law-*  
4 *ful activity engaged in by one or more persons, including*  
5 *the filing or maintaining of a nonfrivolous legal action,*  
6 *that is engaged in solely for the purpose of achieving or*  
7 *preventing action by a Government official or entity, or a*  
8 *court of competent jurisdiction.*

9        *SEC. 203. (a) Notwithstanding any other provision of*  
10 *law, the amount allocated for fiscal year 2017 under section*  
11 *854(c) of the AIDS Housing Opportunity Act (42 U.S.C.*  
12 *12903(c)), to the city of New York, New York, on behalf*  
13 *of the New York–Wayne–White Plains, New York–New Jer-*  
14 *sey Metropolitan Division (hereafter “metropolitan divi-*  
15 *sion”) of the New York–Newark–Edison, NY–NJ–PA Metro-*  
16 *politan Statistical Area, shall be adjusted by the Secretary*  
17 *of Housing and Urban Development by: (1) allocating to*  
18 *the city of Jersey City, New Jersey, the proportion of the*  
19 *metropolitan area’s or division’s amount that is based on*  
20 *the number of persons living with HIV or AIDS, poverty*  
21 *and fair market rents, in the portion of the metropolitan*  
22 *area or division that is located in Hudson County, New*  
23 *Jersey; and (2) allocating to the city of Paterson, New Jer-*  
24 *sey, the proportion of the metropolitan area’s or division’s*  
25 *amount that is based on the number of persons living with*

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

9       *(b) Notwithstanding any other provision of law, the*  
10 *amount allocated for fiscal year 2017 under section 854(c)*  
11 *of the AIDS Housing Opportunity Act (42 U.S.C.*  
12 *12903(c)), to the city of Wilmington, Delaware, on behalf*  
13 *of the Wilmington, Delaware–Maryland–New Jersey Metro-*  
14 *politan Division (hereafter “metropolitan division”), shall*  
15 *be adjusted by the Secretary of Housing and Urban Devel-*  
16 *opment by allocating to the State of New Jersey the propor-*  
17 *tion of the metropolitan division’s amount that is based on*  
18 *the number of persons living with HIV or AIDS, poverty*  
19 *and fair market rents, in the portion of the metropolitan*  
20 *division that is located in New Jersey. The State of New*  
21 *Jersey shall use amounts allocated to the State under this*  
22 *subsection to carry out eligible activities under section 855*  
23 *of the AIDS Housing Opportunity Act (42 U.S.C. 12904)*  
24 *in the portion of the metropolitan division that is located*  
25 *in New Jersey.*

1       (c) Notwithstanding any other provision of law, the  
2 Secretary of Housing and Urban Development shall allocate  
3 to Wake County, North Carolina, the amounts that other-  
4 wise would be allocated for fiscal year 2017 under section  
5 854(c) of the AIDS Housing Opportunity Act (42 U.S.C.  
6 12903(c)) to the city of Raleigh, North Carolina, on behalf  
7 of the Raleigh-Cary North Carolina Metropolitan Statis-  
8 tical Area. Any amounts allocated to Wake County shall  
9 be used to carry out eligible activities under section 855  
10 of such Act (42 U.S.C. 12904) within such metropolitan sta-  
11 tistical area.

12       (d) Notwithstanding section 854(c) of the AIDS Hous-  
13 ing Opportunity Act (42 U.S.C. 12903(c)), the Secretary  
14 of Housing and Urban Development may adjust the alloca-  
15 tion of the amounts that otherwise would be allocated for  
16 fiscal year 2017 under section 854(c) of such Act, upon the  
17 written request of an applicant, in conjunction with the  
18 State(s), for a formula allocation on behalf of a metropoli-  
19 tan statistical area, to designate the State or States in  
20 which the metropolitan statistical area is located as the eli-  
21 gible grantee(s) of the allocation. In the case that a metro-  
22 politan statistical area involves more than one State, such  
23 amounts allocated to each State shall be based on the pro-  
24 portion of the metropolitan statistical area's amount that  
25 is based on the number of persons living with HIV or AIDS,

1 *poverty and fair market rents, in the portion of the metro-*  
2 *politan statistical area that is located in that State. Any*  
3 *amounts allocated to a State under this section shall be used*  
4 *to carry out eligible activities within the portion of the met-*  
5 *ropolitan statistical area located in that State.*

6       *SEC. 204. Except as explicitly provided in law, any*  
7 *grant, cooperative agreement or other assistance made pur-*  
8 *suant to title II of this Act shall be made on a competitive*  
9 *basis and in accordance with section 102 of the Department*  
10 *of Housing and Urban Development Reform Act of 1989*  
11 *(42 U.S.C. 3545).*

12       *SEC. 205. Funds of the Department of Housing and*  
13 *Urban Development subject to the Government Corporation*  
14 *Control Act or section 402 of the Housing Act of 1950 shall*  
15 *be available, without regard to the limitations on adminis-*  
16 *trative expenses, for legal services on a contract or fee basis,*  
17 *and for utilizing and making payment for services and fa-*  
18 *cilities of the Federal National Mortgage Association, Gov-*  
19 *ernment National Mortgage Association, Federal Home*  
20 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*  
21 *eral Reserve banks or any member thereof, Federal Home*  
22 *Loan banks, and any insured bank within the meaning of*  
23 *the Federal Deposit Insurance Corporation Act, as amended*  
24 *(12 U.S.C. 1811–1).*

1       *SEC. 206. Unless otherwise provided for in this Act*  
2 *or through a reprogramming of funds, no part of any ap-*  
3 *propriation for the Department of Housing and Urban De-*  
4 *velopment shall be available for any program, project or*  
5 *activity in excess of amounts set forth in the budget esti-*  
6 *mates submitted to Congress.*

7       *SEC. 207. Corporations and agencies of the Depart-*  
8 *ment of Housing and Urban Development which are subject*  
9 *to the Government Corporation Control Act are hereby au-*  
10 *thorized to make such expenditures, within the limits of*  
11 *funds and borrowing authority available to each such cor-*  
12 *poration or agency and in accordance with law, and to*  
13 *make such contracts and commitments without regard to*  
14 *fiscal year limitations as provided by section 104 of such*  
15 *Act as may be necessary in carrying out the programs set*  
16 *forth in the budget for 2017 for such corporation or agency*  
17 *except as hereinafter provided: Provided, That collections*  
18 *of these corporations and agencies may be used for new loan*  
19 *or mortgage purchase commitments only to the extent ex-*  
20 *pressly provided for in this Act (unless such loans are in*  
21 *support of other forms of assistance provided for in this or*  
22 *prior appropriations Acts), except that this proviso shall*  
23 *not apply to the mortgage insurance or guaranty operations*  
24 *of these corporations, or where loans or mortgage purchases*

1 *are necessary to protect the financial interest of the United*  
2 *States Government.*

3       *SEC. 208. The Secretary of Housing and Urban Devel-*  
4 *opment shall provide quarterly reports to the House and*  
5 *Senate Committees on Appropriations regarding all uncom-*  
6 *mited, unobligated, recaptured and excess funds in each*  
7 *program and activity within the jurisdiction of the Depart-*  
8 *ment and shall submit additional, updated budget informa-*  
9 *tion to these Committees upon request.*

10       *SEC. 209. The President's formal budget request for fis-*  
11 *cal year 2018, as well as the Department of Housing and*  
12 *Urban Development's congressional budget justifications to*  
13 *be submitted to the Committees on Appropriations of the*  
14 *House of Representatives and the Senate, shall use the iden-*  
15 *tical account and sub-account structure provided under this*  
16 *Act.*

17       *SEC. 210. A public housing agency or such other entity*  
18 *that administers Federal housing assistance for the Housing*  
19 *Authority of the county of Los Angeles, California, and the*  
20 *States of Alaska, Iowa, and Mississippi shall not be re-*  
21 *quired to include a resident of public housing or a recipient*  
22 *of assistance provided under section 8 of the United States*  
23 *Housing Act of 1937 on the board of directors or a similar*  
24 *governing board of such agency or entity as required under*  
25 *section (2)(b) of such Act. Each public housing agency or*

1 *other entity that administers Federal housing assistance*  
2 *under section 8 for the Housing Authority of the county*  
3 *of Los Angeles, California and the States of Alaska, Iowa*  
4 *and Mississippi that chooses not to include a resident of*  
5 *public housing or a recipient of section 8 assistance on the*  
6 *board of directors or a similar governing board shall estab-*  
7 *lish an advisory board of not less than six residents of pub-*  
8 *lic housing or recipients of section 8 assistance to provide*  
9 *advice and comment to the public housing agency or other*  
10 *administering entity on issues related to public housing and*  
11 *section 8. Such advisory board shall meet not less than*  
12 *quarterly.*

13       *SEC. 211. No funds provided under this title may be*  
14 *used for an audit of the Government National Mortgage As-*  
15 *sociation that makes applicable requirements under the*  
16 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

17       *SEC. 212. (a) Notwithstanding any other provision of*  
18 *law, subject to the conditions listed under this section, for*  
19 *fiscal years 2017 and 2018, the Secretary of Housing and*  
20 *Urban Development may authorize the transfer of some or*  
21 *all project-based assistance, debt held or insured by the Sec-*  
22 *retary and statutorily required low-income and very low-*  
23 *income use restrictions if any, associated with one or more*  
24 *multifamily housing project or projects to another multi-*  
25 *family housing project or projects.*

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

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

9           (1) *NUMBER AND BEDROOM SIZE OF UNITS.*—

10           (A) *For occupied units in the transferring*  
11 *project: The number of low-income and very low-*  
12 *income units and the configuration (i.e., bed-*  
13 *room size) provided by the transferring project*  
14 *shall be no less than when transferred to the re-*  
15 *ceiving project or projects and the net dollar*  
16 *amount of Federal assistance provided to the*  
17 *transferring project shall remain the same in the*  
18 *receiving project or projects.*

19           (B) *For unoccupied units in the transfer-*  
20 *ring project: The Secretary may authorize a re-*  
21 *duction in the number of dwelling units in the*  
22 *receiving project or projects to allow for a recon-*  
23 *figuration of bedroom sizes to meet current mar-*  
24 *ket demands, as determined by the Secretary and*

1           *provided there is no increase in the project-based*  
2           *assistance budget authority.*

3           (2) *The transferring project shall, as determined*  
4           *by the Secretary, be either physically obsolete or eco-*  
5           *nomically nonviable.*

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

9           (4) *The owner or mortgagor of the transferring*  
10          *project shall notify and consult with the tenants re-*  
11          *siding in the transferring project and provide a cer-*  
12          *tification of approval by all appropriate local govern-*  
13          *mental officials.*

14          (5) *The tenants of the transferring project who*  
15          *remain eligible for assistance to be provided by the re-*  
16          *ceiving project or projects shall not be required to va-*  
17          *cate their units in the transferring project or projects*  
18          *until new units in the receiving project are available*  
19          *for occupancy.*

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

22          (7) *If either the transferring project or the re-*  
23          *ceiving project or projects meets the condition speci-*  
24          *fied in subsection (d)(2)(A), any lien on the receiving*  
25          *project resulting from additional financing obtained*

1     *by the owner shall be subordinate to any FHA-in-*  
2     *sured mortgage lien transferred to, or placed on, such*  
3     *project by the Secretary, except that the Secretary*  
4     *may waive this requirement upon determination that*  
5     *such a waiver is necessary to facilitate the financing*  
6     *of acquisition, construction, and/or rehabilitation of*  
7     *the receiving project or projects.*

8             *(8) If the transferring project meets the require-*  
9     *ments of subsection (d)(2), the owner or mortgagor of*  
10    *the receiving project or projects shall execute and*  
11    *record either a continuation of the existing use agree-*  
12    *ment or a new use agreement for the project where,*  
13    *in either case, any use restrictions in such agreement*  
14    *are of no lesser duration than the existing use restric-*  
15    *tions.*

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

21    *(d) For purposes of this section—*

22            *(1) the terms “low-income” and “very low-in-*  
23    *come” shall have the meanings provided by the statute*  
24    *and/or regulations governing the program under*  
25    *which the project is insured or assisted;*

1           (2) the term “multifamily housing project”  
2 means housing that meets one of the following condi-  
3 tions—

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

6           (B) housing that has project-based assist-  
7 ance attached to the structure including projects  
8 undergoing mark to market debt restructuring  
9 under the Multifamily Assisted Housing Reform  
10 and Affordability Housing Act;

11           (C) housing that is assisted under section  
12 202 of the Housing Act of 1959, as amended by  
13 section 801 of the Cranston-Gonzales National  
14 Affordable Housing Act;

15           (D) housing that is assisted under section  
16 202 of the Housing Act of 1959, as such section  
17 existed before the enactment of the Cranston-  
18 Gonzales National Affordable Housing Act;

19           (E) housing that is assisted under section  
20 811 of the Cranston-Gonzales National Afford-  
21 able Housing Act; or

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

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

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

3           (B) assistance for housing constructed or  
4 substantially rehabilitated pursuant to assistance  
5 provided under section 8(b)(2) of such Act (as  
6 such section existed immediately before October  
7 1, 1983);

8           (C) rent supplement payments under sec-  
9 tion 101 of the Housing and Urban Development  
10 Act of 1965;

11           (D) interest reduction payments under sec-  
12 tion 236 and/or additional assistance payments  
13 under section 236(f)(2) of the National Housing  
14 Act;

15           (E) assistance payments made under sec-  
16 tion 202(c)(2) of the Housing Act of 1959; and

17           (F) assistance payments made under section  
18 811(d)(2) of the Cranston-Gonzalez National Af-  
19 fordable Housing Act;

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

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

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

9           (e) RESEARCH REPORT.—The Secretary shall conduct  
10          an evaluation of the transfer authority under this section,  
11          including the effect of such transfers on the operational effi-  
12          ciency, contract rents, physical and financial conditions,  
13          and long-term preservation of the affected properties.

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

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

20                 (2) is under 24 years of age;

21                 (3) is not a veteran;

22                 (4) is unmarried;

23                 (5) does not have a dependent child;

24                 (6) is not a person with disabilities, as such  
25          term is defined in section 3(b)(3)(E) of the United

1     *States Housing Act of 1937 (42 U.S.C.*  
2     *1437a(b)(3)(E)) and was not receiving assistance*  
3     *under such section 8 as of November 30, 2005;*

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

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

10     *(b) For purposes of determining the eligibility of a per-*  
11     *son to receive assistance under section 8 of the United States*  
12     *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*  
13     *sistance (in excess of amounts received for tuition and any*  
14     *other required fees and charges) that an individual receives*  
15     *under the Higher Education Act of 1965 (20 U.S.C. 1001*  
16     *et seq.), from private sources, or an institution of higher*  
17     *education (as defined under the Higher Education Act of*  
18     *1965 (20 U.S.C. 1002)), shall be considered income to that*  
19     *individual, except for a person over the age of 23 with de-*  
20     *pendent children.*

21     *SEC. 214. The funds made available for Native Alas-*  
22     *kans under the heading "Indian Block Grants" in title II*  
23     *of this Act shall be allocated to the same Native Alaskan*  
24     *housing block grant recipients that received funds in fiscal*  
25     *year 2005.*

1        *SEC. 215. Notwithstanding the limitation in the first*  
2 *sentence of section 255(g) of the National Housing Act (12*  
3 *U.S.C. 1715z–20(g)), the Secretary of Housing and Urban*  
4 *Development may, until September 30, 2017, insure and*  
5 *enter into commitments to insure mortgages under such sec-*  
6 *tion 255.*

7        *SEC. 216. Notwithstanding any other provision of law,*  
8 *in fiscal year 2017, in managing and disposing of any mul-*  
9 *tifamily property that is owned or has a mortgage held by*  
10 *the Secretary of Housing and Urban Development, and dur-*  
11 *ing the process of foreclosure on any property with a con-*  
12 *tract for rental assistance payments under section 8 of the*  
13 *United States Housing Act of 1937 or other Federal pro-*  
14 *grams, the Secretary shall maintain any rental assistance*  
15 *payments under section 8 of the United States Housing Act*  
16 *of 1937 and other programs that are attached to any dwell-*  
17 *ing units in the property. To the extent the Secretary deter-*  
18 *mines, in consultation with the tenants and the local gov-*  
19 *ernment, that such a multifamily property owned or held*  
20 *by the Secretary is not feasible for continued rental assist-*  
21 *ance payments under such section 8 or other programs,*  
22 *based on consideration of (1) the costs of rehabilitating and*  
23 *operating the property and all available Federal, State, and*  
24 *local resources, including rent adjustments under section*  
25 *524 of the Multifamily Assisted Housing Reform and Af-*

1 *fordability Act of 1997 (“MAHRAA”) and (2) environ-*  
2 *mental conditions that cannot be remedied in a cost-effec-*  
3 *tive fashion, the Secretary may, in consultation with the*  
4 *tenants of that property, contract for project-based rental*  
5 *assistance payments with an owner or owners of other exist-*  
6 *ing housing properties, or provide other rental assistance.*  
7 *The Secretary shall also take appropriate steps to ensure*  
8 *that project-based contracts remain in effect prior to fore-*  
9 *closure, subject to the exercise of contractual abatement rem-*  
10 *edies to assist relocation of tenants for imminent major*  
11 *threats to health and safety after written notice to and in-*  
12 *formed consent of the affected tenants and use of other avail-*  
13 *able remedies, such as partial abatements or receivership.*  
14 *After disposition of any multifamily property described*  
15 *under this section, the contract and allowable rent levels*  
16 *on such properties shall be subject to the requirements under*  
17 *section 524 of MAHRAA.*

18       *SEC. 217. The commitment authority funded by fees*  
19 *as provided under the heading “Community Development*  
20 *Loan Guarantees Program Account” may be used to guar-*  
21 *antee, or make commitments to guarantee, notes, or other*  
22 *obligations issued by any State on behalf of non-entitlement*  
23 *communities in the State in accordance with the require-*  
24 *ments of section 108 of the Housing and Community Devel-*  
25 *opment Act of 1974: Provided, That any State receiving*

1 *such a guarantee or commitment shall distribute all funds*  
2 *subject to such guarantee to the units of general local gov-*  
3 *ernment in non-entitlement areas that received the commit-*  
4 *ment.*

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

13       *SEC. 219. With respect to the use of amounts provided*  
14 *in this Act and in future Acts for the operation, capital*  
15 *improvement and management of public housing as author-*  
16 *ized by sections 9(d) and 9(e) of the United States Housing*  
17 *Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary*  
18 *shall not impose any requirement or guideline relating to*  
19 *asset management that restricts or limits in any way the*  
20 *use of capital funds for central office costs pursuant to sec-*  
21 *tion 9(g)(1) or 9(g)(2) of the United States Housing Act*  
22 *of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-*  
23 *lic housing agency may not use capital funds authorized*  
24 *under section 9(d) for activities that are eligible under sec-*  
25 *tion 9(e) for assistance with amounts from the operating*

1 *fund in excess of the amounts permitted under section*  
2 *9(g)(1) or 9(g)(2).*

3       *SEC. 220. No official or employee of the Department*  
4 *of Housing and Urban Development shall be designated as*  
5 *an allotment holder unless the Office of the Chief Financial*  
6 *Officer has determined that such allotment holder has im-*  
7 *plemented an adequate system of funds control and has re-*  
8 *ceived training in funds control procedures and directives.*  
9 *The Chief Financial Officer shall ensure that there is a*  
10 *trained allotment holder for each HUD sub-office under the*  
11 *accounts “Executive Offices” and “Administrative Support*  
12 *Offices,” as well as each account receiving appropriations*  
13 *for “Program Office Salaries and Expenses”, “Government*  
14 *National Mortgage Association—Guarantees of Mortgage-*  
15 *Backed Securities Loan Guarantee Program Account”, and*  
16 *“Office of Inspector General” within the Department of*  
17 *Housing and Urban Development.*

18       *SEC. 221. The Secretary of the Department of Housing*  
19 *and Urban Development shall, for fiscal year 2017 and*  
20 *hereafter, notify the public through the Federal Register and*  
21 *other means, as determined appropriate, of the issuance of*  
22 *a notice of the availability of assistance or notice of funding*  
23 *availability (NOFA) for any program or discretionary fund*  
24 *administered by the Secretary that is to be competitively*  
25 *awarded. Notwithstanding any other provision of law, for*

1 *fiscal year 2017 and hereafter, the Secretary may make the*  
2 *NOFA available only on the Internet at the appropriate*  
3 *Government web site or through other electronic media, as*  
4 *determined by the Secretary.*

5       *SEC. 222. Payment of attorney fees in program-related*  
6 *litigation shall be paid from the individual program office*  
7 *and Office of General Counsel salaries and expenses appro-*  
8 *priations. The annual budget submission for the program*  
9 *offices and the Office of General Counsel shall include any*  
10 *such projected litigation costs for attorney fees as a separate*  
11 *line item request. No funds provided in this title may be*  
12 *used to pay any such litigation costs for attorney fees until*  
13 *the Department submits for review a spending plan for such*  
14 *costs to the House and Senate Committees on Appropria-*  
15 *tions.*

16       *SEC. 223. The Secretary is authorized to transfer up*  
17 *to 10 percent or \$4,000,000, whichever is less, of funds ap-*  
18 *propriated for any office under the heading “Administra-*  
19 *tive Support Offices” or for any account under the general*  
20 *heading “Program Office Salaries and Expenses” to any*  
21 *other such office or account: Provided, That no appropria-*  
22 *tion for any such office or account shall be increased or*  
23 *decreased by more than 10 percent or \$4,000,000, whichever*  
24 *is less, without prior written approval of the House and*  
25 *Senate Committees on Appropriations: Provided further,*

1 *That the Secretary shall provide notification to such Com-*  
2 *mittees three business days in advance of any such transfers*  
3 *under this section up to 10 percent or \$4,000,000, whichever*  
4 *is less.*

5 *SEC. 224. For fiscal year 2017 and hereafter the Dis-*  
6 *aster Housing Assistance Programs, administered by the*  
7 *Department of Housing and Urban Development, shall be*  
8 *considered a “program of the Department of Housing and*  
9 *Urban Development” under section 904 of the McKinney*  
10 *Act for the purpose of income verifications and matching.*

11 *SEC. 225. (a) Any entity receiving housing assistance*  
12 *payments shall maintain decent, safe, and sanitary condi-*  
13 *tions, as determined by the Secretary of Housing and*  
14 *Urban Development (in this section referred to as the “Sec-*  
15 *retary”), and comply with any standards under applicable*  
16 *State or local laws, rules, ordinances, or regulations relat-*  
17 *ing to the physical condition of any property covered under*  
18 *a housing assistance payment contract.*

19 *(b) The Secretary shall take action under subsection*  
20 *(c) when a multifamily housing project with a section 8*  
21 *contract or contract for similar project-based assistance—*

22 *(1) receives a Uniform Physical Condition*  
23 *Standards (UPCS) score of 30 or less;*

24 *(2) fails to certify in writing to the Secretary*  
25 *within 3 days that all Exigent Health and Safety de-*

1     *iciencies identified by the inspector at the project*  
2     *have been corrected; or*

3             *(3) receives a UPCS score between 31 and 59*  
4     *and has received consecutive scores of less than 60 on*  
5     *UPCS inspections.*

6             *Such requirements shall apply to insured and*  
7     *noninsured projects with assistance attached to the*  
8     *units under section 8 of the United States Housing*  
9     *Act of 1937 (42 U.S.C. 1437f), but do not apply to*  
10    *such units assisted under section 8(o)(13) (42 U.S.C.*  
11    *1437f(o)(13)) or to public housing units assisted with*  
12    *capital or operating funds under section 9 of the*  
13    *United States Housing Act of 1937 (42 U.S.C.*  
14    *1437g).*

15            *(c)(1) The Secretary shall notify the owner and pro-*  
16    *vide an opportunity for response within 15 days after the*  
17    *results of the UPCS inspection are issued. If the violations*  
18    *remain, the Secretary shall develop a plan to bring the*  
19    *property into compliance within 30 days after the results*  
20    *of the UPCS inspection are issued and must provide the*  
21    *owner with a Notice of Default with a specified timetable,*  
22    *determined by the Secretary, for correcting all deficiencies.*  
23    *The Secretary must also provide a copy of the Notice of*  
24    *Default to the tenants, the local government, any mortga-*  
25    *gees, and any contract administrator. If the owner's appeal*

1 *results in a UPCS score of 60 or above, the Secretary may*  
2 *withdraw the Notice of Default.*

3 *(2) At the end of the time period for correcting all defi-*  
4 *ciencies specified in the Notice of Default, if the owner fails*  
5 *to fully correct such deficiencies, the Secretary may—*

6 *(A) require immediate replacement of project*  
7 *management with a management agent approved by*  
8 *the Secretary;*

9 *(B) impose civil money penalties, which shall be*  
10 *used solely for the purpose of supporting safe and*  
11 *sanitary conditions at applicable properties, as des-*  
12 *ignated by the Secretary, with priority given to the*  
13 *tenants of the property affected by the penalty;*

14 *(C) abate the section 8 contract, including par-*  
15 *tial abatement, as determined by the Secretary, until*  
16 *all deficiencies have been corrected;*

17 *(D) pursue transfer of the project to an owner,*  
18 *approved by the Secretary under established proce-*  
19 *dures, which will be obligated to promptly make all*  
20 *required repairs and to accept renewal of the assist-*  
21 *ance contract as long as such renewal is offered;*

22 *(E) transfer the existing section 8 contract to an-*  
23 *other project or projects and owner or owners;*

24 *(F) pursue exclusionary sanctions, including*  
25 *suspensions or debarments from Federal programs;*

1           (G) seek judicial appointment of a receiver to  
2           manage the property and cure all project deficiencies  
3           or seek a judicial order of specific performance requir-  
4           ing the owner to cure all project deficiencies;

5           (H) work with the owner, lender, or other related  
6           party to stabilize the property in an attempt to pre-  
7           serve the property through compliance, transfer of  
8           ownership, or an infusion of capital provided by a  
9           third-party that requires time to effectuate; or

10          (I) take any other regulatory or contractual rem-  
11          edies available as deemed necessary and appropriate  
12          by the Secretary.

13          (d) The Secretary shall also take appropriate steps to  
14          ensure that project-based contracts remain in effect, subject  
15          to the exercise of contractual abatement remedies to assist  
16          relocation of tenants for major threats to health and safety  
17          after written notice to and informed consent of the affected  
18          tenants and use of other remedies set forth above. To the  
19          extent the Secretary determines, in consultation with the  
20          tenants and the local government, that the property is not  
21          feasible for continued rental assistance payments under  
22          such section 8 or other programs, based on consideration  
23          of (1) the costs of rehabilitating and operating the property  
24          and all available Federal, State, and local resources, includ-  
25          ing rent adjustments under section 524 of the Multifamily

1 *Assisted Housing Reform and Affordability Act of 1997*  
2 *(“MAHRAA”)* and (2) *environmental conditions that can-*  
3 *not be remedied in a cost-effective fashion, the Secretary*  
4 *may, in consultation with the tenants of that property, con-*  
5 *tract for project-based rental assistance payments with an*  
6 *owner or owners of other existing housing properties, or*  
7 *provide other rental assistance.*

8       *(e) The Secretary shall report quarterly on all prop-*  
9 *erties covered by this section that are assessed through the*  
10 *Real Estate Assessment Center and have UPCS physical in-*  
11 *spection scores of less than 60 or have received an unsatis-*  
12 *factory management and occupancy review within the past*  
13 *36 months. The report shall include—*

14           *(1) the enforcement actions being taken to ad-*  
15 *dress such conditions, including imposition of civil*  
16 *money penalties and termination of subsidies, and*  
17 *identify properties that have such conditions multiple*  
18 *times;*

19           *(2) actions that the Department of Housing and*  
20 *Urban Development is taking to protect tenants of*  
21 *such identified properties; and*

22           *(3) any administrative or legislative rec-*  
23 *ommendations to further improve the living condi-*  
24 *tions at properties covered under a housing assistance*  
25 *payment contract.*

1        *SEC. 226. None of the funds made available by this*  
2 *Act, or any other Act, for purposes authorized under section*  
3 *8 (only with respect to the tenant-based rental assistance*  
4 *program) and section 9 of the United States Housing Act*  
5 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*  
6 *housing agency for any amount of salary, including bo-*  
7 *nuses, for the chief executive officer of which, or any other*  
8 *official or employee of which, that exceeds the annual rate*  
9 *of basic pay payable for a position at level IV of the Execu-*  
10 *tive Schedule at any time during any public housing agen-*  
11 *cy fiscal year 2017.*

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

14            *(1) in subsection (m)(1), by striking “fiscal*  
15 *year” and all that follows through the period at the*  
16 *end and inserting “fiscal year 2017.”; and*

17            *(2) in subsection (o), by striking “September”*  
18 *and all that follows through the period at the end and*  
19 *inserting “September 30, 2017.”.*

20        *SEC. 228. None of the funds in this Act provided to*  
21 *the Department of Housing and Urban Development may*  
22 *be used to make a grant award unless the Secretary notifies*  
23 *the House and Senate Committees on Appropriations not*  
24 *less than 3 full business days before any project, State, lo-*  
25 *cality, housing authority, tribe, nonprofit organization, or*

1 *other entity selected to receive a grant award is announced*  
2 *by the Department or its offices.*

3 *SEC. 229. None of the funds made available by this*  
4 *Act may be used to require or enforce the Physical Needs*  
5 *Assessment (PNA).*

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

11 *SEC. 231. None of the funds made available in this*  
12 *Act shall be used by the Federal Housing Administration,*  
13 *the Government National Mortgage Administration, or the*  
14 *Department of Housing and Urban Development to insure,*  
15 *securitize, or establish a Federal guarantee of any mortgage*  
16 *or mortgage backed security that refinances or otherwise re-*  
17 *places a mortgage that has been subject to eminent domain*  
18 *condemnation or seizure, by a State, municipality, or any*  
19 *other political subdivision of a State.*

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

1        *SEC. 233. Amounts made available under this Act*  
2 *which are either appropriated, allocated, advanced on a re-*  
3 *imbursable basis, or transferred to the Office of Policy De-*  
4 *velopment and Research in the Department of Housing and*  
5 *Urban Development and functions thereof, for research,*  
6 *evaluation, or statistical purposes, and which are unex-*  
7 *pected at the time of completion of a contract, grant, or*  
8 *cooperative agreement, may be deobligated and shall imme-*  
9 *diately become available and may be reobligated in that fis-*  
10 *cal year or the subsequent fiscal year for the research, eval-*  
11 *uation, or statistical purposes for which the amounts are*  
12 *made available to that Office subject to reprogramming re-*  
13 *quirements in section 405 of this Act.*

14        *SEC. 234. None of the funds under this title may be*  
15 *used for awards, including performance, special act, or*  
16 *spot, for any employee of the Department of Housing and*  
17 *Urban Development who is subject to administrative dis-*  
18 *cipline in fiscal year 2017, including suspension from work.*

19        *SEC. 235. Funds made available in this title under*  
20 *the heading “Homeless Assistance Grants” may be used by*  
21 *the Secretary to participate in Performance Partnership*  
22 *Pilots authorized under section 526 of division H of Public*  
23 *Law 113–76, section 524 of division G of Public Law 113–*  
24 *235, section 525 of division H of Public Law 114–113, and*  
25 *such authorities as are enacted for Performance Partnership*

1 *Pilots in an appropriations Act for fiscal year 2017: Pro-*  
2 *vided, That such participation shall be limited to no more*  
3 *than 10 continuums of care and housing activities to im-*  
4 *prove outcomes for disconnected youth.*

5       *SEC. 236. With respect to grant amounts awarded*  
6 *under the heading “Homeless Assistance Grants” for fiscal*  
7 *years 2015, 2016, and 2017 for the continuum of care (CoC)*  
8 *program as authorized under subtitle C of title IV of the*  
9 *McKinney-Vento Homeless Assistance Act, costs paid by*  
10 *program income of grant recipients may count toward*  
11 *meeting the recipient’s matching requirements, provided the*  
12 *costs are eligible CoC costs that supplement the recipients*  
13 *CoC program.*

14       *SEC. 237. Unobligated balances, including recaptures*  
15 *and carryover, remaining from funds appropriated to the*  
16 *Department of Housing and Urban Development for ad-*  
17 *ministrative costs of the Office of Community Planning and*  
18 *Development associated with funds appropriated to the De-*  
19 *partment for specific disaster relief and related purposes*  
20 *and designated by Congress as an emergency requirement*  
21 *pursuant to a Concurrent Resolution on the Budget or the*  
22 *Balanced Budget and Emergency Deficit Control Act, in-*  
23 *cluding information technology costs and costs for admin-*  
24 *istering and overseeing such specific disaster related funds,*  
25 *shall be transferred to the Program Office Salaries and Ex-*

1 *penses, Community Planning and Development account for*  
2 *the Department, shall remain available until expended, and*  
3 *may be used for such administrative costs for administering*  
4 *any funds appropriated to the Department for any disaster*  
5 *relief and related purposes in any prior or future act, not-*  
6 *withstanding the purposes for which such funds were appro-*  
7 *priated: Provided, That the amounts transferred pursuant*  
8 *to this section that were previously designated by Congress*  
9 *as an emergency requirement pursuant to a Concurrent*  
10 *Resolution on the Budget or the Balanced Budget and*  
11 *Emergency Deficit Control Act are designated by the Con-*  
12 *gress as an emergency requirement pursuant to section*  
13 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
14 *Deficit Control Act of 1985 and shall be transferred only*  
15 *if the President subsequently so designates the entire trans-*  
16 *fer and transmits such designation to the Congress.*

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

20 *(1) in paragraph (1)—*

21 *(i) by striking “handicapped” and inserting*  
22 *“persons with disabilities, or any 0-bedroom*  
23 *dwelling”;*

24 *(ii) by inserting “or” after “expected to re-*  
25 *side;”;* and

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

3           (2) in paragraph (2) by striking “; or” and in-  
4           serting “.”; and

5           (3) by striking paragraph (3).

6           (b) Section 1004 of the Residential Lead-Based Paint  
7           Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amend-  
8           ed in paragraph (27)—

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

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

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

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

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

21          SEC. 239. (a) CAPITAL FUND REPLACEMENT RE-  
22          SERVES.—Section 9 of the United States Housing Act of  
23          1937 (42 U.S.C. 1437g) is amended—

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

1           “(7) *TREATMENT OF REPLACEMENT RESERVE.—*  
2           *The requirements of this subsection shall not apply to*  
3           *funds held in replacement reserves established pursu-*  
4           *ant to subsection (n).’; and*

5           (2) *by adding at the end the following new sub-*  
6           *section:*

7           “(n) *ESTABLISHMENT OF REPLACEMENT RE-*  
8           *SERVES.—*

9           “(1) *IN GENERAL.—Public housing agencies shall*  
10           *be permitted to establish a replacement reserve to*  
11           *fund any of the capital activities listed in subsection*  
12           *(d)(1).*

13           “(2) *SOURCE AND AMOUNT OF FUNDS FOR RE-*  
14           *PLACEMENT RESERVE.—At any time, a public hous-*  
15           *ing agency may deposit funds from such agency’s*  
16           *Capital Fund into a replacement reserve, subject to*  
17           *the following:*

18           “(A) *At the discretion of the Secretary, pub-*  
19           *lic housing agencies may transfer and hold in a*  
20           *replacement reserve funds originating from addi-*  
21           *tional sources.*

22           “(B) *No minimum transfer of funds to a re-*  
23           *placement reserve shall be required.*

24           “(C) *At any time, a public housing agency*  
25           *may not hold in a replacement reserve more than*

1           *the amount the public housing authority has de-*  
2           *termined necessary to satisfy the anticipated*  
3           *capital needs of properties in its portfolio as-*  
4           *sisted under this section, as outlined in its Cap-*  
5           *ital Fund 5-Year Action Plan, or a comparable*  
6           *plan, as determined by the Secretary.*

7           “(D) *The Secretary may establish, by regu-*  
8           *lation, a maximum replacement reserve level or*  
9           *levels that are below amounts determined under*  
10          *subparagraph (C), which may be based upon the*  
11          *size of the portfolio assisted under this section or*  
12          *other factors.*

13          “(3) *TRANSFER OF OPERATING FUNDS.—In first*  
14          *establishing a replacement reserve, the Secretary may*  
15          *allow public housing agencies to transfer more than*  
16          *20 percent of its operating funds into its replacement*  
17          *reserve.*

18          “(4) *EXPENDITURE.—Funds in a replacement*  
19          *reserve may be used for purposes authorized by sub-*  
20          *section (d)(1) and contained in its Capital Fund 5-*  
21          *Year Action Plan.*

22          “(5) *MANAGEMENT AND REPORT.—The Secretary*  
23          *shall establish appropriate accounting and reporting*  
24          *requirements to ensure that public housing agencies*  
25          *are spending funds on eligible projects and that funds*

1 *in the replacement reserve are connected to capital*  
2 *needs.”.*

3 *(b) FLEXIBILITY OF OPERATING FUND AMOUNTS.—*  
4 *Paragraph (1) of section 9(g) of the United States Housing*  
5 *Act of 1937 (42 U.S.C. 1437g(g)(1)) is amended—*

6 *(1) by striking “(1)” and all that follows through*  
7 *“—Of” and inserting the following:*

8 *“(1) FLEXIBILITY IN USE OF FUNDS.—*

9 *“(A) FLEXIBILITY FOR CAPITAL FUND*  
10 *AMOUNTS.—Of”; and*

11 *(2) by adding at the end the following new sub-*  
12 *paragraph:*

13 *“(B) FLEXIBILITY FOR OPERATING FUND*  
14 *AMOUNTS.—Of any amounts appropriated for*  
15 *fiscal year 2017 or any fiscal year thereafter*  
16 *that are allocated for fiscal year 2017 or any fis-*  
17 *cal year thereafter from the Operating Fund for*  
18 *any public housing agency, the agency may use*  
19 *not more than 20 percent for activities that are*  
20 *eligible under subsection (d) for assistance with*  
21 *amounts from the Capital Fund, but only if the*  
22 *public housing plan under section 5A for the*  
23 *agency provides for such use.”.*

24 *SEC. 240. Section 8(x)(2) of the United States Housing*  
25 *Act of 1937 (42 U.S.C. 1437f(x)) is amended by striking*

1 “(B)” and all that follows up to the period and inserting  
2 the following:

3 “(B)(i) for a period not to exceed 36  
4 months, otherwise eligible youths who have at-  
5 tained at least 18 years of age and not more  
6 than 24 years of age and who, at age 16 or older,  
7 have left or will leave foster care within 90 days,  
8 in accordance with a transition plan described  
9 in section 475(5)(H) of the Social Security Act,  
10 and is homeless or is at risk of becoming home-  
11 less, or (ii) except that an applicant may extend  
12 the 36-month period, if the applicant enrolls an  
13 eligible youth in a program authorized under  
14 section 23, in accordance with the length of the  
15 contract of participation for that eligible youth  
16 under section 23(c)(3)”.

17 *SEC. 241. (a) ESTABLISHMENT.*—The Secretary of  
18 Housing and Urban Development may establish, through  
19 notice in the Federal Register, a demonstration program  
20 to incentivize public housing agencies, as defined in section  
21 3(b)(6) of the United States Housing Act of 1937 (in this  
22 section referred to as “the Act”), to implement measures to  
23 reduce their energy and water consumption.

24 *(b) ELIGIBILITY.*—Public housing agencies that oper-  
25 ate public housing programs that meet the demonstration

1 requirements, as determined by the Secretary, shall be eligi-  
2 ble for participation in the demonstration.

3 (c) INCENTIVE.—The Secretary may provide an incen-  
4 tive to an eligible public housing agency that uses capital  
5 funds, operating funds, grants, utility rebates, and other re-  
6 sources to reduce its energy and/or water consumption in  
7 accordance with a plan approved by the Secretary.

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

13 (2) FIRST YEAR UTILITY COST SAVINGS.—For the  
14 first year that an approved plan is in effect, the Sec-  
15 retary shall allocate the utility consumption level in  
16 the public housing operating fund using the base util-  
17 ity consumption level.

18 (3) SUBSEQUENT YEAR SAVINGS.—For each sub-  
19 sequent year that the plan is in effect, the Secretary  
20 shall decrease the utility consumption level by one  
21 percent of the initial base utility consumption level  
22 per year until the utility consumption level equals the  
23 public housing agency's actual consumption level that  
24 followed the installation of energy conservation meas-  
25 ures, at which time the plan will terminate.

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

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

14           (6) *OTHER REQUIREMENTS.*—*The Secretary may*  
15 *establish such other requirements as necessary to fur-*  
16 *ther the purposes of this demonstration.*

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

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

1        *SEC. 242. Section 211 of the Department of Housing*  
2 *and Urban Development Appropriations Act, 2008, is re-*  
3 *pealed.*

4        *SEC. 243. (a) AUTHORITY.—To encourage families to*  
5 *move to lower-poverty areas and expand access to oppor-*  
6 *tunity areas, the Secretary of Housing and Urban Develop-*  
7 *ment (hereafter referred to as “Secretary”) may implement*  
8 *a mobility demonstration to administer Housing Choice*  
9 *Voucher assistance under section 8(o) of the United States*  
10 *Housing Act of 1937 (hereafter referred to as “1937 Act”)*  
11 *(42 U.S.C. 1437f(o)) for fiscal year 2017 through fiscal year*  
12 *2021.*

13        *(b) DEMONSTRATION REQUIREMENTS.—*

14            *(1) IN GENERAL.—The Secretary must establish*  
15 *the competitive selection criteria and requirements for*  
16 *participation in the demonstration. The Secretary*  
17 *may require participating PHAs to use a randomized*  
18 *selection process among the families eligible to receive*  
19 *mobility assistance under this demonstration.*

20            *(2) REGIONAL HOUSING MOBILITY PLAN.—Appli-*  
21 *cant PHAs must submit a Regional Housing Mobility*  
22 *Plan (hereafter referred to as “the Plan”).*

23            *(A) The Plan must meet all requirements*  
24 *established by the Secretary and must identify—*

1           (i) the PHAs that will participate in  
2           the regional housing mobility program and  
3           the number of vouchers each participating  
4           PHA will make available out of its existing  
5           programs in support of the mobility dem-  
6           onstration;

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

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

14          (iv) specific actions that the PHAs and  
15          other entities will undertake to accomplish  
16          the goals of the demonstration, which must  
17          include a comprehensive approach to enable  
18          a successful transition to opportunity areas  
19          and may include counseling and continued  
20          support for families.

21          (B) The Plan may also establish preferences  
22          for participating families, including a preference  
23          for families with children, based on regional  
24          housing needs and priorities.

1           (C) *The Plan may provide for the use of ex-*  
2           *ception payment standards that do not exceed*  
3           *110 percent of the HUD-published small area*  
4           *Fair Market Rent for the covered exception pay-*  
5           *ment standard area.*

6           (D) *Units contributed by a PHA partici-*  
7           *pating in a regional housing mobility program*  
8           *to a pool of vouchers that will be project-based*  
9           *within the jurisdiction of that program are ex-*  
10          *empt from the percentage limitation in section*  
11          *8(o)(13)(B) of the 1937 Act.*

12          (c) *FUNDING FOR MOBILITY-RELATED SERVICES.—In*  
13          *order to provide mobility-related services, PHAs partici-*  
14          *pating in this demonstration may use administrative fees*  
15          *under section 8(q) of the 1937 Act (42 U.S.C. 1437f(q)),*  
16          *their administrative fee reserves, and funding from private*  
17          *entities. Mobility-related services may include but are not*  
18          *limited to such things as counseling, portability coordina-*  
19          *tion, landlord outreach, and administrative activities asso-*  
20          *ciated with establishing and operating a regional housing*  
21          *mobility program.*

22          (d) *WAIVERS OR ALTERNATIVE REQUIREMENTS.—*

23                 (1) *In order to allow for PHAs to implement*  
24                 *and administer their Plans, the Secretary may waive*

1       or specify alternative requirements for the following  
2       provisions of the 1937 Act:

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

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

11              (C) Section 8(o)(13)(F) (related to the term  
12      of a housing assistance payments (HAP) con-  
13      tract).

14              (D) Section 8(r)(2) (related to the ability of  
15      a PHA participating in a regional housing mo-  
16      bility program to administer assistance under  
17      section 8(o) anywhere within the jurisdiction of  
18      that program).

19              (E) Section 8(x)(2) (related to the length of  
20      time a PHA may provide assistance under sec-  
21      tion 8(o) to youth participating in the Family  
22      Unification Program (FUP)).

23              (2) The Secretary must publish by notice in the  
24      Federal Register any waivers or alternative require-

1        *ments for statutory provisions no later than 10 days*  
2        *before the effective date of such notice.*

3        *(e) IMPLEMENTATION BY NOTICE.—The Secretary may*  
4        *implement the demonstration, including its terms, proce-*  
5        *dures, requirements, and conditions, by notice.*

6        *(f) EVALUATION.—No later than five years following*  
7        *implementation of the regional housing mobility programs,*  
8        *the Secretary must publish an evaluation of the effectiveness*  
9        *of the demonstration, subject to the availability of funding*  
10       *to conduct the evaluation.*

11       *SEC. 244. The language under the heading Rental As-*  
12       *sistance Demonstration in the Department of Housing and*  
13       *Urban Development Appropriations Act, 2012 (Public Law*  
14       *112–55), is amended—*

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

18                *(2) in the second proviso, by striking “until Sep-*  
19                *tember 30, 2018” and inserting “for fiscal year 2012*  
20                *and thereafter”;*

21                *(3) in the fourth proviso, by striking “185,000”*  
22                *and inserting “250,000”;*

23                *(4) in the fourteenth, by—*

24                        *(A) inserting “or nonprofit” before “entity,*  
25                        *then a capable entity,”; and*

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

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

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

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

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

24           *(7) in the twentieth, as amended (reordered)*  
25          *above, by striking “previous proviso” and all that fol-*

1        *lows through the end of the proviso and inserting*  
2        *“Second Component, except for conversion of Section*  
3        *202 project rental assistance contracts, shall be avail-*  
4        *able for project-based subsidy contracts entered into*  
5        *pursuant to the Second Component.”;*

6            *(8) in the twenty-first proviso, as amended (reor-*  
7        *dered) above, by striking “previous two provisos” and*  
8        *inserting “Second Component, except for conversion*  
9        *of section 202 project rental assistance contracts,”;*

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

15           *(10) by inserting the following proviso before the*  
16        *twenty-third proviso, as amended (reordered) above:*  
17        *“Provided further, That the Secretary may transfer*  
18        *amounts made available under the heading ‘Housing*  
19        *for the Elderly’ to the accounts under the headings*  
20        *‘Project-Based Rental Assistance’ or ‘Tenant-Based*  
21        *Rental Assistance’ to facilitate any Section 202*  
22        *project rental assistance contract conversions under*  
23        *the Second Component, and any increase in cost for*  
24        *‘Project-Based Rental Assistance’ or ‘Tenant-Based*

1       *Rental Assistance’ associated with such conversion*  
2       *shall be equal to amounts so transferred:”;* and

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

7       *SEC. 245. The Secretary shall establish by notice such*  
8       *requirements as may be necessary to implement section*  
9       *78001 of title LXXVIII of the Fixing America’s Surface*  
10       *Transportation Act (Public Law 114–94), and the notice*  
11       *shall take effect upon issuance: Provided, That the Secretary*  
12       *shall commence rulemaking based on the initial notice no*  
13       *later than the expiration of the 6-month period following*  
14       *issuance of the notice and the rulemaking shall allow for*  
15       *the opportunity for public comment.*

16       *SEC. 246. For fiscal year 2017 and hereafter, the Sec-*  
17       *retary of Housing and Urban Development may use*  
18       *amounts made available for the continuum of care program*  
19       *under the “Homeless Assistance Grants” heading under this*  
20       *title to renew the grant originally awarded under the head-*  
21       *ing “Department of Housing and Urban Development—*  
22       *Permanent Supportive Housing” in chapter 6 of title III*  
23       *of the Supplemental Appropriations Act, 2008 (Public Law*  
24       *110–252; 122 Stat. 2351) in the continuum of care pro-*  
25       *gram, authorized under subtitle C of title IV of the McKin-*

1 *ney-Vento Homeless Assistance Act (42 U.S.C. 11301 et*  
2 *seq.). Notwithstanding any provision of law, for purposes*  
3 *of grant application and renewal, the State of Louisiana*  
4 *may continue to permit a program participant to receive*  
5 *or retain tenant-based rental assistance outside the con-*  
6 *tinuum of care’s geographic area, and the funding of such*  
7 *assistance shall not be considered operation of a continuum*  
8 *of care in more than one geographic area.*

9       *SEC. 247. Section 428 of the McKinney-Vento Home-*  
10 *less Assistance Act (42 U.S.C. 11386b) is amended by add-*  
11 *ing at the end of the section, subsection (f) to read as fol-*  
12 *lows:*

13       “(f) *TRANSITION FOR REALLOCATED GRANT.—*

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

19               “(2) *In order to be eligible to receive a transition*  
20 *grant, the project must have the consent of the Con-*  
21 *tinuum of Care, and meet standards determined by*  
22 *the Secretary.”.*

23       *SEC. 248. Section 218(g) of the Cranston-Gonzalez Na-*  
24 *tional Affordable Housing Act (42 U.S.C. 12748(g)) shall*  
25 *not apply with respect to the right of a jurisdiction to draw*

1 *funds from its HOME Investment Trust Fund that other-*  
2 *wise expired or would expire in 2016, 2017, 2018, or 2019*  
3 *under that section.*

4 *SEC. 249. None of the funds made available under this*  
5 *Act shall be used to provide housing assistance benefits for*  
6 *an individual who is convicted of—*

7 *(1) aggravated sexual abuse under section 2241*  
8 *of title 18, United States Code;*

9 *(2) murder under section 1111 of title 18, United*  
10 *States Code; or*

11 *(3) any other Federal or State offense involv-*  
12 *ing—*

13 *(A) severe forms of trafficking in persons or*  
14 *sex trafficking, as those terms are defined in*  
15 *paragraphs (9) and (10), respectively, of section*  
16 *103 of the Trafficking Victims Protection Act of*  
17 *2000 (22 U.S.C. 7102); or*

18 *(B) child pornography, as defined in section*  
19 *2256 of title 18, United States Code.*

20 *SEC. 250. (a) Not later than 90 days after the date*  
21 *of enactment of this Act, the Secretary of Housing and*  
22 *Urban Development shall prepare a report, and post the*  
23 *report on the public website of the Department of Housing*  
24 *and Urban Development (in this section referred to as the*  
25 *“Department”), regarding Real Estate Assessment Center*

1 *(in this section referred to as “REAC”) inspections of all*  
2 *properties assisted, insured, or both, under a program of*  
3 *the Department, which shall include—*

4 *(1) the percentage of all inspected properties that*  
5 *received a REAC-inspected score of less than 65 with-*  
6 *in the last 48 months;*

7 *(2) the number of properties in which the most*  
8 *recent REAC-inspected score represented a decline rel-*  
9 *ative to the previous REAC score;*

10 *(3) a list of the 10 metropolitan statistical areas*  
11 *with the lowest average REAC-inspected scores for all*  
12 *inspected properties; and*

13 *(4) a list of the 10 States with the lowest average*  
14 *REAC-inspected scores for all inspected properties.*

15 *(b) The Comptroller General of the United States shall*  
16 *prepare a report, and post the report on the public website*  
17 *of the Government Accountability Office, regarding areas*  
18 *in which REAC inspections of all properties assisted, in-*  
19 *sured, or both, under a program of the Department should*  
20 *be reformed and improved.*

21 *SEC. 251. None of the funds made available by this*  
22 *Act may be used by the Department of Housing and Urban*  
23 *Development to direct a grantee to undertake specific*  
24 *changes to existing zoning laws as part of carrying out the*  
25 *final rule entitled “Affirmatively Furthering Fair Hous-*

1 *ing*” (80 *Fed. Reg.* 42272 (July 16, 2015)) or the notice  
2 entitled “*Affirmatively Furthering Fair Housing Assess-*  
3 *ment Tool*” (79 *Fed. Reg.* 57949 (September 26, 2014)).

4 *This title may be cited as the “Department of Housing*  
5 *and Urban Development Appropriations Act, 2017”.*

6 *TITLE III*

7 *RELATED AGENCIES*

8 *ACCESS BOARD*

9 *SALARIES AND EXPENSES*

10 *For expenses necessary for the Access Board, as author-*  
11 *ized by section 502 of the Rehabilitation Act of 1973, as*  
12 *amended, \$8,190,000: Provided, That, notwithstanding any*  
13 *other provision of law, there may be credited to this appro-*  
14 *priation funds received for publications and training ex-*  
15 *penses.*

16 *FEDERAL MARITIME COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Maritime Com-*  
19 *mission, as authorized by section 201(d) of the Merchant*  
20 *Marine Act, 1936, as amended (46 U.S.C. 307), including*  
21 *services as authorized by 5 U.S.C. 3109; hire of passenger*  
22 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*  
23 *forms or allowances therefor, as authorized by 5 U.S.C.*  
24 *5901–5902, \$27,490,000: Provided, That not to exceed*

1 \$2,000 shall be available for official reception and represen-  
2 tation expenses.

3 NATIONAL RAILROAD PASSENGER CORPORATION

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

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

1 *laws and regulations that govern such selections, appoint-*  
2 *ments, and employment within the Corporation: Provided*  
3 *further, That concurrent with the President's budget request*  
4 *for fiscal year 2018, the Inspector General shall submit to*  
5 *the House and Senate Committees on Appropriations a*  
6 *budget request for fiscal year 2018 in similar format and*  
7 *substance to those submitted by executive agencies of the*  
8 *Federal Government.*

9           *NATIONAL TRANSPORTATION SAFETY BOARD*

10                   *SALARIES AND EXPENSES*

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



1        *SEC. 301. Not later than 24 months after the date of*  
2 *enactment of this Act, the United States Interagency Coun-*  
3 *cil on Homelessness shall submit to Congress a report that*  
4 *assesses how Federal housing programs and Federal health*  
5 *programs could better collaborate to reduce costs and im-*  
6 *prove health and housing outcomes, in particular for—*

- 7            (1) *chronically homeless individuals;*  
8            (2) *homeless individuals with behavioral health*  
9            *conditions; and*  
10           (3) *homeless children, including infants, in fami-*  
11           *lies that—*  
12                (A) *receive housing assistance under pro-*  
13                *grams administered by the Federal Government;*  
14                *or*  
15                (B) *could benefit from grant programs ad-*  
16                *ministered by the Federal Government.*

17                            *SURFACE TRANSPORTATION BOARD*

18                                    *SALARIES AND EXPENSES*

19        *For necessary expenses of the Surface Transportation*  
20 *Board, including services authorized by 5 U.S.C. 3109,*  
21 *\$37,000,000: Provided, That notwithstanding any other*  
22 *provision of law, not to exceed \$1,250,000 from fees estab-*  
23 *lished by the Chairman of the Surface Transportation*  
24 *Board shall be credited to this appropriation as offsetting*  
25 *collections and used for necessary and authorized expenses*

1 *under this heading: Provided further, That the sum herein*  
2 *appropriated from the general fund shall be reduced by a*  
3 *dollar-for-dollar basis as such offsetting collections are re-*  
4 *ceived during fiscal year 2017, to result in a final appro-*  
5 *priation from the general fund estimated at no more than*  
6 *\$35,750,000.*

7 *TITLE IV*

8 *GENERAL PROVISIONS—THIS ACT*

9 *SEC. 401. None of the funds in this Act shall be used*  
10 *for the planning or execution of any program to pay the*  
11 *expenses of, or otherwise compensate, non-Federal parties*  
12 *intervening in regulatory or adjudicatory proceedings fund-*  
13 *ed in this Act.*

14 *SEC. 402. None of the funds appropriated in this Act*  
15 *shall remain available for obligation beyond the current fis-*  
16 *cal year, nor may any be transferred to other appropria-*  
17 *tions, unless expressly so provided herein.*

18 *SEC. 403. The expenditure of any appropriation under*  
19 *this Act for any consulting service through a procurement*  
20 *contract pursuant to section 3109 of title 5, United States*  
21 *Code, shall be limited to those contracts where such expendi-*  
22 *tures are a matter of public record and available for public*  
23 *inspection, except where otherwise provided under existing*  
24 *law, or under existing Executive order issued pursuant to*  
25 *existing law.*

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

4            *(1) does not meet identified needs for knowledge,*  
5 *skills, and abilities bearing directly upon the perform-*  
6 *ance of official duties;*

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

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

13           *(4) contains any methods or content associated*  
14 *with religious or quasi-religious belief systems or*  
15 *“new age” belief systems as defined in Equal Employ-*  
16 *ment Opportunity Commission Notice 915.022, dated*  
17 *September 2, 1988; or*

18           *(5) is offensive to, or designed to change, partici-*  
19 *pants’ personal values or lifestyle outside the work-*  
20 *place.*

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

24        *SEC. 405. Except as otherwise provided in this Act,*  
25 *none of the funds provided in this Act, provided by previous*

1 *appropriations Acts to the agencies or entities funded in*  
2 *this Act that remain available for obligation or expenditure*  
3 *in fiscal year 2017, or provided from any accounts in the*  
4 *Treasury derived by the collection of fees and available to*  
5 *the agencies funded by this Act, shall be available for obliga-*  
6 *tion or expenditure through a reprogramming of funds*  
7 *that—*

8           (1) *creates a new program;*

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

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

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

16          (5) *augments existing programs, projects, or ac-*  
17 *tivities in excess of \$5,000,000 or 10 percent, which-*  
18 *ever is less;*

19          (6) *reduces existing programs, projects, or activi-*  
20 *ties by \$5,000,000 or 10 percent, whichever is less; or*

21          (7) *creates, reorganizes, or restructures a branch,*  
22 *division, office, bureau, board, commission, agency,*  
23 *administration, or department different from the*  
24 *budget justifications submitted to the Committees on*  
25 *Appropriations or the table accompanying the explan-*

1     *atory statement accompanying this Act, whichever is*  
2     *more detailed, unless prior approval is received from*  
3     *the House and Senate Committees on Appropriations:*  
4     *Provided, That not later than 60 days after the date*  
5     *of enactment of this Act, each agency funded by this*  
6     *Act shall submit a report to the Committees on Ap-*  
7     *propriations of the Senate and of the House of Rep-*  
8     *resentatives to establish the baseline for application of*  
9     *reprogramming and transfer authorities for the cur-*  
10    *rent fiscal year: Provided further, That the report*  
11    *shall include—*

12            (A) *a table for each appropriation with a*  
13            *separate column to display the prior year en-*  
14            *acted level, the President's budget request, adjust-*  
15            *ments made by Congress, adjustments due to en-*  
16            *acted rescissions, if appropriate, and the fiscal*  
17            *year enacted level;*

18            (B) *a delineation in the table for each ap-*  
19            *propriation and its respective prior year enacted*  
20            *level by object class and program, project, and*  
21            *activity as detailed in the budget appendix for*  
22            *the respective appropriation; and*

23            (C) *an identification of items of special con-*  
24            *gressional interest.*

1        *SEC. 406. Except as otherwise specifically provided by*  
2 *law, not to exceed 50 percent of unobligated balances re-*  
3 *maining available at the end of fiscal year 2017 from ap-*  
4 *propriations made available for salaries and expenses for*  
5 *fiscal year 2017 in this Act, shall remain available through*  
6 *September 30, 2018, for each such account for the purposes*  
7 *authorized: Provided, That a request shall be submitted to*  
8 *the House and Senate Committees on Appropriations for*  
9 *approval prior to the expenditure of such funds: Provided*  
10 *further, That these requests shall be made in compliance*  
11 *with reprogramming guidelines under section 405 of this*  
12 *Act.*

13        *SEC. 407. No funds in this Act may be used to support*  
14 *any Federal, State, or local projects that seek to use the*  
15 *power of eminent domain, unless eminent domain is em-*  
16 *ployed only for a public use: Provided, That for purposes*  
17 *of this section, public use shall not be construed to include*  
18 *economic development that primarily benefits private enti-*  
19 *ties: Provided further, That any use of funds for mass tran-*  
20 *sit, railroad, airport, seaport or highway projects, as well*  
21 *as utility projects which benefit or serve the general public*  
22 *(including energy-related, communication-related, water-re-*  
23 *lated and wastewater-related infrastructure), other struc-*  
24 *tures designated for use by the general public or which have*  
25 *other common-carrier or public-utility functions that serve*

1 *the general public and are subject to regulation and over-*  
2 *sight by the government, and projects for the removal of an*  
3 *immediate threat to public health and safety or brownfields*  
4 *as defined in the Small Business Liability Relief and*  
5 *Brownfields Revitalization Act (Public Law 107–118) shall*  
6 *be considered a public use for purposes of eminent domain.*

7       *SEC. 408. None of the funds made available in this*  
8 *Act may be transferred to any department, agency, or in-*  
9 *strumentality of the United States Government, except pur-*  
10 *suant to a transfer made by, or transfer authority provided*  
11 *in, this Act or any other appropriations Act.*

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

1        *SEC. 410. No funds appropriated pursuant to this Act*  
2 *may be expended by an entity unless the entity agrees that*  
3 *in expending the assistance the entity will comply with sec-*  
4 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*  
5 *8301–8305, popularly known as the “Buy American Act”).*

6        *SEC. 411. No funds appropriated or otherwise made*  
7 *available under this Act shall be made available to any per-*  
8 *son or entity that has been convicted of violating the Buy*  
9 *American Act (41 U.S.C. 8301–8305).*

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

14        *SEC. 413. (a) None of the funds made available by this*  
15 *Act may be used to approve a new foreign air carrier per-*  
16 *mit under sections 41301 through 41305 of title 49, United*  
17 *States Code, or exemption application under section 40109*  
18 *of that title of an air carrier already holding an air opera-*  
19 *tors certificate issued by a country that is party to the U.S.-*  
20 *E.U.-Iceland-Norway Air Transport Agreement where such*  
21 *approval would contravene United States law or Article 17*  
22 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
23 *ment.*

24        *(b) Nothing in this section shall prohibit, restrict or*  
25 *otherwise preclude the Secretary of Transportation from*

1 *granting a foreign air carrier permit or an exemption to*  
2 *such an air carrier where such authorization is consistent*  
3 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
4 *ment and United States law.*

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

19       *SEC. 415. None of the funds appropriated or otherwise*  
20 *made available under this Act may be used by the Surface*  
21 *Transportation Board to charge or collect any filing fee for*  
22 *rate or practice complaints filed with the Board in an*  
23 *amount in excess of the amount authorized for district court*  
24 *civil suit filing fees under section 1914 of title 28, United*  
25 *States Code.*

1        *SEC. 416. None of the funds made available by this*  
2 *Act may be used by the Department of Transportation, the*  
3 *Department of Housing and Urban Development, or any*  
4 *other Federal agency under this Act to lease or purchase*  
5 *new light duty vehicles for any executive fleet, or for an*  
6 *agency's fleet inventory, except in accordance with Presi-*  
7 *dential Memorandum—Federal Fleet Performance, dated*  
8 *May 24, 2011.*

9        *SEC. 417. (a) None of the funds made available in this*  
10 *Act may be used to deny an Inspector General funded under*  
11 *this Act timely access to any records, documents, or other*  
12 *materials available to the department or agency over which*  
13 *that Inspector General has responsibilities under the In-*  
14 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*  
15 *or impede that Inspector General's access to such records,*  
16 *documents, or other materials, under any provision of law,*  
17 *except a provision of law that expressly refers to the Inspec-*  
18 *tor General and expressly limits the Inspector General's*  
19 *right of access.*

20        *(b) A department or agency covered by this section*  
21 *shall provide its Inspector General with access to all such*  
22 *records, documents, and other materials in a timely man-*  
23 *ner.*

24        *(c) Each Inspector General shall ensure compliance*  
25 *with statutory limitations on disclosure relevant to the in-*

1 *formation provided by the establishment over which that In-*  
 2 *pector General has responsibilities under the Inspector*  
 3 *General Act of 1978 (5 U.S.C. App.).*

4 *(d) Each Inspector General covered by this section*  
 5 *shall report to the Committees on Appropriations of the*  
 6 *House of Representatives and the Senate within 5 calendar*  
 7 *days any failures to comply with this requirement.*

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

11 ***DIVISION B—MILITARY CONSTRUCTION,***  
 12 ***THE DEPARTMENT OF VETERANS AF-***  
 13 ***FAIRS, AND RELATED AGENCIES***

14 *The following sums are appropriated, out of any*  
 15 *money in the Treasury not otherwise appropriated, for*  
 16 *military construction, the Department of Veterans Affairs,*  
 17 *and related agencies for the fiscal year ending September*  
 18 *30, 2017, and for other purposes, namely:*

19 ***TITLE I***

20 ***DEPARTMENT OF DEFENSE***

21 ***MILITARY CONSTRUCTION, ARMY***

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

1 *Army Corps of Engineers and other personal services nec-*  
2 *essary for the purposes of this appropriation, and for con-*  
3 *struction and operation of facilities in support of the func-*  
4 *tions of the Commander in Chief, \$532,359,000, to remain*  
5 *available until September 30, 2021.*

6 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

7 *For acquisition, construction, installation, and equip-*  
8 *ment of temporary or permanent public works, naval in-*  
9 *stallations, facilities, and real property for the Navy and*  
10 *Marine Corps as currently authorized by law, including*  
11 *personnel in the Naval Facilities Engineering Command*  
12 *and other personal services necessary for the purposes of this*  
13 *appropriation, \$1,087,572,000, to remain available until*  
14 *September 30, 2021.*

15 *MILITARY CONSTRUCTION, AIR FORCE*

16 *For acquisition, construction, installation, and equip-*  
17 *ment of temporary or permanent public works, military in-*  
18 *stallations, facilities, and real property for the Air Force*  
19 *as currently authorized by law, \$1,579,798,000, to remain*  
20 *available until September 30, 2021.*

21 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For acquisition, construction, installation, and equip-*  
24 *ment of temporary or permanent public works, installa-*  
25 *tions, facilities, and real property for activities and agen-*

1 *cies of the Department of Defense (other than the military*  
2 *departments), as currently authorized by law,*  
3 *\$2,038,980,000, to remain available until September 30,*  
4 *2021: Provided, That such amounts of this appropriation*  
5 *as may be determined by the Secretary of Defense may be*  
6 *transferred to such appropriations of the Department of De-*  
7 *fense available for military construction or family housing*  
8 *as the Secretary may designate, to be merged with and to*  
9 *be available for the same purposes, and for the same time*  
10 *period, as the appropriation or fund to which transferred.*

11 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

12 *For construction, acquisition, expansion, rehabilita-*  
13 *tion, and conversion of facilities for the training and ad-*  
14 *ministration of the Army National Guard, and contribu-*  
15 *tions therefor, as authorized by chapter 1803 of title 10,*  
16 *United States Code, and Military Construction Authoriza-*  
17 *tion Acts, \$232,930,000, to remain available until Sep-*  
18 *tember 30, 2021.*

19 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

20 *For construction, acquisition, expansion, rehabilita-*  
21 *tion, and conversion of facilities for the training and ad-*  
22 *ministration of the Air National Guard, and contributions*  
23 *therefor, as authorized by chapter 1803 of title 10, United*  
24 *States Code, and Military Construction Authorization Acts,*

1 \$143,957,000, to remain available until September 30,  
2 2021.

3 *MILITARY CONSTRUCTION, ARMY RESERVE*

4 *For construction, acquisition, expansion, rehabilita-*  
5 *tion, and conversion of facilities for the training and ad-*  
6 *ministration of the Army Reserve as authorized by chapter*  
7 *1803 of title 10, United States Code, and Military Con-*  
8 *struction Authorization Acts, \$68,230,000, to remain avail-*  
9 *able until September 30, 2021.*

10 *MILITARY CONSTRUCTION, NAVY RESERVE*

11 *For construction, acquisition, expansion, rehabilita-*  
12 *tion, and conversion of facilities for the training and ad-*  
13 *ministration of the reserve components of the Navy and Ma-*  
14 *rine Corps as authorized by chapter 1803 of title 10, United*  
15 *States Code, and Military Construction Authorization Acts,*  
16 *\$38,597,000, to remain available until September 30, 2021.*

17 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

18 *For construction, acquisition, expansion, rehabilita-*  
19 *tion, and conversion of facilities for the training and ad-*  
20 *ministration of the Air Force Reserve as authorized by*  
21 *chapter 1803 of title 10, United States Code, and Military*  
22 *Construction Authorization Acts, \$188,950,000, to remain*  
23 *available until September 30, 2021.*

1            *NORTH ATLANTIC TREATY ORGANIZATION*2                            *SECURITY INVESTMENT PROGRAM*

3            *For the United States share of the cost of the North*  
4 *Atlantic Treaty Organization Security Investment Pro-*  
5 *gram for the acquisition and construction of military facili-*  
6 *ties and installations (including international military*  
7 *headquarters) and for related expenses for the collective de-*  
8 *fense of the North Atlantic Treaty Area as authorized by*  
9 *section 2806 of title 10, United States Code, and Military*  
10 *Construction Authorization Acts, \$177,932,000, to remain*  
11 *available until expended.*

12            *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

13            *For deposit into the Department of Defense Base Clo-*  
14 *sure Account, established by section 2906(a) of the Defense*  
15 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*  
16 *note), \$205,237,000, to remain available until expended.*

17            *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

18            *For expenses of family housing for the Army for oper-*  
19 *ation and maintenance, including debt payment, leasing,*  
20 *minor construction, principal and interest charges, and in-*  
21 *surance premiums, as authorized by law, \$325,995,000.*

22            *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*  
23                            *AND MARINE CORPS*

24            *For expenses of family housing for the Navy and Ma-*  
25 *rine Corps for operation and maintenance, including debt*

1 *payment, leasing, minor construction, principal and inter-*  
2 *est charges, and insurance premiums, as authorized by law,*  
3 *\$300,915,000.*

4 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*  
5 *FORCE*

6 *For expenses of family housing for the Air Force for*  
7 *operation and maintenance, including debt payment, leas-*  
8 *ing, minor construction, principal and interest charges,*  
9 *and insurance premiums, as authorized by law,*  
10 *\$274,429,000.*

11 *FAMILY HOUSING OPERATION AND MAINTENANCE,*  
12 *DEFENSE-WIDE*

13 *For expenses of family housing for the activities and*  
14 *agencies of the Department of Defense (other than the mili-*  
15 *tary departments) for operation and maintenance, leasing,*  
16 *and minor construction, as authorized by law, \$59,157,000.*

17 *DEPARTMENT OF DEFENSE FAMILY HOUSING*  
18 *IMPROVEMENT FUND*

19 *For the Department of Defense Family Housing Im-*  
20 *provement Fund, \$3,258,000, to remain available until ex-*  
21 *pendent, for family housing initiatives undertaken pursuant*  
22 *to section 2883 of title 10, United States Code, providing*  
23 *alternative means of acquiring and improving military*  
24 *family housing and supporting facilities.*



1       *SEC. 102. Funds made available in this title for con-*  
2 *struction shall be available for hire of passenger motor vehi-*  
3 *cles.*

4       *SEC. 103. Funds made available in this title for con-*  
5 *struction may be used for advances to the Federal Highway*  
6 *Administration, Department of Transportation, for the con-*  
7 *struction of access roads as authorized by section 210 of*  
8 *title 23, United States Code, when projects authorized there-*  
9 *in are certified as important to the national defense by the*  
10 *Secretary of Defense.*

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

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

1       *SEC. 106. None of the funds made available in this*  
2 *title shall be used to: (1) acquire land; (2) provide for site*  
3 *preparation; or (3) install utilities for any family housing,*  
4 *except housing for which funds have been made available*  
5 *in annual Acts making appropriations for military con-*  
6 *struction.*

7       *SEC. 107. None of the funds made available in this*  
8 *title for minor construction may be used to transfer or relo-*  
9 *cate any activity from one base or installation to another,*  
10 *without prior notification to the Committees on Appropria-*  
11 *tions of both Houses of Congress.*

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

17       *SEC. 109. None of the funds available to the Depart-*  
18 *ment of Defense for military construction or family housing*  
19 *during the current fiscal year may be used to pay real prop-*  
20 *erty taxes in any foreign nation.*

21       *SEC. 110. None of the funds made available in this*  
22 *title may be used to initiate a new installation overseas*  
23 *without prior notification to the Committees on Appropria-*  
24 *tions of both Houses of Congress.*

1        *SEC. 111. None of the funds made available in this*  
2 *title may be obligated for architect and engineer contracts*  
3 *estimated by the Government to exceed \$500,000 for projects*  
4 *to be accomplished in Japan, in any North Atlantic Treaty*  
5 *Organization member country, or in countries bordering the*  
6 *Arabian Gulf, unless such contracts are awarded to United*  
7 *States firms or United States firms in joint venture with*  
8 *host nation firms.*

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

23        *SEC. 113. The Secretary of Defense shall inform the*  
24 *appropriate committees of both Houses of Congress, includ-*  
25 *ing the Committees on Appropriations, of plans and scope*

1 of any proposed military exercise involving United States  
2 personnel 30 days prior to its occurring, if amounts ex-  
3 pended for construction, either temporary or permanent,  
4 are anticipated to exceed \$100,000.

5       *SEC. 114. Funds appropriated to the Department of*  
6 *Defense for construction in prior years shall be available*  
7 *for construction authorized for each such military depart-*  
8 *ment by the authorizations enacted into law during the cur-*  
9 *rent session of Congress.*

10       *SEC. 115. For military construction or family housing*  
11 *projects that are being completed with funds otherwise ex-*  
12 *pired or lapsed for obligation, expired or lapsed funds may*  
13 *be used to pay the cost of associated supervision, inspection,*  
14 *overhead, engineering and design on those projects and on*  
15 *subsequent claims, if any.*

16       *SEC. 116. Notwithstanding any other provision of law,*  
17 *any funds made available to a military department or de-*  
18 *fense agency for the construction of military projects may*  
19 *be obligated for a military construction project or contract,*  
20 *or for any portion of such a project or contract, at any*  
21 *time before the end of the fourth fiscal year after the fiscal*  
22 *year for which funds for such project were made available,*  
23 *if the funds obligated for such project: (1) are obligated from*  
24 *funds available for military construction projects; and (2)*  
25 *do not exceed the amount appropriated for such project,*

1 *plus any amount by which the cost of such project is in-*  
2 *creased pursuant to law.*

3 *(INCLUDING TRANSFER OF FUNDS)*

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

1 10, United States Code, pertaining to alternative means of  
2 acquiring and improving military family housing, military  
3 unaccompanied housing, and supporting facilities.

4 (INCLUDING TRANSFER OF FUNDS)

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

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



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

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

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

19       *SEC. 124. For the purposes of this Act, the term “con-*  
20 *gressional defense committees” means the Committees on*  
21 *Armed Services of the House of Representatives and the*  
22 *Senate, the Subcommittee on Military Construction and*  
23 *Veterans Affairs of the Committee on Appropriations of the*  
24 *Senate, and the Subcommittee on Military Construction*

1 *and Veterans Affairs of the Committee on Appropriations*  
2 *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 this*  
3 *Act, the Secretary of the military department concerned, or*  
4 *their designee, shall submit to the Committees on Appro-*  
5 *priations of both Houses of Congress an expenditure plan*  
6 *for funds provided under this section.*

7 *(RESCISSIONS OF FUNDS)*

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

12 *“Military Construction, Army”, \$30,000,000;*  
13 *“Military Construction, Air Force”, \$22,340,000;*  
14 *“Military Construction, Defense-Wide”,*  
15 *\$132,283,000; and*  
16 *“North Atlantic Treaty Organization Security*  
17 *Investment Program”, \$15,000,000:*

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

24 *SEC. 127. Notwithstanding any other provision of law,*  
25 *none of the funds appropriated or otherwise made available*

1 *by this or any other Act may be used to consolidate or relo-*  
2 *cate any element of a United States Air Force Rapid Engi-*  
3 *neer Deployable Heavy Operational Repair Squadron En-*  
4 *gineer (RED HORSE) outside of the United States until*  
5 *the Secretary of the Air Force (1) completes an analysis*  
6 *and comparison of the cost and infrastructure investment*  
7 *required to consolidate or relocate a RED HORSE squad-*  
8 *ron outside of the United States versus within the United*  
9 *States; (2) provides to the Committees on Appropriations*  
10 *of both Houses of Congress (“the Committees”) a report de-*  
11 *tailing the findings of the cost analysis; and (3) certifies*  
12 *in writing to the Committees that the preferred site for the*  
13 *consolidation or relocation yields the greatest savings for*  
14 *the Air Force: Provided, That the term “United States” in*  
15 *this section does not include any territory or possession of*  
16 *the United States.*

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

20 *SEC. 129. (a) Not later than one year after the date*  
21 *of the enactment of this Act, the Comptroller General of the*  
22 *United States shall submit to the congressional defense com-*  
23 *mittees a report evaluating the extent to which the Depart-*  
24 *ment of Defense has developed a comprehensive force struc-*

1 *ture plan, including military construction requirements, to*  
2 *meet emerging security threats in Europe.*

3 *(b) The report required under subsection (a) shall in-*  
4 *clude an assessment of the extent to which the Department*  
5 *of Defense has—*

6 *(1) identified the near-term and long-term*  
7 *United States military force requirements in Europe*  
8 *in support of the European Reassurance Initiative;*

9 *(2) evaluated the posture, force structure, and*  
10 *military construction options for meeting projected*  
11 *force requirements;*

12 *(3) evaluated the long-term costs associated with*  
13 *the posture, force structure, and military construction*  
14 *requirements; and*

15 *(4) developed a Future Years Defense Program*  
16 *for force structure costs associated with the European*  
17 *Reassurance Initiative.*

18 *(c) The report shall also include any other matters re-*  
19 *lated to security threats in Europe that the Comptroller*  
20 *General determines are appropriate, and recommendations*  
21 *as warranted for improvements to the Department's plan-*  
22 *ning and analysis methodology.*

23 *SEC. 130. (a) Of the amounts appropriated by section*  
24 *132 of the Military Construction, Veterans Affairs, and Re-*  
25 *lated Agencies Appropriations Act, 2016 (division J of Pub-*

1 *lic Law 114–13; 129 Stat. 2683), \$30,000,000 is hereby re-*  
2 *scinded.*

3       *(b) Notwithstanding section 123 of this title, for an*  
4 *additional amount for fiscal year 2016 for “Military Con-*  
5 *struction, Army” in this title, \$30,000,000, to remain avail-*  
6 *able until September 30, 2021, is provided for advances to*  
7 *the Federal Highway Administration, Department of*  
8 *Transportation, for construction of access roads as author-*  
9 *ized by section 210 of title 23, United States Code.*

10       *(c) This section shall become effective immediately*  
11 *upon enactment of this Act.*

12       *SEC. 131. Not later than 90 days after the date of the*  
13 *enactment of this Act, the Secretary of the Army shall sub-*  
14 *mit to Congress a report that includes—*

15               *(1) a detailed description of the age and condi-*  
16 *tion of the aircraft maintenance hangars of the*  
17 *Army’s Combat Aviation Brigade;*

18               *(2) an identification of the most deficient such*  
19 *hangars;*

20               *(3) a plan to modernize or replace such hangars;*  
21 *and*

22               *(4) a description of the resources required to*  
23 *modernize or replace such hangars.*

24       *SEC. 132. Not later than 1 year after the date of the*  
25 *enactment of this Act, the Secretary of Defense shall conduct*

1 *a study and submit to Congress a report on the use of de-*  
2 *fense access road funding to build alternate routes for mili-*  
3 *tary equipment traveling to missile launch facilities, taking*  
4 *into consideration the location of local populations, security*  
5 *risks, safety, and impacts of weather.*

6

*TITLE II*

7

*DEPARTMENT OF VETERANS AFFAIRS*

8

*VETERANS BENEFITS ADMINISTRATION*

9

*COMPENSATION AND PENSIONS*

10

*(INCLUDING TRANSFER OF FUNDS)*

11

*For the payment of compensation benefits to or on be-*

12

*half of veterans and a pilot program for disability examina-*

13

*tions as authorized by section 107 and chapters 11, 13, 18,*

14

*51, 53, 55, and 61 of title 38, United States Code; pension*

15

*benefits to or on behalf of veterans as authorized by chapters*

16

*15, 51, 53, 55, and 61 of title 38, United States Code; and*

17

*burial benefits, the Reinstated Entitlement Program for*

18

*Survivors, emergency and other officers' retirement pay, ad-*

19

*justed-service credits and certificates, payment of premiums*

20

*due on commercial life insurance policies guaranteed under*

21

*the provisions of title IV of the Servicemembers Civil Relief*

22

*Act (50 U.S.C. App. 541 et seq.) and for other benefits as*

23

*authorized by sections 107, 1312, 1977, and 2106, and*

24

*chapters 23, 51, 53, 55, and 61 of title 38, United States*

25

*Code, \$90,119,449,000, to remain available until expended*

1 *and to become available on October 1, 2017: Provided, That*  
2 *not to exceed \$17,224,000 of the amount made available for*  
3 *fiscal year 2018 under this heading shall be reimbursed to*  
4 *“General Operating Expenses, Veterans Benefits Adminis-*  
5 *tration”, and “Information Technology Systems” for nec-*  
6 *essary expenses in implementing the provisions of chapters*  
7 *51, 53, and 55 of title 38, United States Code, the funding*  
8 *source for which is specifically provided as the “Compensa-*  
9 *tion and Pensions” appropriation: Provided further, That*  
10 *such sums as may be earned on an actual qualifying pa-*  
11 *tient basis, shall be reimbursed to “Medical Care Collections*  
12 *Fund” to augment the funding of individual medical facili-*  
13 *ties for nursing home care provided to pensioners as author-*  
14 *ized.*

15 *READJUSTMENT BENEFITS*

16 *For the payment of readjustment and rehabilitation*  
17 *benefits to or on behalf of veterans as authorized by chapters*  
18 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*  
19 *title 38, United States Code, \$13,708,648,000, to remain*  
20 *available until expended and to become available on October*  
21 *1, 2017: Provided, That expenses for rehabilitation program*  
22 *services and assistance which the Secretary is authorized*  
23 *to provide under subsection (a) of section 3104 of title 38,*  
24 *United States Code, other than under paragraphs (1), (2),*

1 *(5), and (11) of that subsection, shall be charged to this*  
2 *account.*

3 *VETERANS INSURANCE AND INDEMNITIES*

4 *For military and naval insurance, national service life*  
5 *insurance, servicemen's indemnities, service-disabled vet-*  
6 *erans insurance, and veterans mortgage life insurance as*  
7 *authorized by chapters 19 and 21, title 38, United States*  
8 *Code, \$124,504,000, to remain available until expended, of*  
9 *which \$107,899,000 shall become available on October 1,*  
10 *2017.*

11 *VETERANS HOUSING BENEFIT PROGRAM FUND*

12 *For the cost of direct and guaranteed loans, such sums*  
13 *as may be necessary to carry out the program, as authorized*  
14 *by subchapters I through III of chapter 37 of title 38,*  
15 *United States Code: Provided, That such costs, including*  
16 *the cost of modifying such loans, shall be as defined in sec-*  
17 *tion 502 of the Congressional Budget Act of 1974: Provided*  
18 *further, That, during fiscal year 2017, within the resources*  
19 *available, not to exceed \$500,000 in gross obligations for*  
20 *direct loans are authorized for specially adapted housing*  
21 *loans.*

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

## 1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

2 *For the cost of direct loans, \$36,000, as authorized by*  
3 *chapter 31 of title 38, United States Code: Provided, That*  
4 *such costs, including the cost of modifying such loans, shall*  
5 *be as defined in section 502 of the Congressional Budget*  
6 *Act of 1974: Provided further, That funds made available*  
7 *under this heading are available to subsidize gross obliga-*  
8 *tions for the principal amount of direct loans not to exceed*  
9 *\$2,517,000.*

10 *In addition, for administrative expenses necessary to*  
11 *carry out the direct loan program, \$389,000, which may*  
12 *be paid to the appropriation for “General Operating Ex-*  
13 *penses, Veterans Benefits Administration”.*

## 14 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

## 15 ACCOUNT

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

## 19 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

## 20 ADMINISTRATION

21 *For necessary operating expenses of the Veterans Bene-*  
22 *fits Administration, not otherwise provided for, including*  
23 *hire of passenger motor vehicles, reimbursement of the Gen-*  
24 *eral Services Administration for security guard services,*  
25 *and reimbursement of the Department of Defense for the*

1 *cost of overseas employee mail, \$2,856,160,000: Provided,*  
2 *That expenses for services and assistance authorized under*  
3 *paragraphs (1), (2), (5), and (11) of section 3104(a) of title*  
4 *38, United States Code, that the Secretary of Veterans Af-*  
5 *fairs determines are necessary to enable entitled veterans:*  
6 *(1) to the maximum extent feasible, to become employable*  
7 *and to obtain and maintain suitable employment; or (2)*  
8 *to achieve maximum independence in daily living, shall be*  
9 *charged to this account: Provided further, That, of the funds*  
10 *made available under this heading, not to exceed 5 percent*  
11 *shall remain available until September 30, 2018.*

12 *VETERANS HEALTH ADMINISTRATION*

13 *MEDICAL SERVICES*

14 *For necessary expenses for furnishing, as authorized*  
15 *by law, inpatient and outpatient care and treatment to*  
16 *beneficiaries of the Department of Veterans Affairs and vet-*  
17 *erans described in section 1705(a) of title 38, United States*  
18 *Code, including care and treatment in facilities not under*  
19 *the jurisdiction of the Department, and including medical*  
20 *supplies and equipment, bioengineering services, food serv-*  
21 *ices, and salaries and expenses of healthcare employees*  
22 *hired under title 38, United States Code, aid to State homes*  
23 *as authorized by section 1741 of title 38, United States*  
24 *Code, assistance and support services for caregivers as au-*  
25 *thorized by section 1720G of title 38, United States Code,*

1 *loan repayments authorized by section 604 of the Caregivers*  
2 *and Veterans Omnibus Health Services Act of 2010 (Public*  
3 *Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and*  
4 *hospital care and medical services authorized by section*  
5 *1787 of title 38, United States Code; \$1,078,993,000, which*  
6 *shall be in addition to funds previously appropriated under*  
7 *this heading that became available on October 1, 2016; and,*  
8 *in addition, \$44,886,554,000, plus reimbursements, shall*  
9 *become available on October 1, 2017, and shall remain*  
10 *available until September 30, 2018: Provided, That, of the*  
11 *amount made available on October 1, 2017, under this*  
12 *heading, \$1,400,000,000 shall remain available until Sep-*  
13 *tember 30, 2019: Provided further, That, notwithstanding*  
14 *any other provision of law, the Secretary of Veterans Affairs*  
15 *shall establish a priority for the provision of medical treat-*  
16 *ment for veterans who have service-connected disabilities,*  
17 *lower income, or have special needs: Provided further, That,*  
18 *notwithstanding any other provision of law, the Secretary*  
19 *of Veterans Affairs shall give priority funding for the provi-*  
20 *sion of basic medical benefits to veterans in enrollment pri-*  
21 *ority groups 1 through 6: Provided further, That, notwith-*  
22 *standing any other provision of law, the Secretary of Vet-*  
23 *erans Affairs may authorize the dispensing of prescription*  
24 *drugs from Veterans Health Administration facilities to en-*  
25 *rolled veterans with privately written prescriptions based*

1 *on requirements established by the Secretary: Provided fur-*  
2 *ther, That the implementation of the program described in*  
3 *the previous proviso shall incur no additional cost to the*  
4 *Department of Veterans Affairs: Provided further, That the*  
5 *Secretary of Veterans Affairs shall ensure that sufficient*  
6 *amounts appropriated under this heading for medical sup-*  
7 *plies and equipment are available for the acquisition of*  
8 *prosthetics designed specifically for female veterans: Pro-*  
9 *vided further, That the Secretary of Veterans Affairs shall*  
10 *provide access to therapeutic listening devices to veterans*  
11 *struggling with mental health related problems, substance*  
12 *abuse, or traumatic brain injury.*

13 *MEDICAL COMMUNITY CARE*

14 *For necessary expenses for furnishing health care to*  
15 *individuals pursuant to chapter 17 of title 38, United*  
16 *States Code, at non-Department facilities, \$7,246,181,000,*  
17 *plus reimbursements, of which \$2,000,000,000 shall remain*  
18 *available until September 30, 2020; and, in addition,*  
19 *\$9,409,118,000 shall become available on October 1, 2017,*  
20 *and shall remain available until September 30, 2018: Pro-*  
21 *vided, That of the amount made available on October 1,*  
22 *2017, \$1,500,000,000 shall remain available until Sep-*  
23 *tember 30, 2021.*

1                    *MEDICAL SUPPORT AND COMPLIANCE*

2            *For necessary expenses in the administration of the*  
3 *medical, hospital, nursing home, domiciliary, construction,*  
4 *supply, and research activities, as authorized by law; ad-*  
5 *ministrative expenses in support of capital policy activities;*  
6 *and administrative and legal expenses of the Department*  
7 *for collecting and recovering amounts owed the Department*  
8 *as authorized under chapter 17 of title 38, United States*  
9 *Code, and the Federal Medical Care Recovery Act (42*  
10 *U.S.C. 2651 et seq.), \$6,654,480,000, plus reimbursements,*  
11 *shall become available on October 1, 2017, and shall remain*  
12 *available until September 30, 2018: Provided, That, of the*  
13 *amount made available on October 1, 2017, under this*  
14 *heading, \$100,000,000 shall remain available until Sep-*  
15 *tember 30, 2019.*

16                    *MEDICAL FACILITIES*

17            *For necessary expenses for the maintenance and oper-*  
18 *ation of hospitals, nursing homes, domiciliary facilities,*  
19 *and other necessary facilities of the Veterans Health Admin-*  
20 *istration; for administrative expenses in support of plan-*  
21 *ning, design, project management, real property acquisition*  
22 *and disposition, construction, and renovation of any facil-*  
23 *ity under the jurisdiction or for the use of the Department;*  
24 *for oversight, engineering, and architectural activities not*  
25 *charged to project costs; for repairing, altering, improving,*

1 *or providing facilities in the several hospitals and homes*  
2 *under the jurisdiction of the Department, not otherwise pro-*  
3 *vided for, either by contract or by the hire of temporary*  
4 *employees and purchase of materials; for leases of facilities;*  
5 *and for laundry services; \$495,100,000, which shall be in*  
6 *addition to funds previously appropriated under this head-*  
7 *ing that became available on October 1, 2016; and, in addi-*  
8 *tion, \$5,434,880,000, plus reimbursements, shall become*  
9 *available on October 1, 2017, and shall remain available*  
10 *until September 30, 2018: Provided, That, of the amount*  
11 *made available on October 1, 2017, under this heading,*  
12 *\$250,000,000 shall remain available until September 30,*  
13 *2019.*

14 *MEDICAL AND PROSTHETIC RESEARCH*

15 *For necessary expenses in carrying out programs of*  
16 *medical and prosthetic research and development as author-*  
17 *ized by chapter 73 of title 38, United States Code,*  
18 *\$675,366,000, plus reimbursements, shall remain available*  
19 *until September 30, 2018: Provided, That the Secretary of*  
20 *Veterans Affairs shall ensure that sufficient amounts appro-*  
21 *priated under this heading are available for prosthetic re-*  
22 *search specifically for female veterans, and for toxic expo-*  
23 *sure research.*

1                    *NATIONAL CEMETERY ADMINISTRATION*

2            *For necessary expenses of the National Cemetery Ad-*  
3 *ministration for operations and maintenance, not otherwise*  
4 *provided for, including uniforms or allowances therefor;*  
5 *cemeterial expenses as authorized by law; purchase of one*  
6 *passenger motor vehicle for use in cemeterial operations;*  
7 *hire of passenger motor vehicles; and repair, alteration or*  
8 *improvement of facilities under the jurisdiction of the Na-*  
9 *tional Cemetery Administration, \$286,193,000, of which*  
10 *not to exceed 10 percent shall remain available until Sep-*  
11 *tember 30, 2018.*

12                    *DEPARTMENTAL ADMINISTRATION*13                    *GENERAL ADMINISTRATION*14                    *(INCLUDING TRANSFER OF FUNDS)*

15            *For necessary operating expenses of the Department of*  
16 *Veterans Affairs, not otherwise provided for, including ad-*  
17 *ministrative expenses in support of Department-wide cap-*  
18 *ital planning, management and policy activities, uniforms,*  
19 *or allowances therefor; not to exceed \$25,000 for official re-*  
20 *ception and representation expenses; hire of passenger*  
21 *motor vehicles; and reimbursement of the General Services*  
22 *Administration for security guard services, \$417,959,000,*  
23 *of which not to exceed 5 percent shall remain available until*  
24 *September 30, 2018: Provided, That funds provided under*

1 *this heading may be transferred to “General Operating Ex-*  
2 *penses, Veterans Benefits Administration”.*

3 *BOARD OF VETERANS APPEALS*

4 *For necessary operating expenses of the Board of Vet-*  
5 *erans Appeals, \$156,096,000, of which not to exceed 10 per-*  
6 *cent shall remain available until September 30, 2018: Pro-*  
7 *vided, That up to \$2,500,000 may be available to facilitate*  
8 *the furnishing of legal and other assistance, without charge,*  
9 *to veterans and other individuals who are unable to afford*  
10 *the cost of legal representation in connection with a decision*  
11 *by the Board of Veterans Appeals under chapter 71 of title*  
12 *38, United States Code, in accordance with the process and*  
13 *reporting procedures set forth in Public Law 102–229 under*  
14 *the heading “Salaries and Expenses” under the heading*  
15 *“Court of Veterans Appeals”:* *Provided further, That the*  
16 *Board of Veterans Appeals submits to the Committees on*  
17 *Appropriations of both Houses of Congress a certification*  
18 *that there is a substantial unmet need for pro bono rep-*  
19 *resentation before the Board of Veterans Appeals prior to*  
20 *expending funds for this purpose.*

21 *INFORMATION TECHNOLOGY SYSTEMS*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses for information technology sys-*  
24 *tems and telecommunications support, including develop-*  
25 *mental information systems and operational information*

1 *systems; for pay and associated costs; and for the capital*  
2 *asset acquisition of information technology systems, includ-*  
3 *ing management and related contractual costs of said ac-*  
4 *quisitions, including contractual costs associated with oper-*  
5 *ations authorized by section 3109 of title 5, United States*  
6 *Code, \$4,278,259,000, plus reimbursements: Provided, That*  
7 *\$1,272,548,000 shall be for pay and associated costs, of*  
8 *which not to exceed \$37,100,000 shall remain available*  
9 *until September 30, 2018: Provided further, That*  
10 *\$2,534,442,000 shall be for operations and maintenance, of*  
11 *which not to exceed \$180,200,000 shall remain available*  
12 *until September 30, 2018: Provided further, That*  
13 *\$471,269,000 shall be for information technology systems*  
14 *development, modernization, and enhancement, and shall*  
15 *remain available until September 30, 2018: Provided fur-*  
16 *ther, That amounts made available for information tech-*  
17 *nology systems development, modernization, and enhance-*  
18 *ment may not be obligated or expended until the Secretary*  
19 *of Veterans Affairs or the Chief Information Officer of the*  
20 *Department of Veterans Affairs submits to the Committees*  
21 *on Appropriations of both Houses of Congress a certifi-*  
22 *cation of the amounts, in parts or in full, to be obligated*  
23 *and expended for each development project: Provided fur-*  
24 *ther, That amounts made available for salaries and ex-*  
25 *penses, operations and maintenance, and information tech-*

1 *nology systems development, modernization, and enhance-*  
2 *ment may be transferred among the three subaccounts after*  
3 *the Secretary of Veterans Affairs requests from the Commit-*  
4 *tees on Appropriations of both Houses of Congress the au-*  
5 *thority to make the transfer and an approval is issued: Pro-*  
6 *vided further, That amounts made available for the “Infor-*  
7 *mation Technology Systems” account for development, mod-*  
8 *ernization, and enhancement may be transferred among*  
9 *projects or to newly defined projects: Provided further, That*  
10 *no project may be increased or decreased by more than*  
11 *\$1,000,000 of cost prior to submitting a request to the Com-*  
12 *mittees on Appropriations of both Houses of Congress to*  
13 *make the transfer and an approval is issued, or absent a*  
14 *response, a period of 30 days has elapsed: Provided further,*  
15 *That funds under this heading may be used by the Inter-*  
16 *agency Program Office through the Department of Veterans*  
17 *Affairs to define data standards, code sets, and value sets*  
18 *used to enable interoperability: Provided further, That, not-*  
19 *withstanding any other provision of law, \$300,000 shall be*  
20 *available to carry out a matching program with the De-*  
21 *partment of Education to identify veterans who are unem-*  
22 *ployable due to a service-connected disability and who are*  
23 *also borrowers of Federal student loans in order to stream-*  
24 *line and expedite the process through which such veterans*  
25 *may discharge their Federal student loans. Provided fur-*

1 *ther, That of the funds made available for information tech-*  
2 *nology systems development, modernization, and enhance-*  
3 *ment for VistA Evolution or any successor program, not*  
4 *more than 25 percent may be obligated or expended until*  
5 *the Secretary of Veterans Affairs:*

6           (1) *Certifies in writing to the Committees on Ap-*  
7 *propriations of both Houses of Congress that the De-*  
8 *partment of Veterans Affairs has met the require-*  
9 *ments contained in the National Defense Authoriza-*  
10 *tion Act of Fiscal Year 2014 (Public Law 113–66)*  
11 *which require that electronic health record systems of*  
12 *the Department of Defense and the Department of*  
13 *Veterans Affairs have reached interoperability, com-*  
14 *ply with national standards and architectural re-*  
15 *quirements identified by the DoD/VA Interagency*  
16 *Program Office in collaboration with the Office of Na-*  
17 *tional Coordinator for Health Information Tech-*  
18 *nology;*

19           (2) *submits to the Committees on Appropriations*  
20 *of both Houses of Congress the VistA Evolution Busi-*  
21 *ness Case and supporting documents regarding con-*  
22 *tinuation of VistA Evolution or alternatives to VistA*  
23 *Evolution, including an analysis of necessary or de-*  
24 *sired capabilities, technical and security require-*

1        *ments, the plan for modernizing the platform frame-*  
2        *work, and all associated costs;*

3            *(3) submits to the Committees on Appropriations*  
4        *of both Houses of Congress, and such Committees ap-*  
5        *prove, the following: a report that describes a strategic*  
6        *plan for VistA Evolution, or any successor program,*  
7        *and the associated implementation plan including*  
8        *metrics and timelines; a master schedule and lifecycle*  
9        *cost estimate for VistA Evolution or any successor;*  
10       *and an implementation plan for the transition from*  
11       *the Project Management Accountability System to a*  
12       *new project delivery framework, the Veteran-focused*  
13       *Integration Process, that includes the methodology by*  
14       *which projects will be tracked, progress measured, and*  
15       *deliverables evaluated;*

16           *(4) submits to the Committees on Appropriations*  
17       *of both Houses of Congress a report outlining the stra-*  
18       *tegic plan to reach interoperability with private sec-*  
19       *tor healthcare providers, the timeline for reaching*  
20       *“meaningful use” as defined by the Office of National*  
21       *Coordinator for Health Information Technology for*  
22       *each data domain covered under the VistA Evolution*  
23       *program, and the extent to which the Department of*  
24       *Veterans Affairs leverages the State Health Informa-*

1 *tion Exchanges to share health data with private sec-*  
2 *tor providers; and*

3 *(5) submits to the Committees on Appropriations*  
4 *of both Houses of Congress, and such Committees ap-*  
5 *prove, the following: a report that describes the extent*  
6 *to which VistA Evolution, or any successor program,*  
7 *maximizes the use of commercially available software*  
8 *used by DoD and the private sector, requires an open*  
9 *architecture that leverages best practices and rapidly*  
10 *adapts to technologies produced by the private sector,*  
11 *enhances full interoperability between the VA and*  
12 *DoD and between VA and the private sector, and en-*  
13 *sures the security of personally identifiable informa-*  
14 *tion of veterans and beneficiaries:*

15 *Provided further, That the funds made available under this*  
16 *heading for information technology systems development,*  
17 *modernization, and enhancement, shall be for the projects,*  
18 *and in the amounts, specified under this heading in the*  
19 *report accompanying this Act.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For necessary expenses of the Office of Inspector Gen-*  
22 *eral, to include information technology, in carrying out the*  
23 *provisions of the Inspector General Act of 1978 (5 U.S.C.*  
24 *App.), \$160,106,000, of which not to exceed 10 percent shall*  
25 *remain available until September 30, 2018.*



1 *through the design fund, including needs assessments which*  
2 *may or may not lead to capital investments, and salaries*  
3 *and associated costs of the resident engineers who oversee*  
4 *those capital investments funded through this account and*  
5 *contracting officers who manage specific major construction*  
6 *projects, and funds provided for the purchase, security, and*  
7 *maintenance of land for the National Cemetery Administra-*  
8 *tion through the land acquisition line item, none of the*  
9 *funds made available under this heading shall be used for*  
10 *any project that has not been notified to Congress through*  
11 *the budgetary process or that has not been approved by the*  
12 *Congress through statute, joint resolution, or in the explan-*  
13 *atory statement accompanying such Act and presented to*  
14 *the President at the time of enrollment: Provided further,*  
15 *That funds made available under this heading for fiscal*  
16 *year 2017, for each approved project shall be obligated: (1)*  
17 *by the awarding of a construction documents contract by*  
18 *September 30, 2017; and (2) by the awarding of a construc-*  
19 *tion contract by September 30, 2018: Provided further, That*  
20 *the Secretary of Veterans Affairs shall promptly submit to*  
21 *the Committees on Appropriations of both Houses of Con-*  
22 *gress a written report on any approved major construction*  
23 *project for which obligations are not incurred within the*  
24 *time limitations established above: Provided further, That,*  
25 *of the amount made available under this heading,*

1 \$222,620,000 for Veterans Health Administration major  
2 construction projects shall not be available until the Depart-  
3 ment of Veterans Affairs—

4 (1) enters into an agreement with an appro-  
5 priate non-Department of Veterans Affairs Federal  
6 entity to serve as the design and/or construction agent  
7 for any Veterans Health Administration major con-  
8 struction project with a Total Estimated Cost of  
9 \$100,000,000 or above by providing full project man-  
10 agement services, including management of the project  
11 design, acquisition, construction, and contract  
12 changes, consistent with section 502 of Public Law  
13 114–58; and

14 (2) certifies in writing that such an agreement  
15 is executed and intended to minimize or prevent sub-  
16 sequent major construction project cost overruns and  
17 provides a copy of the agreement entered into and  
18 any required supplementary information to the Com-  
19 mittees on Appropriations of both Houses of Congress.

20 CONSTRUCTION, MINOR PROJECTS

21 For constructing, altering, extending, and improving  
22 any of the facilities, including parking projects, under the  
23 jurisdiction or for the use of the Department of Veterans  
24 Affairs, including planning and assessments of needs which  
25 may lead to capital investments, architectural and engi-

1 *neering services, maintenance or guarantee period services*  
2 *costs associated with equipment guarantees provided under*  
3 *the project, services of claims analysts, offsite utility and*  
4 *storm drainage system construction costs, and site acquisi-*  
5 *tion, or for any of the purposes set forth in sections 316,*  
6 *2404, 2406 and chapter 81 of title 38, United States Code,*  
7 *not otherwise provided for, where the estimated cost of a*  
8 *project is equal to or less than the amount set forth in sec-*  
9 *tion 8104(a)(3)(A) of title 38, United States Code,*  
10 *\$372,069,000, to remain available until September 30,*  
11 *2021, along with unobligated balances of previous “Con-*  
12 *struction, Minor Projects” appropriations which are hereby*  
13 *made available for any project where the estimated cost is*  
14 *equal to or less than the amount set forth in such section:*  
15 *Provided, That funds made available under this heading*  
16 *shall be for: (1) repairs to any of the nonmedical facilities*  
17 *under the jurisdiction or for the use of the Department*  
18 *which are necessary because of loss or damage caused by*  
19 *any natural disaster or catastrophe; and (2) temporary*  
20 *measures necessary to prevent or to minimize further loss*  
21 *by such causes.*

22 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*  
23 *FACILITIES*

24 *For grants to assist States to acquire or construct*  
25 *State nursing home and domiciliary facilities and to re-*

1 *model, modify, or alter existing hospital, nursing home, and*  
2 *domiciliary facilities in State homes, for furnishing care*  
3 *to veterans as authorized by sections 8131 through 8137 of*  
4 *title 38, United States Code, \$90,000,000, to remain avail-*  
5 *able until expended.*

6 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

7 *For grants to assist States and tribal organizations*  
8 *in establishing, expanding, or improving veterans ceme-*  
9 *teries as authorized by section 2408 of title 38, United*  
10 *States Code, \$45,000,000, to remain available until ex-*  
11 *pended.*

12 *ADMINISTRATIVE PROVISIONS*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 201. Any appropriation for fiscal year 2017 for*  
15 *“Compensation and Pensions”, “Readjustment Benefits”,*  
16 *and “Veterans Insurance and Indemnities” may be trans-*  
17 *ferred as necessary to any other of the mentioned appro-*  
18 *priations: Provided, That, before a transfer may take place,*  
19 *the Secretary of Veterans Affairs shall request from the*  
20 *Committees on Appropriations of both Houses of Congress*  
21 *the authority to make the transfer and such Committees*  
22 *issue an approval, or absent a response, a period of 30 days*  
23 *has elapsed.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 202. Amounts made available for the Department  
3 of Veterans Affairs for fiscal year 2017, in this or any other  
4 Act, under the “Medical Services”, “Medical Community  
5 Care”, “Medical Support and Compliance”, and “Medical  
6 Facilities” accounts may be transferred among the ac-  
7 counts: Provided, That any transfers between the “Medical  
8 Services” and “Medical Support and Compliance” accounts  
9 of 1 percent or less of the total amount appropriated to the  
10 account in this or any other Act may take place subject  
11 to notification from the Secretary of Veterans Affairs to the  
12 Committees on Appropriations of both Houses of Congress  
13 of the amount and purpose of the transfer: Provided further,  
14 That any transfers between the “Medical Services” and  
15 “Medical Support and Compliance” accounts in excess of  
16 1 percent, or exceeding the cumulative 1 percent for the fis-  
17 cal year, may take place only after the Secretary requests  
18 from the Committees on Appropriations of both Houses of  
19 Congress the authority to make the transfer and an ap-  
20 proval is issued: Provided further, That any transfers to  
21 or from the “Medical Facilities” account may take place  
22 only after the Secretary requests from the Committees on  
23 Appropriations of both Houses of Congress the authority to  
24 make the transfer and an approval is issued.

1       *SEC. 203. Appropriations available in this title for sal-*  
2 *aries and expenses shall be available for services authorized*  
3 *by section 3109 of title 5, United States Code; hire of pas-*  
4 *senger motor vehicles; lease of a facility or land or both;*  
5 *and uniforms or allowances therefore, as authorized by sec-*  
6 *tions 5901 through 5902 of title 5, United States Code.*

7       *SEC. 204. No appropriations in this title (except the*  
8 *appropriations for “Construction, Major Projects”, and*  
9 *“Construction, Minor Projects”)* shall be available for the  
10 *purchase of any site for or toward the construction of any*  
11 *new hospital or home.*

12       *SEC. 205. No appropriations in this title shall be*  
13 *available for hospitalization or examination of any persons*  
14 *(except beneficiaries entitled to such hospitalization or ex-*  
15 *amination under the laws providing such benefits to vet-*  
16 *erans, and persons receiving such treatment under sections*  
17 *7901 through 7904 of title 5, United States Code, or the*  
18 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
19 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*  
20 *of the cost of such hospitalization or examination is made*  
21 *to the “Medical Services” account at such rates as may be*  
22 *fixed by the Secretary of Veterans Affairs.*

23       *SEC. 206. Appropriations available in this title for*  
24 *“Compensation and Pensions”, “Readjustment Benefits”,*  
25 *and “Veterans Insurance and Indemnities” shall be avail-*



1 *dends in that program after claims have been paid and ac-*  
2 *tuarily determined reserves have been set aside: Provided*  
3 *further, That if the cost of administration of such an insur-*  
4 *ance program exceeds the amount of surplus earnings accu-*  
5 *mulated in that program, reimbursement shall be made*  
6 *only to the extent of such surplus earnings: Provided fur-*  
7 *ther, That the Secretary shall determine the cost of adminis-*  
8 *tration for fiscal year 2017 which is properly allocable to*  
9 *the provision of each such insurance program and to the*  
10 *provision of any total disability income insurance included*  
11 *in that insurance program.*

12 *SEC. 209. Amounts deducted from enhanced-use lease*  
13 *proceeds to reimburse an account for expenses incurred by*  
14 *that account during a prior fiscal year for providing en-*  
15 *hanced-use lease services, may be obligated during the fiscal*  
16 *year in which the proceeds are received.*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 210. Funds available in this title or funds for*  
19 *salaries and other administrative expenses shall also be*  
20 *available to reimburse the Office of Resolution Management*  
21 *of the Department of Veterans Affairs and the Office of Em-*  
22 *ployment Discrimination Complaint Adjudication under*  
23 *section 319 of title 38, United States Code, for all services*  
24 *provided at rates which will recover actual costs but not*  
25 *to exceed \$47,668,000 for the Office of Resolution Manage-*

1 *ment and \$3,532,000 for the Office of Employment Dis-*  
2 *crimination Complaint Adjudication: Provided, That pay-*  
3 *ments may be made in advance for services to be furnished*  
4 *based on estimated costs: Provided further, That amounts*  
5 *received shall be credited to the “General Administration”*  
6 *and “Information Technology Systems” accounts for use by*  
7 *the office that provided the service.*

8       *SEC. 211. None of the funds in this or any other Act*  
9 *may be used to close Department of Veterans Affairs (VA)*  
10 *hospitals, domiciliaries, or clinics, conduct an environ-*  
11 *mental assessment, or to diminish healthcare services at ex-*  
12 *isting Veterans Health Administration medical facilities lo-*  
13 *cated in Veterans Integrated Service Network 23 as part*  
14 *of a planned realignment of VA services until the Secretary*  
15 *provides to the Committees on Appropriations of both*  
16 *Houses of Congress a report including the following ele-*  
17 *ments:*

18           *(1) a national realignment strategy that includes*  
19 *a detailed description of realignment plans within*  
20 *each Veterans Integrated Service Network (VISN), in-*  
21 *cluding an updated Long Range Capital Plan to im-*  
22 *plement realignment requirements;*

23           *(2) an explanation of the process by which those*  
24 *plans were developed and coordinated within each*  
25 *VISN;*

1           (3) a cost vs. benefit analysis of each planned re-  
2           alignment, including the cost of replacing Veterans  
3           Health Administration services with contract care or  
4           other outsourced services;

5           (4) an analysis of how any such planned re-  
6           alignment of services will impact access to care for  
7           veterans living in rural or highly rural areas, includ-  
8           ing travel distances and transportation costs to access  
9           a VA medical facility and availability of local spe-  
10          cialty and primary care;

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

14          (6) a description of how any realignment will be  
15          consistent with requirements under the National His-  
16          toric Preservation Act; and

17          (7) consideration given for reuse of historic  
18          buildings within newly identified realignment re-  
19          quirements: *Provided, That, this provision shall not*  
20          *apply to capital projects in VISN 23, or any other*  
21          *VISN, which have been authorized or approved by*  
22          *Congress.*

23          *SEC. 212. No funds of the Department of Veterans Af-*  
24          *fairs shall be available for hospital care, nursing home care,*  
25          *or medical services provided to any person under chapter*

1 17 of title 38, United States Code, for a non-service-con-  
2 nected disability described in section 1729(a)(2) of such  
3 title, unless that person has disclosed to the Secretary of  
4 Veterans Affairs, in such form as the Secretary may require,  
5 current, accurate third-party reimbursement information  
6 for purposes of section 1729 of such title: Provided, That  
7 the Secretary may recover, in the same manner as any other  
8 debt due the United States, the reasonable charges for such  
9 care or services from any person who does not make such  
10 disclosure as required: Provided further, That any amounts  
11 so recovered for care or services provided in a prior fiscal  
12 year may be obligated by the Secretary during the fiscal  
13 year in which amounts are received.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 213. Notwithstanding any other provision of law,  
16 proceeds or revenues derived from enhanced-use leasing ac-  
17 tivities (including disposal) may be deposited into the  
18 “Construction, Major Projects” and “Construction, Minor  
19 Projects” accounts and be used for construction (including  
20 site acquisition and disposition), alterations, and improve-  
21 ments of any medical facility under the jurisdiction or for  
22 the use of the Department of Veterans Affairs. Such sums  
23 as realized are in addition to the amount provided for in  
24 “Construction, Major Projects” and “Construction, Minor  
25 Projects”.

1       *SEC. 214. Amounts made available under “Medical*  
2 *Services” are available—*

3           *(1) for furnishing recreational facilities, sup-*  
4 *plies, and equipment (including rehabilitative equip-*  
5 *ment for veterans entitled to a prosthetic appliance*  
6 *under chapter 17 of title 38, United States Code,*  
7 *which may include recreational sports equipment that*  
8 *provides an adaption or accommodation for the vet-*  
9 *eran, regardless of whether such equipment is inten-*  
10 *tionally designed to be adaptive equipment, such as*  
11 *hand cycles, recumbent bicycles, medically adapted*  
12 *upright bicycles, and upright bicycles); and*

13           *(2) for funeral expenses, burial expenses, and*  
14 *other expenses incidental to funerals and burials for*  
15 *beneficiaries receiving care in the Department.*

16                   *(INCLUDING TRANSFER OF FUNDS)*

17       *SEC. 215. Such sums as may be deposited to the Med-*  
18 *ical Care Collections Fund pursuant to section 1729A of*  
19 *title 38, United States Code, may be transferred to the*  
20 *“Medical Services” and “Medical Community Care” ac-*  
21 *counts, to remain available until expended for the purposes*  
22 *of these accounts.*

23       *SEC. 216. The Secretary of Veterans Affairs may enter*  
24 *into agreements with Federally Qualified Health Centers in*  
25 *the State of Alaska and Indian tribes and tribal organiza-*

1 *tions which are party to the Alaska Native Health Compact*  
2 *with the Indian Health Service, to provide healthcare, in-*  
3 *cluding behavioral health and dental care, to veterans in*  
4 *rural Alaska. The Secretary shall require participating vet-*  
5 *erans and facilities to comply with all appropriate rules*  
6 *and regulations, as established by the Secretary. The term*  
7 *“rural Alaska” shall mean those lands which are not within*  
8 *the boundaries of the municipality of Anchorage or the*  
9 *Fairbanks North Star Borough.*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 217. Such sums as may be deposited to the De-*  
12 *partment of Veterans Affairs Capital Asset Fund pursuant*  
13 *to section 8118 of title 38, United States Code, may be*  
14 *transferred to the “Construction, Major Projects” and “Con-*  
15 *struction, Minor Projects” accounts, to remain available*  
16 *until expended for the purposes of these accounts.*

17 *(RESCISSION OF FUNDS)*

18 *SEC. 218. Of the amounts appropriated in title II of*  
19 *division J of Public Law 114–113 under the heading “Med-*  
20 *ical Services” which become available on October 1, 2016,*  
21 *\$7,246,181,000 are hereby rescinded.*

22 *SEC. 219. Not later than 30 days after the end of each*  
23 *fiscal quarter, the Secretary of Veterans Affairs shall submit*  
24 *to the Committees on Appropriations of both Houses of Con-*  
25 *gress a report on the financial status of the Department*

1 of Veterans Affairs for the preceding quarter: Provided,  
2 That, at a minimum, the report shall include the direction  
3 contained in the explanatory statement described in section  
4 4 in the matter preceding division A of the Consolidated  
5 Appropriations Act, 2016 Public Law 114–113 in title II  
6 of Division J of the consolidated Act in the paragraph enti-  
7 tled “Quarterly Report”, under the heading “General Ad-  
8 ministration”.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 220. Amounts made available under the “Medical  
11 Services”, “Medical Community Care”, “Medical Support  
12 and Compliance”, “Medical Facilities”, “General Oper-  
13 ating Expenses, Veterans Benefits Administration”, “Gen-  
14 eral Administration”, and “National Cemetery Adminis-  
15 tration” accounts for fiscal year 2017 may be transferred  
16 to or from the “Information Technology Systems” account:  
17 Provided, That such transfers may not result in a more  
18 than 10 percent aggregate increase in the total amount  
19 made available by this Act for the “Information Technology  
20 Systems” account: Provided further, That, before a transfer  
21 may take place, the Secretary of Veterans Affairs shall re-  
22 quest from the Committees on Appropriations of both  
23 Houses of Congress the authority to make the transfer and  
24 an approval is issued.



1 *fense-Department of Veterans Affairs Medical Facility*  
2 *Demonstration Fund upon written notification by the Sec-*  
3 *retary of Veterans Affairs to the Committees on Appropria-*  
4 *tions of both Houses of Congress: Provided further, That sec-*  
5 *tion 223 of title II of division J of Public Law 114–113*  
6 *is repealed.*

7 (INCLUDING TRANSFER OF FUNDS)

8 *SEC. 223. Of the amounts appropriated to the Depart-*  
9 *ment of Veterans Affairs which become available on October*  
10 *1, 2017, for “Medical Services”, “Medical Support and*  
11 *Compliance”, and “Medical Facilities”, up to*  
12 *§280,802,000, plus reimbursements, may be transferred to*  
13 *the Joint Department of Defense-Department of Veterans*  
14 *Affairs Medical Facility Demonstration Fund, established*  
15 *by section 1704 of the National Defense Authorization Act*  
16 *for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)*  
17 *and may be used for operation of the facilities designated*  
18 *as combined Federal medical facilities as described by sec-*  
19 *tion 706 of the Duncan Hunter National Defense Author-*  
20 *ization Act for Fiscal Year 2009 (Public Law 110–417; 122*  
21 *Stat. 4500): Provided, That additional funds may be trans-*  
22 *ferred from accounts designated in this section to the Joint*  
23 *Department of Defense-Department of Veterans Affairs*  
24 *Medical Facility Demonstration Fund upon written notifi-*

1 *cation by the Secretary of Veterans Affairs to the Commit-*  
2 *tees on Appropriations of both Houses of Congress.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 224. Such sums as may be deposited to the Med-*  
5 *ical Care Collections Fund pursuant to section 1729A of*  
6 *title 38, United States Code, for healthcare provided at fa-*  
7 *cilities designated as combined Federal medical facilities as*  
8 *described by section 706 of the Duncan Hunter National*  
9 *Defense Authorization Act for Fiscal Year 2009 (Public*  
10 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*  
11 *for transfer to the Joint Department of Defense-Department*  
12 *of Veterans Affairs Medical Facility Demonstration Fund,*  
13 *established by section 1704 of the National Defense Author-*  
14 *ization Act for Fiscal Year 2010 (Public Law 111–84; 123*  
15 *Stat. 3571); and (2) for operations of the facilities des-*  
16 *ignated as combined Federal medical facilities as described*  
17 *by section 706 of the Duncan Hunter National Defense Au-*  
18 *thorization Act for Fiscal Year 2009 (Public Law 110–417;*  
19 *122 Stat. 4500).*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 225. Of the amounts available in this title for*  
22 *“Medical Services”, “Medical Support and Compliance”,*  
23 *and “Medical Facilities”, a minimum of \$15,000,000 shall*  
24 *be transferred to the DOD–VA Health Care Sharing Incen-*  
25 *tive Fund, as authorized by section 8111(d) of title 38,*

1 *United States Code, to remain available until expended, for*  
2 *any purpose authorized by section 8111 of title 38, United*  
3 *States Code.*

4 *SEC. 226. None of the funds available to the Depart-*  
5 *ment of Veterans Affairs, in this or any other Act, may*  
6 *be used to replace the current system by which the Veterans*  
7 *Integrated Service Networks select and contract for diabetes*  
8 *monitoring supplies and equipment.*

9 *SEC. 227. The Secretary of Veterans Affairs shall no-*  
10 *tify the Committees on Appropriations of both Houses of*  
11 *Congress of all bid savings in a major construction project*  
12 *that total at least \$5,000,000, or 5 percent of the pro-*  
13 *grammed amount of the project, whichever is less: Provided,*  
14 *That such notification shall occur within 14 days of a con-*  
15 *tract identifying the programmed amount: Provided fur-*  
16 *ther, That the Secretary shall notify the Committees on Ap-*  
17 *propriations of both Houses of Congress 14 days prior to*  
18 *the obligation of such bid savings and shall describe the an-*  
19 *ticipated use of such savings.*

20 *SEC. 228. None of the funds made available for “Con-*  
21 *struction, Major Projects” may be used for a project in ex-*  
22 *cess of the scope specified for that project in the original*  
23 *justification data provided to the Congress as part of the*  
24 *request for appropriations unless the Secretary of Veterans*

1 *Affairs receives approval from the Committees on Appro-*  
2 *priations of both Houses of Congress.*

3       *SEC. 229. The Secretary of Veterans Affairs shall sub-*  
4 *mit to the Committees on Appropriations of both Houses*  
5 *of Congress a quarterly report that contains the following*  
6 *information from each Veterans Benefits Administration*  
7 *Regional Office: (1) the average time to complete a dis-*  
8 *ability compensation claim; (2) the number of claims pend-*  
9 *ing more than 125 days, disaggregated by initial and sup-*  
10 *plemental claims; (3) error rates; (4) the number of claims*  
11 *personnel; (5) any corrective action taken within the quar-*  
12 *ter to address poor performance; (6) training programs un-*  
13 *dertaken; (7) the number and results of Quality Review*  
14 *Team audits; (8) the number of claims completed by each*  
15 *Regional Office based on the Regional Office being the sta-*  
16 *tion of jurisdiction; and (9) the number of claims completed*  
17 *by each Regional Office based on the Regional Office being*  
18 *the station of origin: Provided, That each quarterly report*  
19 *shall be submitted no later than 30 days after the end of*  
20 *the respective quarter.*

21       *SEC. 230. Of the funds provided to the Department of*  
22 *Veterans Affairs for fiscal year 2017 for “Medical Support*  
23 *and Compliance” a maximum of \$40,000,000 may be obli-*  
24 *gated from the “Medical Support and Compliance” account*  
25 *for the VistA Evolution and electronic health record inter-*



1       *SEC. 234. The Secretary of Veterans Affairs may not*  
2 *reprogram funds among major construction projects or pro-*  
3 *grams if such instance of reprogramming will exceed*  
4 *\$5,000,000, unless such reprogramming is approved by the*  
5 *Committees on Appropriations of both Houses of Congress.*

6       *SEC. 235. None of the funds appropriated in this or*  
7 *prior appropriations Acts or otherwise made available to*  
8 *the Department of Veterans Affairs may be used to transfer*  
9 *any amounts from the Filipino Veterans Equity Compensa-*  
10 *tion Fund to any other account within the Department of*  
11 *Veterans Affairs.*

12       *SEC. 236. Paragraph (3) of section 403(a) of the Vet-*  
13 *erans' Mental Health and Other Care Improvements Act of*  
14 *2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amend-*  
15 *ed to read as follows:*

16           “(3) *DURATION.*—*A veteran may receive health*  
17 *services under this section during the period begin-*  
18 *ning on the date specified in paragraph (2) and end-*  
19 *ing on September 30, 2018.”*

20       *SEC. 237. (a) Section 1722A(a) of title 38, United*  
21 *States Code, is amended by adding at the end the following*  
22 *new paragraph:*

23           “(4) *Paragraph (1) does not apply to opioid an-*  
24 *tagonists furnished under this chapter to a veteran*  
25 *who is at high risk for overdose of a specific medica-*

1        *tion or substance in order to reverse the effect of such*  
2        *an overdose.”.*

3        *(b) Section 1710(g)(3) of such title is amended—*

4                *(1) by striking “with respect to home health serv-*  
5                *ices” and inserting “with respect to the following:”*

6                        *“(A) Home health services”; and*

7                *(2) by adding at the end the following new sub-*  
8        *paragraph:*

9                        *“(B) Education on the use of opioid antago-*  
10                      *nists to reverse the effects of overdoses of specific*  
11                      *medications or substances.”.*

12        *SEC. 238. Section 312 of title 38, United States Code,*  
13        *is amended in subsection(c)(1) by striking the phrase “that*  
14        *makes a recommendation or otherwise suggests corrective*  
15        *action,”.*

16        *SEC. 239. The Department of Veterans Affairs is au-*  
17        *thorized to administer financial assistance grants and enter*  
18        *into cooperative agreements with organizations, utilizing a*  
19        *competitive selection process, to train and employ homeless*  
20        *and at-risk veterans in natural resource conservation man-*  
21        *agement.*

22        *SEC. 240. The Department of Veterans Affairs shall*  
23        *seek to enter into an agreement with the National Academy*  
24        *of Medicine for an assessment on research relating to the*  
25        *descendants of individuals with toxic exposure and to evalu-*

1 *ate the feasibility of a research entity or entities to conduct*  
2 *research relating to health conditions of descendants of vet-*  
3 *erans with toxic exposure while serving in the Armed*  
4 *Forces.*

5 *SEC. 241. Of the funds provided to the Department of*  
6 *Veterans Affairs for each of fiscal year 2017 and fiscal year*  
7 *2018 for “Medical Services”, \$3,000,000 in each year for*  
8 *carrying out and expanding to each medical center of the*  
9 *Department the child care program authorized by section*  
10 *205 of Public Law 111–163, notwithstanding subsection (e)*  
11 *of such section.*

12 *SEC. 242. Section 5701(l) of title 38, United States*  
13 *Code, is amended by striking “may” and inserting “shall”.*

14 *SEC. 243. (a) The Secretary of Veterans Affairs shall,*  
15 *as part of the hiring process for each health care provider*  
16 *considered for a position at the Department of Veterans Af-*  
17 *fairs after the date of the enactment of this Act, require*  
18 *from the medical board of each State in which the health*  
19 *care provider holds or has held a medical license—*

20 *(1) information on any violation of the require-*  
21 *ments of the medical license of the health care pro-*  
22 *vider; and*

23 *(2) information on whether the health care pro-*  
24 *vider has entered into any settlement agreement for a*

1 *disciplinary charge relating to the practice of medi-*  
2 *cine by the health care provider.*

3 *(b) The Secretary shall prescribe regulations to carry*  
4 *out this section.*

5 *SEC. 244. (a) Notwithstanding section 552a of title 5,*  
6 *United States Code, the Secretary of Veterans Affairs shall,*  
7 *with respect to each health care provider of the Department*  
8 *of Veterans Affairs that has violated a requirement of their*  
9 *medical license, provide to the medical board of each State*  
10 *in which the health care provider is licensed or practices*  
11 *all relevant information contained in the State Licensing*  
12 *Board Reporting File or any successor file of the Depart-*  
13 *ment with respect to such violation.*

14 *(b) The Secretary shall provide the information re-*  
15 *quired in subsection (a) to a medical board described in*  
16 *such subsection notwithstanding that such board may not*  
17 *have formally requested such information from the Depart-*  
18 *ment.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 245. Upon determination by the Secretary of Vet-*  
21 *erans Affairs that such action is necessary for providing*  
22 *health care, benefits and other services, the Secretary may*  
23 *transfer amounts made available to the Department of Vet-*  
24 *erans Affairs for fiscal year 2017 by this Act between any*  
25 *discretionary appropriations accounts for fiscal year 2017:*

1 *Provided, That amounts so transferred shall be merged with*  
2 *the account to which transferred: Provided further, That the*  
3 *total amount that the Secretary may transfer under this*  
4 *section may not exceed two percent of the total discretionary*  
5 *appropriations made available to the Department for fiscal*  
6 *year 2017 by this Act: Provided further, That a transfer*  
7 *of funds between the “Medical Services”, “Medical Commu-*  
8 *nity Care”, “Medical Support and Compliance”, and*  
9 *“Medical Facilities” accounts shall not be counted toward*  
10 *the two percent limitation in the previous proviso: Provided*  
11 *further, That the transfer authority provided by this section*  
12 *may be exercised only to support activities in an appro-*  
13 *priations account that have a higher priority than those*  
14 *undertaken in the appropriations account from which budg-*  
15 *et authority is transferred, as determined by the Secretary:*  
16 *Provided further, That such transfer authority may not be*  
17 *used to provide budget authority for an activity that the*  
18 *Secretary lacks the authority to carry out: Provided further,*  
19 *That the transfer authority provided in this section is in*  
20 *addition to any other transfer authority provided by law:*  
21 *Provided further, That before a transfer may take place,*  
22 *the Secretary of Veterans Affairs shall request from the*  
23 *Committees on Appropriations of both Houses of Congress*  
24 *the authority to make the transfer and receive approval of*  
25 *that request.*



1       “(b) NOTIFICATION.—(1)(A) Not later than four busi-  
2       ness days after the date on which a supervisor receives a  
3       whistleblower complaint by an employee under this section,  
4       the supervisor shall notify, in writing, the employee of  
5       whether the supervisor determines that there is a reasonable  
6       likelihood that the complaint discloses a violation of any  
7       law, rule, or regulation, or gross mismanagement, gross  
8       waste of funds, abuse of authority, or substantial and spe-  
9       cific danger to public health and safety.

10       “(B) The supervisor shall retain written documenta-  
11       tion regarding the whistleblower complaint and shall sub-  
12       mit to the next-level supervisor and the central whistle-  
13       blower office described in subsection (h) a written report  
14       on the complaint.

15       “(2)(A) On a monthly basis, the supervisor shall sub-  
16       mit to the appropriate director or other official who is supe-  
17       rior to the supervisor a written report that includes the  
18       number of whistleblower complaints received by the super-  
19       visor under this section during the month covered by the  
20       report, the disposition of such complaints, and any actions  
21       taken because of such complaints pursuant to subsection (c).

22       “(B) In the case in which such a director or official  
23       carries out this paragraph, the director or official shall sub-  
24       mit such monthly report to the supervisor of the director

1 *or official and to the central whistleblower office described*  
2 *in subsection (h).*

3       “(c) *POSITIVE DETERMINATION.—If a supervisor*  
4 *makes a positive determination under subsection (b)(1) re-*  
5 *garding a whistleblower complaint of an employee, the su-*  
6 *pervisor shall include in the notification to the employee*  
7 *under such subsection the specific actions that the super-*  
8 *visor will take to address the complaint.*

9       “(d) *FILING COMPLAINT WITH NEXT-LEVEL SUPER-*  
10 *VISORS.—(1) If any circumstance described in paragraph*  
11 *(3) is met, an employee may file a whistleblower complaint*  
12 *in accordance with subsection (g) with the next-level super-*  
13 *visor who shall treat such complaint in accordance with*  
14 *this section.*

15       “(2) *An employee may file a whistleblower complaint*  
16 *with the Secretary if the employee has filed the whistle-*  
17 *blower complaint to each level of supervisors between the*  
18 *employee and the Secretary in accordance with paragraph*  
19 *(1).*

20       “(3) *A circumstance described in this paragraph is*  
21 *any of the following circumstances:*

22               “(A) *A supervisor does not make a timely deter-*  
23 *mination under subsection (b)(1) regarding a whistle-*  
24 *blower complaint.*

1           “(B) *The employee who made a whistleblower*  
2           *complaint determines that the supervisor did not ade-*  
3           *quately address the complaint pursuant to subsection*  
4           *(c).*

5           “(C) *The immediate supervisor of the employee*  
6           *is the basis of the whistleblower complaint.*

7           “(e) *TRANSFER OF EMPLOYEE WHO FILES WHISTLE-*  
8           *BLOWER COMPLAINT.—If a supervisor makes a positive de-*  
9           *termination under subsection (b)(1) regarding a whistle-*  
10          *blower complaint filed by an employee, the Secretary*  
11          *shall—*

12           “(1) *inform the employee of the ability to volun-*  
13          *teer for a transfer in accordance with section 3352 of*  
14          *title 5; and*

15           “(2) *give preference to the employee for such a*  
16          *transfer in accordance with such section.*

17          “(f) *PROHIBITION ON EXEMPTION.—The Secretary*  
18          *may not exempt any employee of the Department from*  
19          *being covered by this section.*

20          “(g) *WHISTLEBLOWER COMPLAINT FORM.—(1) A*  
21          *whistleblower complaint filed by an employee under sub-*  
22          *section (a) or (d) shall consist of the form described in para-*  
23          *graph (2) and any supporting materials or documentation*  
24          *the employee determines necessary.*

1       “(2) *The form described in this paragraph is a form*  
2 *developed by the Secretary, in consultation with the Special*  
3 *Counsel, that includes the following:*

4               “(A) *An explanation of the purpose of the whis-*  
5 *tleblower complaint form.*

6               “(B) *Instructions for filing a whistleblower com-*  
7 *plaint as described in this section.*

8               “(C) *An explanation that filing a whistleblower*  
9 *complaint under this section does not preclude the*  
10 *employee from any other method established by law in*  
11 *which an employee may file a whistleblower com-*  
12 *plaint.*

13               “(D) *A statement directing the employee to in-*  
14 *formation accessible on the Internet website of the De-*  
15 *partment as described in section 735(d).*

16               “(E) *Fields for the employee to provide—*

17                       “(i) *the date that the form is submitted;*

18                       “(ii) *the name of the employee;*

19                       “(iii) *the contact information of the em-*  
20 *ployee;*

21                       “(iv) *a summary of the whistleblower com-*  
22 *plaint (including the option to append sup-*  
23 *porting documents pursuant to paragraph (1));*

24                       *and*

25                       “(v) *proposed solutions to the complaint.*

1           “(F) Any other information or fields that the  
2       Secretary determines appropriate.

3           “(3) The Secretary, in consultation with the Special  
4       Counsel, shall develop the form described in paragraph (2)  
5       by not later than 60 days after the date of the enactment  
6       of this section.

7           “(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The  
8       Secretary shall ensure that the central whistleblower of-  
9       fice—

10           “(A) is not an element of the Office of the Gen-  
11       eral Counsel;

12           “(B) is not headed by an official who reports to  
13       the General Counsel;

14           “(C) does not provide, or receive from, the Gen-  
15       eral Counsel any information regarding a whistle-  
16       blower complaint except pursuant to an action re-  
17       garding the complaint before an administrative body  
18       or court; and

19           “(D) does not provide advice to the General  
20       Counsel.

21           “(2) The central whistleblower office shall be respon-  
22       sible for investigating all whistleblower complaints of the  
23       Department, regardless of whether such complaints are  
24       made by or against an employee who is not a member of  
25       the Senior Executive Service.

1       “(3) *The Secretary shall ensure that the central whis-*  
2 *tleblower office maintains a toll-free hotline to anonymously*  
3 *receive whistleblower complaints.*

4       “(4) *The Secretary shall ensure that the central whis-*  
5 *tleblower office has such staff and resources as the Secretary*  
6 *considers necessary to carry out the functions of the central*  
7 *whistleblower office.*

8       “(5) *In this subsection, the term ‘central whistleblower*  
9 *office’ means the Office of Accountability Review or a suc-*  
10 *cessor office that is established or designated by the Sec-*  
11 *retary to investigate whistleblower complaints filed under*  
12 *this section or any other method established by law.*

13       **“§ 733. Adverse actions against supervisory employees**  
14                       ***who commit prohibited personnel actions***  
15                       ***relating to whistleblower complaints***

16       “(a) *IN GENERAL.—(1) In accordance with paragraph*  
17 *(2), the Secretary shall carry out the following adverse ac-*  
18 *tions against supervisory employees (as defined in section*  
19 *7103(a) of title 5) whom the Secretary, an administrative*  
20 *judge, the Merit Systems Protection Board, the Office of*  
21 *Special Counsel, an adjudicating body provided under a*  
22 *union contract, a Federal judge, or the Inspector General*  
23 *of the Department determines committed a prohibited per-*  
24 *sonnel action described in subsection (c):*

1           “(A) *With respect to the first offense, an adverse*  
2           *action that is not less than a 12-day suspension and*  
3           *not more than removal.*

4           “(B) *With respect to the second offense, removal.*

5           “(2)(A) *An employee against whom an adverse action*  
6           *under paragraph (1) is proposed is entitled to written no-*  
7           *tice.*

8           “(B)(i) *An employee who is notified under subpara-*  
9           *graph (A) of being the subject of a proposed adverse action*  
10           *under paragraph (1) is entitled to 14 days following such*  
11           *notification to answer and furnish evidence in support of*  
12           *the answer.*

13           “(ii) *If the employee does not furnish any such evi-*  
14           *dence as described in clause (i) or if the Secretary deter-*  
15           *mines that such evidence is not sufficient to reverse the de-*  
16           *termination to propose the adverse action, the Secretary*  
17           *shall carry out the adverse action following such 14-day pe-*  
18           *riod.*

19           “(C) *Paragraphs (1) and (2) of subsection (b) of sec-*  
20           *tion 7513 of title 5, subsection (c) of such section, para-*  
21           *graphs (1) and (2) of subsection (b) of section 7543 of such*  
22           *title, and subsection (c) of such section shall not apply with*  
23           *respect to an adverse action carried out under paragraph*  
24           *(1).*

1       “(b) *LIMITATION ON OTHER ADVERSE ACTIONS.*—  
2 *With respect to a prohibited personnel action described in*  
3 *subsection (c), if the Secretary carries out an adverse action*  
4 *against a supervisory employee, the Secretary may carry*  
5 *out an additional adverse action under this section based*  
6 *on the same prohibited personnel action if the total severity*  
7 *of the adverse actions do not exceed the level specified in*  
8 *subsection (a).*

9       “(c) *PROHIBITED PERSONNEL ACTION DESCRIBED.*—  
10 *A prohibited personnel action described in this subsection*  
11 *is any of the following actions:*

12               “(1) *Taking or failing to take a personnel action*  
13 *in violation of section 2302 of title 5 against an em-*  
14 *ployee relating to the employee—*

15                       “(A) *filing a whistleblower complaint in ac-*  
16 *cordance with section 732 of this title;*

17                       “(B) *filing a whistleblower complaint with*  
18 *the Inspector General of the Department, the*  
19 *Special Counsel, or Congress;*

20                       “(C) *providing information or partici-*  
21 *parting as a witness in an investigation of a*  
22 *whistleblower complaint in accordance with sec-*  
23 *tion 732 or with the Inspector General of the De-*  
24 *partment, the Special Counsel, or Congress;*



1           “(A) Whether the supervisor treats whistleblower  
2           complaints in accordance with section 732 of this  
3           title.

4           “(B) Whether the appropriate deciding official,  
5           performance review board, or performance review  
6           committee determines that the supervisor was found  
7           to have committed a prohibited personnel action de-  
8           scribed in section 733(b) of this title by an adminis-  
9           trative judge, the Merit Systems Protection Board, the  
10          Office of Special Counsel, an adjudicating body pro-  
11          vided under a union contract, a Federal judge, or, in  
12          the case of a settlement of a whistleblower complaint  
13          (regardless of whether any fault was assigned under  
14          such settlement), the Secretary.

15          “(b) BONUSES.—(1) The Secretary may not pay to a  
16          supervisor described in subsection (a)(2)(B) an award or  
17          bonus under this title or title 5, including under chapter  
18          45 or 53 of such title, during the one-year period beginning  
19          on the date on which the determination was made under  
20          such subsection.

21          “(2) Notwithstanding any other provision of law, the  
22          Secretary shall issue an order directing a supervisor de-  
23          scribed in subsection (a)(2)(B) to repay the amount of any  
24          award or bonus paid under this title or title 5, including  
25          under chapter 45 or 53 of such title, if—

1           “(A) such award or bonus was paid for perform-  
2           ance during a period in which the supervisor com-  
3           mitted a prohibited personnel action as determined  
4           pursuant to such subsection (a)(2)(B);

5           “(B) the Secretary determines such repayment  
6           appropriate pursuant to regulations prescribed by the  
7           Secretary to carry out this section; and

8           “(C) the supervisor is afforded notice and an op-  
9           portunity for a hearing before making such repay-  
10          ment.

11       **“§ 735. Training regarding whistleblower complaints**

12          “(a) TRAINING.—Not less frequently than once each  
13          year, the Secretary, in coordination with the Whistleblower  
14          Protection Ombudsman designated under section 3(d)(1)(C)  
15          of the Inspector General Act of 1978 (5 U.S.C. App.), shall  
16          provide to each employee of the Department training re-  
17          garding whistleblower complaints, including—

18               “(1) an explanation of each method established  
19               by law in which an employee may file a whistleblower  
20               complaint;

21               “(2) an explanation of prohibited personnel ac-  
22               tions described by section 733(c) of this title;

23               “(3) with respect to supervisors, how to treat  
24               whistleblower complaints in accordance with section  
25               732 of this title;

1           “(4) *the right of the employee to petition Con-*  
2 *gress regarding a whistleblower complaint in accord-*  
3 *ance with section 7211 of title 5;*

4           “(5) *an explanation that the employee may not*  
5 *be prosecuted or reprimed against for disclosing infor-*  
6 *mation to Congress, the Inspector General, or another*  
7 *investigatory agency in instances where such disclo-*  
8 *sure is permitted by law, including under sections*  
9 *5701, 5705, and 7732 of this title, under section 552a*  
10 *of title 5 (commonly referred to as the Privacy Act),*  
11 *under chapter 93 of title 18, and pursuant to regula-*  
12 *tions promulgated under section 264(c) of the Health*  
13 *Insurance Portability and Accountability Act of 1996*  
14 *(Public Law 104–191);*

15           “(6) *an explanation of the language that is re-*  
16 *quired to be included in all nondisclosure policies,*  
17 *forms, and agreements pursuant to section 115(a)(1)*  
18 *of the Whistleblower Protection Enhancement Act of*  
19 *2012 (5 U.S.C. 2302 note); and*

20           “(7) *the right of contractors to be protected from*  
21 *reprisal for the disclosure of certain information*  
22 *under section 4705 or 4712 of title 41.*

23           “(b) *MANNER TRAINING IS PROVIDED.—The Secretary*  
24 *shall ensure that training provided under subsection (a) is*  
25 *provided in person.*

1       “(c) *CERTIFICATION.*—Not less frequently than once  
2 each year, the Secretary shall provide training on merit  
3 system protection in a manner that the Special Counsel cer-  
4 tifies as being satisfactory.

5       “(d) *PUBLICATION.*—(1) The Secretary shall publish  
6 on the Internet website of the Department, and display  
7 prominently at each facility of the Department, the rights  
8 of an employee to file a whistleblower complaint, including  
9 the information described in paragraphs (1) through (7) of  
10 subsection (a).

11       “(2) The Secretary shall publish on the Internet  
12 website of the Department, the whistleblower complaint  
13 form described in section 732(g)(2).

14       “**§ 736. Reports to Congress**

15       “(a) *ANNUAL REPORTS.*—Not less frequently than once  
16 each year, the Secretary shall submit to the appropriate  
17 committees of Congress a report that includes—

18               “(1) with respect to whistleblower complaints  
19 filed under section 732 of this title during the year  
20 covered by the report—

21                       “(A) the number of such complaints filed;

22                       “(B) the disposition of such complaints; and

23                       “(C) the ways in which the Secretary ad-  
24 dressed such complaints in which a positive de-

1           *termination was made by a supervisor under*  
2           *subsection (b)(1) of such section;*

3           “(2) *the number of whistleblower complaints*  
4           *filed during the year covered by the report that are*  
5           *not included under paragraph (1), including—*

6                   “(A) *the method in which such complaints*  
7                   *were filed;*

8                   “(B) *the disposition of such complaints; and*

9                   “(C) *the ways in which the Secretary ad-*  
10                  *ressed such complaints; and*

11           “(3) *with respect to disclosures made by a con-*  
12           *tractor under section 4705 or 4712 of title 41—*

13                   “(A) *the number of complaints relating to*  
14                   *such disclosures that were investigated by the In-*  
15                   *pector General of the Department of Veterans*  
16                   *Affairs during the year covered by the report;*

17                   “(B) *the disposition of such complaints; and*

18                   “(C) *the ways in which the Secretary ad-*  
19                   *ressed such complaints.*

20           “(b) *NOTICE OF OFFICE OF SPECIAL COUNSEL DE-*  
21           *TERMINATIONS.—Not later than 30 days after the date on*  
22           *which the Secretary receives from the Special Counsel infor-*  
23           *mation relating to a whistleblower complaint pursuant to*  
24           *section 1213 of title 5, the Secretary shall notify the appro-*

1 *priate committees of Congress of such information, includ-*  
 2 *ing the determination made by the Special Counsel.*

3 “(c) *APPROPRIATE COMMITTEES OF CONGRESS.*—*In*  
 4 *this section, the term ‘appropriate committees of Congress’*  
 5 *means—*

6 “(1) *the Committee on Veterans’ Affairs and the*  
 7 *Committee on Homeland Security and Governmental*  
 8 *Affairs of the Senate; and*

9 “(2) *the Committee on Veterans’ Affairs and the*  
 10 *Committee on Oversight and Government Reform of*  
 11 *the House of Representatives.”.*

12 (2) *CONFORMING AND CLERICAL AMENDMENTS.*—

13 (A) *CONFORMING AMENDMENT.*—*Such chapter is*  
 14 *further amended by inserting before section 701 the*  
 15 *following:*

16 “*SUBCHAPTER I—GENERAL EMPLOYEE*  
 17 *MATTERS”.*

18 (B) *CLERICAL AMENDMENTS.*—*The table of sec-*  
 19 *tions at the beginning of such chapter is amended—*

20 (i) *by inserting before the item relating to*  
 21 *section 701 the following new item:*

“*SUBCHAPTER I—GENERAL EMPLOYEE MATTERS*”;

22 *and*

23 (ii) *by adding at the end the following new*  
 24 *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 OFFI-**  
 3 **CIAL DUTY.—**

4           **(1) IN GENERAL.—**Subchapter I of chapter 7 of  
 5 title 38, United States Code, as designated by section  
 6 2(a)(2)(A), is amended by adding at the end the fol-  
 7 lowing 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 an  
 13 official capacity in front of either chamber of Congress, a  
 14 committee of either chamber of Congress, or a joint or select  
 15 committee of Congress.

16           “(b) **TRAVEL EXPENSES.—**The Secretary shall provide  
 17 travel expenses, including per diem in lieu of subsistence,  
 18 in accordance with applicable provisions under subchapter  
 19 I of chapter 57 of title 5, to any employee of the Department  
 20 of Veterans Affairs performing official duty described under  
 21 subsection (a).”.

1           (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
2           *tions at the beginning of such chapter, as amended by*  
3           *section 2(a)(2)(B), is further amended by inserting*  
4           *after the item relating to section 713 the following*  
5           *new item:*

*“715. Congressional testimony by employees: treatment as official duty.”.*

6           *SEC. 247. (a) Notwithstanding any other provision of*  
7           *law, of the amounts appropriated or otherwise made avail-*  
8           *able to the Department of Veterans Affairs for the “Medical*  
9           *Services” account, for fiscal year 2017, not less than*  
10          *\$18,000,000, and for fiscal year 2018, not less than*  
11          *\$70,000,000, shall be used for the provision of fertility treat-*  
12          *ment and counseling, including treatment using assisted re-*  
13          *productive technology, to veterans and their spouses if the*  
14          *veteran has a service-connected condition that results in the*  
15          *veteran being unable to procreate without the use of such*  
16          *fertility treatment.*

17          *(b) In this section, the term “service-connected condi-*  
18          *tion” means a condition that was incurred or aggravated*  
19          *in line of duty in the active military, naval, or air service*  
20          *(as defined in section 101 of title 38, United States Code).*

21          *SEC. 248. None of the amounts appropriated or other-*  
22          *wise made available by title II may be used to carry out*  
23          *the Home Marketing Incentive Program of the Department*  
24          *of Veterans Affairs or to carry out the Appraisal Value*  
25          *Offer Program of the Department with respect to an em-*

1 *ployee of the Department in a senior executive position (as*  
2 *defined in section 713(g) of title 38, United States Code):*  
3 *Provided, That the Secretary may waive this prohibition*  
4 *with respect to the use of the Home Marketing Incentive*  
5 *Program and Appraisal Value Offer Program to recruit for*  
6 *a position for which recruitment or retention of qualified*  
7 *personnel is likely to be difficult in the absence of the use*  
8 *of these incentives: Provided further, That within 15 days*  
9 *of a determination by the Secretary to waive this prohibi-*  
10 *tion, the Secretary shall submit written notification thereof*  
11 *to the Committees on Appropriations of both Houses of Con-*  
12 *gress containing the reasons and identifying the position*  
13 *title for which the waiver has been issued.*

14 *SEC. 249. None of the funds appropriated or otherwise*  
15 *made available to the Department of Veterans Affairs in*  
16 *this Act may be used in a manner that would—*

17 *(1) interfere with the ability of a veteran to par-*  
18 *ticipate in a medicinal marijuana program approved*  
19 *by a State;*

20 *(2) deny any services from the Department to a*  
21 *veteran who is participating in such a program; or*

22 *(3) limit or interfere with the ability of a health*  
23 *care provider of the Department to make appropriate*  
24 *recommendations, fill out forms, or take steps to com-*  
25 *ply with such a program.*

1        *SEC. 250. (a) IN GENERAL.—For the purposes of*  
2 *verifying that an individual performed service under honor-*  
3 *able conditions that satisfies the requirements of a coastwise*  
4 *merchant seaman who is recognized pursuant to section 401*  
5 *of the GI Bill Improvement Act of 1977 (Public Law 95–*  
6 *202; 38 U.S.C. 106 note) as having performed active duty*  
7 *service for the purposes described in subsection (c)(1), the*  
8 *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 the*  
17 *individual, together with validated testimony given*  
18 *by the individual or the primary next of kin of the*  
19 *individual that the individual performed such service*  
20 *during the period beginning on December 7, 1941,*  
21 *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 dis-*  
25 *charge form, ship logbook, merchant mariner’s docu-*

1 *ment or Z-card, or other official employment record*  
2 *has been destroyed or otherwise become unavailable by*  
3 *reason of any action committed by a person respon-*  
4 *sible for the control and maintenance of such form,*  
5 *logbook, or record, the Secretary of Defense shall ac-*  
6 *cept other official documentation demonstrating that*  
7 *the individual performed such service during period*  
8 *beginning on December 7, 1941, and ending on De-*  
9 *cember 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 mas-*  
14 *ters of seagoing vessels or other officers in command*  
15 *of similarly organized groups as agents of the United*  
16 *States who were authorized to document any indi-*  
17 *vidual for purposes of hiring the individual to per-*  
18 *form service in the merchant marine or discharging*  
19 *an individual from such service.*

20 (b) *TREATMENT OF OTHER DOCUMENTATION.*—*Other*  
21 *documentation accepted by the Secretary of Defense pursu-*  
22 *ant to subsection (a)(2) shall satisfy all requirements for*  
23 *eligibility of service during the period beginning on Decem-*  
24 *ber 7, 1941, and ending on December 31, 1946.*

25 (c) *BENEFITS ALLOWED.*—

1           (1) *MEDALS, RIBBONS, AND DECORATIONS.*—An  
2           individual whose service is recognized as active duty  
3           pursuant to subsection (a) may be awarded an appro-  
4           priate medal, ribbon, or other military decoration  
5           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 not  
9           be entitled by reason of such recognized service to any  
10          benefit that is not described in this subsection.

11         *SEC. 251. (a) The Secretary of Veterans Affairs shall*  
12         *ensure that the Readjustment Counseling Service of the De-*  
13         *partment of Veterans Affairs coordinates directly with the*  
14         *Office of Rural Health of the Department on efforts to ex-*  
15         *pand the capacity of Vet Centers (as defined in section*  
16         *1712A(h) of title 38, United States Code) in order to ensure*  
17         *that the readjustment and psychological counseling needs*  
18         *of veterans in rural and highly rural communities are met.*

19         *(b) Not later than one year after the date of the enact-*  
20         *ment of this Act, the Secretary shall submit to the Com-*  
21         *mittee on Appropriations of the Senate and the Committee*  
22         *on Appropriations of the House of Representatives a report*  
23         *detailing the number of Vet Centers (as so defined) operated*  
24         *by the Department and a strategic plan to increase the ca-*  
25         *capacity of such Vet Centers to address unmet readjustment*

1 *and psychological counseling needs of veterans in rural and*  
2 *highly rural communities.*

3 *MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED*

4 *VETERANS COMPETING ON OLYMPIC TEAMS*

5 *SEC. 252. Section 322(d)(1) of title 38, United States*  
6 *Code, is amended—*

7 *(1) by striking “allowance to a veteran” and in-*  
8 *serting the following: “allowance to—*

9 *“(A) a veteran”;*

10 *(2) in subparagraph (A), as designated by para-*  
11 *graph (1), by striking the period at the end and in-*  
12 *serting “; and”; and*

13 *(3) by adding at the end the following new sub-*  
14 *paragraph:*

15 *“(B) a veteran with a service-connected dis-*  
16 *ability rated as 30 percent or greater by the Depart-*  
17 *ment who is selected by the United States Olympic*  
18 *Committee for the United States Olympic Team for*  
19 *any month in which the veteran is competing in any*  
20 *event sanctioned by the National Governing Bodies of*  
21 *the United States Olympic Sports.”.*

1 *COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS*  
2 *BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CON-*  
3 *NECTION WITH CERTAIN SPECIAL DISABILITIES REHA-*  
4 *BILITATION*

5 *SEC. 253. (a) IN GENERAL.—Section 111(b)(1) of title*  
6 *38, United States Code, is amended by adding at the end*  
7 *the following new subparagraph:*

8 *“(G) A veteran with vision impairment, a vet-*  
9 *eran with a spinal cord injury or disorder, or a vet-*  
10 *eran with double or multiple amputations whose trav-*  
11 *el is in connection with care provided through a spe-*  
12 *cial disabilities rehabilitation program of the Depart-*  
13 *ment (including programs provided by spinal cord*  
14 *injury centers, blind rehabilitation centers, and pros-*  
15 *thetics rehabilitation centers) if such care is pro-*  
16 *vided—*

17 *“(i) on an in-patient basis; or*

18 *“(ii) during a period in which the Sec-*  
19 *retary provides the veteran with temporary lodg-*  
20 *ing at a facility of the Department to make such*  
21 *care more accessible to the veteran.”.*

22 *(b) REPORT.—Not later than 180 days after the date*  
23 *of the enactment of this Act, the Secretary of Veterans Af-*  
24 *fairs shall submit to the Committee on Veterans’ Affairs of*  
25 *the Senate and the Committee on Veterans’ Affairs of the*

1 *House of Representatives a report on the beneficiary travel*  
2 *program under section 111 of title 38, United States Code,*  
3 *as amended by subsection (a), that includes the following:*

4 (1) *The cost of the program.*

5 (2) *The number of veterans served by the pro-*  
6 *gram.*

7 (3) *Such other matters as the Secretary considers*  
8 *appropriate.*

9 (c) *EFFECTIVE DATE.*—*The amendment made by sub-*  
10 *section (a) shall take effect on the first day of the first fiscal*  
11 *year that begins after the date of the enactment of this Act.*

12 *INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT*  
13 *MEDICAL FACILITIES OF THE DEPARTMENT OF VET-*  
14 *ERANS AFFAIRS*

15 *SEC. 254. (a) IN GENERAL.*—*Not later than 90 days*  
16 *after the date of the enactment of this Act, and not less fre-*  
17 *quently than annually thereafter, the Secretary of Veterans*  
18 *Affairs shall provide for the conduct of inspections of kitch-*  
19 *ens and food service areas at each medical facility of the*  
20 *Department of Veterans Affairs to ensure that the same*  
21 *standards for kitchens and food service areas at hospitals*  
22 *in the private sector are being met at kitchens and food*  
23 *service areas at medical facilities of the Department.*

24 (b) *AGREEMENT.*—

25 (1) *IN GENERAL.*—*The Secretary shall seek to*  
26 *enter into an agreement with the Joint Commission*

1     *on Accreditation of Hospital Organizations under*  
2     *which the Joint Commission on Accreditation of Hos-*  
3     *pital Organizations conducts the inspections required*  
4     *under subsection (a).*

5             (2) *ALTERNATE ORGANIZATION.—If the Sec-*  
6     *retary is unable to enter into an agreement described*  
7     *in paragraph (1) with the Joint Commission on Ac-*  
8     *creditation of Hospital Organizations on terms ac-*  
9     *ceptable to the Secretary, the Secretary shall seek to*  
10    *enter into such an agreement with another appro-*  
11    *priate organization that—*

12                 (A) *is not part of the Federal Government;*

13                 (B) *operates as a not-for-profit entity; and*

14                 (C) *has expertise and objectivity comparable*  
15     *to that of the Joint Commission on Accreditation*  
16     *of Hospital Organizations.*

17     (c) *REMEDATION PLAN.—*

18             (1) *INITIAL FAILURE.—If a kitchen or food serv-*  
19     *ice area of a medical facility of the Department is de-*  
20     *termined pursuant to an inspection conducted under*  
21     *subsection (a) not to meet the standards for kitchens*  
22     *and food service areas in hospitals in the private sec-*  
23     *tor, that medical facility fails the inspection and the*  
24     *Secretary shall—*

1           (A) *implement a remediation plan for that*  
2           *medical facility within 48 hours; and*

3           (B) *Conduct a second inspection under sub-*  
4           *section (a) at that medical facility within 7 days*  
5           *of the failed inspection.*

6           (2) *SECOND FAILURE.—If a medical facility of*  
7           *the Department fails the second inspection conducted*  
8           *under paragraph (1)(B), the Secretary shall close the*  
9           *kitchen or food service area at that medical facility*  
10           *that did not meet the standards for kitchens and food*  
11           *service areas in hospitals in the private sector until*  
12           *remediation is completed and all kitchens and food*  
13           *service areas at that medical facility meet such stand-*  
14           *ards.*

15           (3) *PROVISION OF FOOD.—If a kitchen or food*  
16           *service area is closed at a medical facility of the De-*  
17           *partment pursuant to paragraph (2), the Director of*  
18           *the Veterans Integrated Service Network in which the*  
19           *medical facility is located shall enter into a contract*  
20           *with a vendor approved by the General Services Ad-*  
21           *ministration to provide food at the medical facility.*

22           (d) *REPORTS.—*

23           (1) *QUARTERLY.—Not less frequently than quar-*  
24           *terly, the Director of each Veterans Integrated Service*  
25           *Network shall submit to Congress a report on inspec-*

1        *tions conducted under this section during that quarter*  
2        *at medical facilities of the Department under the ju-*  
3        *risdiction of that Director.*

4            (2) *SUBSEQUENT PERIOD.*—*A Director of a Vet-*  
5        *erans Integrated Service Network may submit to Con-*  
6        *gress the report described in paragraph (1) not less*  
7        *frequently than semiannually if the Director does not*  
8        *report any failed inspections for the one-year period*  
9        *preceding the submittal of the report.*

10    *INSPECTION OF MOLD ISSUES AT MEDICAL FACILITIES OF*  
11            *THE DEPARTMENT OF VETERANS AFFAIRS*

12        *SEC. 255. (a) IN GENERAL.*—*Not later than 90 days*  
13        *after the date of the enactment of this Act, and not less fre-*  
14        *quently than annually thereafter, the Secretary of Veterans*  
15        *Affairs shall provide for the inspection of mold issues at*  
16        *medical facilities of the Department of Veterans Affairs.*

17            (b) *AGREEMENT.*—

18            (1) *IN GENERAL.*—*The Secretary shall seek to*  
19        *enter into an agreement with the Joint Commission*  
20        *on Accreditation of Hospital Organizations under*  
21        *which the Joint Commission on Accreditation of Hos-*  
22        *pital Organizations conducts the inspections required*  
23        *under subsection (a).*

24            (2) *ALTERNATE ORGANIZATION.*—*If the Sec-*  
25        *retary is unable to enter into an agreement described*  
26        *in paragraph (1) with the Joint Commission on Ac-*

1        *creditation of Hospital Organizations on terms ac-*  
2        *ceptable to the Secretary, the Secretary shall seek to*  
3        *enter into such an agreement with another appro-*  
4        *priate organization that—*

5                *(A) is not part of the Federal Government;*

6                *(B) operates as a not-for-profit entity; and*

7                *(C) has expertise and objectivity comparable*  
8        *to that of the Joint Commission on Accreditation*  
9        *of Hospital Organizations.*

10        *(c) REMEDIATION PLAN.—If a medical facility of the*  
11        *Department is determined pursuant to an inspection con-*  
12        *ducted under subsection (a) to have a mold issue, the Sec-*  
13        *retary shall—*

14                *(1) implement a remediation plan for that med-*  
15        *ical facility within 48 hours; and*

16                *(2) Conduct a second inspection under subsection*  
17        *(a) at that medical facility within 90 days of the ini-*  
18        *tial inspection.*

19        *(d) REPORTS.—*

20                *(1) QUARTERLY.—Not less frequently than quar-*  
21        *terly, the Director of each Veterans Integrated Service*  
22        *Network shall submit to the Secretary of Veterans Af-*  
23        *airs and Congress a report on inspections conducted*  
24        *under this section during that quarter at medical fa-*

1 *cilities of the Department under the jurisdiction of*  
 2 *that Director.*

3 (2) *SUBSEQUENT PERIOD.*—*A Director of a Vet-*  
 4 *erans Integrated Service Network may submit to Con-*  
 5 *gress the report described in paragraph (1) not less*  
 6 *frequently than semiannually if the Director does not*  
 7 *report any mold issues for the one-year period pre-*  
 8 *ceding the submittal of the report.*

9 *COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS*  
 10 *BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CON-*  
 11 *NECTION WITH CERTAIN SPECIAL DISABILITIES REHA-*  
 12 *BILITATION*

13 *SEC. 256. (a) IN GENERAL.*—*Section 111(b)(1) of title*  
 14 *38, United States Code, is amended by adding at the end*  
 15 *the following new subparagraph:*

16 “(G) *A veteran with vision impairment, a vet-*  
 17 *eran with a spinal cord injury or disorder, or a vet-*  
 18 *eran with double or multiple amputations whose trav-*  
 19 *el is in connection with care provided through a spe-*  
 20 *cial disabilities rehabilitation program of the Depart-*  
 21 *ment (including programs provided by spinal cord*  
 22 *injury centers, blind rehabilitation centers, and pros-*  
 23 *thetics rehabilitation centers) if such care is pro-*  
 24 *vided—*

25 “(i) *on an in-patient basis; or*

1           “(ii) during a period in which the Sec-  
2           retary provides the veteran with temporary lodg-  
3           ing at a facility of the Department to make such  
4           care more accessible to the veteran.”.

5           (b) *REPORT*.—Not later than 180 days after the date  
6 of the enactment of this Act, the Secretary of Veterans Af-  
7 fairs shall submit to the Committee on Veterans’ Affairs of  
8 the Senate and the Committee on Veterans’ Affairs of the  
9 House of Representatives a report on the beneficiary travel  
10 program under section 111 of title 38, United States Code,  
11 as amended by subsection (a), that includes the following:

12           (1) *The cost of the program.*

13           (2) *The number of veterans served by the pro-*  
14 *gram.*

15           (3) *Such other matters as the Secretary considers*  
16 *appropriate.*

17           (c) *EFFECTIVE DATE*.—The amendment made by sub-  
18 section (a) shall take effect on the first day of the first fiscal  
19 year that begins after the date of the enactment of this Act.

20 *EXTENSION OF REQUIREMENT FOR REPORT ON CAPACITY*  
21 *OF DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE*  
22 *FOR SPECIALIZED TREATMENT AND REHABILITATIVE*  
23 *NEEDS OF DISABLED VETERANS*

24 *SEC. 257. Section 1706(b)(5)(A) of title 38, United*  
25 *States Code, is amended, in the first sentence, by striking*  
26 *“through 2008”.*

1        *SEC. 258. From the amount made available in this*  
2 *title under the heading “Medical Support and Compli-*  
3 *ance”, up to \$18,000,000 shall be made available for Direc-*  
4 *tors of Veterans Integrated Service Networks to contract*  
5 *with appropriate non-Department of Veterans Affairs enti-*  
6 *ties to assess, evaluate, and improve the health care delivery*  
7 *by and business operations of medical centers of the Depart-*  
8 *ment under the jurisdiction of each such Director.*

9        *SEC. 259. (a) Not later than 180 days after the enact-*  
10 *ment of this Act, the Secretary of Veterans Affairs shall*  
11 *begin an assessment of whether the hiring of marriage and*  
12 *family therapists trained at Commission on Accreditation*  
13 *for Marriage and Family Therapy Education accredited in-*  
14 *stitutions is adversely impacting the ability of the Depart-*  
15 *ment of Veterans Affairs to hire marriage and family thera-*  
16 *pists.*

17        *(b) The assessment should also include what steps the*  
18 *Department of Veterans Affairs is taking to increase hiring*  
19 *of marriage and family therapists.*

20        *(c) Not later than one year after the enactment of this*  
21 *Act, the Secretary of Veterans Affairs shall submit the re-*  
22 *port to the House and Senate Veterans Affairs Committees.*

23        *SEC. 260. Not later than September 30, 2017, the Sec-*  
24 *retary of Veterans Affairs shall—*

1           (1) provide for the conduct by the Office of In-  
2           spectator General of the Department of Veterans Affairs  
3           of an inspection or audit of the use of Federal award  
4           GU1103 in the amount of \$3,265,487 that was  
5           awarded in 2013 to renovate a veteran's cemetery in  
6           Guam under the Veterans Cemetery Grants Program  
7           of the Department of Veterans Affairs, including—

8                   (A) an itemized accounting of the use of  
9                   such award; or

10                   (B) if no such itemized accounting is pos-  
11                   sible, an explanation of why any amounts in  
12                   connection with such award are unaccounted for;

13           (2) submit to the Committee on Appropriations  
14           and the Committee on Veterans' Affairs of the Senate  
15           and the Committee on Appropriations and the Com-  
16           mittee on Veterans' Affairs of the House of Represent-  
17           atives a report on the results on the inspection or  
18           audit conducted under paragraph (1); and

19           (3) publish the results on the inspection or audit  
20           conducted under paragraph (1) on a publicly avail-  
21           able Internet website of the Department.

22           SEC. 261. (a) The Secretary of Veterans Affairs may  
23           use amounts appropriated or otherwise made available in  
24           this title to ensure that the ratio of veterans to full-time  
25           employment equivalents within any program of rehabilita-

1 *tion conducted under chapter 31 of title 38, United States*  
2 *Code, does not exceed 125 veterans to one full-time employ-*  
3 *ment equivalent.*

4 *(b) Not later than 180 days after the date of the enact-*  
5 *ment of this Act, the Secretary shall submit to Congress a*  
6 *report on the programs of rehabilitation conducted under*  
7 *chapter 31 of title 38, United States Code, including—*

8 *(1) an assessment of the veteran-to-staff ratio for*  
9 *each such program; and*

10 *(2) recommendations for such action as the Sec-*  
11 *retary considers necessary to reduce the veteran-to-*  
12 *staff ratio for each such program.*

13 *SEC. 262. Not later than September 30, 2017, the Sec-*  
14 *retary of Veterans Affairs shall submit to Congress a plan*  
15 *on modernizing the system of the Veterans Health Adminis-*  
16 *tration for processing claims by non-Department of Vet-*  
17 *erans Affairs health care providers for reimbursement for*  
18 *health care provided to veterans under the laws adminis-*  
19 *tered by the Secretary.*

20 *AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY*  
21 *PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS*

22 *SEC. 263. (a) FINDINGS.—Congress finds the fol-*  
23 *lowing:*

24 *(1) The Military Construction, Veterans Affairs,*  
25 *and Related Agencies Appropriations Act, 2016,*  
26 *which was passed by the Senate on November 10,*

1     *2015, without a single vote cast against the bill, and*  
2     *the Consolidated Appropriations Act, 2016 include*  
3     *the following amounts to be appropriated to the De-*  
4     *partment of Veterans Affairs:*

5             *(A) \$35,000,000 to make seismic corrections*  
6             *to Building 208 at the West Los Angeles Medical*  
7             *Center of the Department in Los Angeles, Cali-*  
8             *fornia, which, according to the Department, is a*  
9             *building that is designated as having an excep-*  
10            *tionally high risk of sustaining substantial dam-*  
11            *age or collapsing during an earthquake.*

12            *(B) \$158,000,000 to provide for the con-*  
13            *struction of a new research building, site work,*  
14            *and demolition at the San Francisco Veterans*  
15            *Affairs Medical Center.*

16            *(C) \$161,000,000 to replace Building 133*  
17            *with a new community living center at the Long*  
18            *Beach Veterans Affairs Medical Center, which,*  
19            *according to the Department, is a building that*  
20            *is designated as having an extremely high risk of*  
21            *sustaining major damage during an earthquake.*

22            *(D) \$468,800,000 for construction projects*  
23            *that are critical to the Department for ensuring*  
24            *health care access and safety at medical facilities*  
25            *in Louisville, Kentucky, Jefferson Barracks in*

1           *St. Louis, Missouri, Perry Point, Maryland,*  
2           *American Lake, Washington, Alameda, Cali-*  
3           *fornia, and Livermore, California.*

4           (2) *The Department is unable to obligate or ex-*  
5           *pend the amounts described in paragraph (1), other*  
6           *than for construction design, because the Department*  
7           *lacks an explicit authorization by an Act of Congress*  
8           *pursuant to section 8104(a)(2) of title 38, United*  
9           *States Code, to carry out the major medical facility*  
10          *projects described in such paragraph.*

11          (3) *Among the major medical facility projects de-*  
12          *scribed in paragraph (1), three are critical seismic*  
13          *safety projects in California.*

14          (4) *Every day that the critical seismic safety*  
15          *projects described in paragraph (3) are delayed in-*  
16          *creases the risk of a life-threatening building failure*  
17          *in the case of a major seismic event.*

18          (5) *According to the United States Geological*  
19          *Survey—*

20                 (A) *California has more than a 99 percent*  
21                 *chance of experiencing an earthquake of mag-*  
22                 *nitude 6.7 or greater in the next 30 years;*

23                 (B) *even earthquakes of less severity than*  
24                 *magnitude 6.7 can cause life threatening damage*  
25                 *to seismically unsafe buildings; and*

1           (C) in California, earthquakes of magnitude  
2           6.0 or greater occur on average once every 1.2  
3           years.

4           (6) On January 20, 2016, the Senate passed this  
5           legislation by unanimous consent as S. 2422, 114th  
6           Congress.

7           (b) AUTHORIZATION.—The Secretary of Veterans Af-  
8           fairs may carry out the following major medical facility  
9           projects, with each project to be carried out in an amount  
10          not to exceed the amount specified for that project:

11           (1) Seismic corrections to buildings, including  
12          retrofitting and replacement of high-risk buildings, in  
13          San Francisco, California, in an amount not to ex-  
14          ceed \$180,480,000.

15           (2) Seismic corrections to facilities, including fa-  
16          cilities to support homeless veterans, at the medical  
17          center in West Los Angeles, California, in an amount  
18          not to exceed \$105,500,000.

19           (3) Seismic corrections to the mental health and  
20          community living center in Long Beach, California,  
21          in an amount not to exceed \$287,100,000.

22           (4) Construction of an outpatient clinic, admin-  
23          istrative space, cemetery, and columbarium in Ala-  
24          meda, California, in an amount not to exceed  
25          \$87,332,000.

1           (5) *Realignment of medical facilities in Liver-*  
2 *more, California, in an amount not to exceed*  
3 *\$194,430,000.*

4           (6) *Construction of a medical center in Louis-*  
5 *ville, Kentucky, in an amount not to exceed*  
6 *\$150,000,000.*

7           (7) *Construction of a replacement community*  
8 *living center in Perry Point, Maryland, in an*  
9 *amount not to exceed \$92,700,000.*

10          (8) *Seismic corrections and other renovations to*  
11 *several buildings and construction of a specialty care*  
12 *building in American Lake, Washington, in an*  
13 *amount not to exceed \$16,260,000.*

14          (c) *AUTHORIZATION OF APPROPRIATIONS FOR CON-*  
15 *STRUCTION.—There is authorized to be appropriated to the*  
16 *Secretary of Veterans Affairs for fiscal year 2016 or the*  
17 *year in which funds are appropriated for the Construction,*  
18 *Major Projects, account, \$1,113,802,000 for the projects au-*  
19 *thorized in subsection (b).*

20          (d) *LIMITATION.—The projects authorized in sub-*  
21 *section (b) may only be carried out using—*

22           (1) *funds appropriated for fiscal year 2016 pur-*  
23 *suant to the authorization of appropriations in sub-*  
24 *section (c);*

1           (2) *funds available for Construction, Major*  
2 *Projects, for a fiscal year before fiscal year 2016 that*  
3 *remain available for obligation;*

4           (3) *funds available for Construction, Major*  
5 *Projects, for a fiscal year after fiscal year 2016 that*  
6 *remain available for obligation;*

7           (4) *funds appropriated for Construction, Major*  
8 *Projects, for fiscal year 2016 for a category of activity*  
9 *not specific to a project;*

10          (5) *funds appropriated for Construction, Major*  
11 *Projects, for a fiscal year before fiscal year 2016 for*  
12 *a category of activity not specific to a project; and*

13          (6) *funds appropriated for Construction, Major*  
14 *Projects, for a fiscal year after fiscal year 2016 for a*  
15 *category of activity not specific to a project.*

16       *SEC. 264. (a) None of the funds made available in this*  
17 *Act may be used to deny an Inspector General funded under*  
18 *this Act timely access to any records, documents, or other*  
19 *materials available to the department or agency over which*  
20 *that Inspector General has responsibilities under the In-*  
21 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*  
22 *or impede that Inspector General's access to such records,*  
23 *documents, or other materials, under any provision of law,*  
24 *except a provision of law that expressly refers to the Inspec-*

1 *tor General and expressly limits the Inspector General's*  
2 *right of access.*

3 *(b) A department or agency covered by this section*  
4 *shall provide its Inspector General with access to all such*  
5 *records, documents, and other materials in a timely man-*  
6 *ner.*

7 *(c) Each Inspector General shall ensure compliance*  
8 *with statutory limitations on disclosure relevant to the in-*  
9 *formation provided by the establishment over which that In-*  
10 *pector General has responsibilities under the Inspector*  
11 *General Act of 1978 (5 U.S.C. App.).*

12 *(d) Each Inspector General covered by this section*  
13 *shall report to the Committees on Appropriations of the*  
14 *House of Representatives and the Senate within 5 calendar*  
15 *days any failures to comply with this requirement.*

16 *SEC. 265. Not later than 180 days after the date of*  
17 *the enactment of this Act, the Secretary of Veterans Affairs*  
18 *shall submit to the Committee on Appropriations of the*  
19 *Senate and the Committee on Appropriations of the House*  
20 *of Representatives a report that contains an update on the*  
21 *progress of the Department of Veterans Affairs in com-*  
22 *pleting the Rural Veterans Burial Initiative and the ex-*  
23 *pected timeline for completion of such initiative.*

24 *SEC. 266. Of the funds made available in this title for*  
25 *fiscal year 2017 for medical support and compliance, not*

1 *less than \$21,000,000 shall be made available to the Sec-*  
2 *retary of Veterans Affairs to hire Medical Center Directors*  
3 *and employees for other management and clinical positions*  
4 *that are critical to the Department of Veterans Affairs in*  
5 *order to fill vacancies in such positions.*

6 *SEC. 267. None of the funds appropriated or otherwise*  
7 *made available in this title may be used by the Secretary*  
8 *of Veterans Affairs to enter into an agreement related to*  
9 *resolving a dispute or claim with an individual that would*  
10 *restrict in any way the individual from speaking to mem-*  
11 *bers of Congress or their staff on any topic not otherwise*  
12 *prohibited from disclosure by Federal law.*

13 *PREVENTION OF CERTAIN HEALTH CARE PROVIDERS FROM*  
14 *PROVIDING NON-DEPARTMENT HEALTH CARE SERV-*  
15 *ICES TO VETERANS*

16 *SEC. 268. (a) IN GENERAL.—One year after enactment*  
17 *of this Act, the Secretary of Veterans Affairs shall deny or*  
18 *revoke the eligibility of a health care provider to provide*  
19 *non-Department health care services to veterans if the Sec-*  
20 *retary determines that—*

21 *(1) the health care provider was removed from*  
22 *employment with the Department of Veterans Affairs*  
23 *due to conduct that violated a policy of the Depart-*  
24 *ment relating to the delivery of safe and appropriate*  
25 *patient care;*

1           (2) *the health care provider violated the require-*  
2           *ments of a medical license of the health care provider;*

3           (3) *the health care provider had a Department*  
4           *credential revoked and the Secretary determines that*  
5           *the grounds for such revocation impacts the ability of*  
6           *the health care provider to deliver safe and appro-*  
7           *priate care; or*

8           (4) *the health care provider violated a law for*  
9           *which a term of imprisonment of more than one year*  
10          *may be imposed.*

11          (b) *PERMISSIVE ACTION.*—*One year after enactment*  
12          *of this Act, the Secretary may deny, revoke, or suspend the*  
13          *eligibility of a health care provider to provide non-Depart-*  
14          *ment health care services if the Secretary has reasonable*  
15          *belief that such action is necessary to immediately protect*  
16          *the health, safety, or welfare of veterans and—*

17               (1) *the health care provider is under investiga-*  
18               *tion by the medical licensing board of a State in*  
19               *which the health care provider is licensed or practices;*

20               (2) *the health care provider has entered into a*  
21               *settlement agreement for a disciplinary charge relat-*  
22               *ing to the practice of medicine by the health care pro-*  
23               *vider; or*

24               (3) *the Secretary otherwise determines that such*  
25               *action is appropriate under the circumstances.*

1       (c) *SUSPENSION.*—*The Secretary shall suspend the eli-*  
2 *gibility of a health care provider to provide non-Depart-*  
3 *ment health care services to veterans if the health care pro-*  
4 *vider is suspended from serving as a health care provider*  
5 *of the Department.*

6       (d) *INITIAL REVIEW.*—*The Secretary shall review the*  
7 *Department employment status and history of each health*  
8 *care provider providing non-Department health care serv-*  
9 *ices to determine instances of circumstances described in*  
10 *paragraphs (a) through (c) and shall take action as appro-*  
11 *priate to each circumstance as described in paragraphs (a)*  
12 *through (c).*

13       (e) *REPORT REQUIRED.*—*Not later than two years*  
14 *after the date of the enactment of this Act, the Comptroller*  
15 *General of the United States shall submit to Congress a re-*  
16 *port on the implementation by the Secretary of this section,*  
17 *including the following:*

18           (1) *The aggregate number of health care pro-*  
19 *viders denied or suspended under this section from*  
20 *participation in providing non-Department health*  
21 *care services.*

22           (2) *An evaluation of any impact on access to*  
23 *care for patients or staffing shortages in programs of*  
24 *the Department providing non-Department health*  
25 *care services.*

1           (3) *An explanation of the coordination of the De-*  
2 *partment with the medical licensing boards of States*  
3 *in implementing this section, the amount of involve-*  
4 *ment of such boards in such implementation, and ef-*  
5 *forts by the Department to address any concerns*  
6 *raised by such boards with respect to such implemen-*  
7 *tation.*

8           (4) *Such recommendations as the Comptroller*  
9 *General considers appropriate regarding harmonizing*  
10 *eligibility criteria between health care providers of the*  
11 *Department and health care providers eligible to pro-*  
12 *vide non-Department health care services.*

13           (f) *NON-DEPARTMENT HEALTH CARE SERVICES DE-*  
14 *FINED.*—*In this section, the term “non-Department health*  
15 *care services” means—*

16           (1) *services provided under subchapter I of chap-*  
17 *ter 17 of title 38, United States Code, at non-Depart-*  
18 *ment facilities (as defined in section 1701 of such*  
19 *title);*

20           (2) *services provided under section 101 of the*  
21 *Veterans Access, Choice, and Accountability Act of*  
22 *2014 (Public Law 113–146; 38 U.S.C. 1701 note);*

23           (3) *services purchased through the Medical Com-*  
24 *munity Care account of the Department; or*



1 *purposes authorized by section 2109 of title 36, United*  
2 *States Code.*

3 *UNITED STATES COURT OF APPEALS FOR VETERANS*

4 *CLAIMS*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the operation of the United*  
7 *States Court of Appeals for Veterans Claims as authorized*  
8 *by sections 7251 through 7298 of title 38, United States*  
9 *Code, \$30,945,100: Provided, That \$2,500,000 shall be*  
10 *available for the purpose of providing financial assistance*  
11 *as described, and in accordance with the process and report-*  
12 *ing procedures set forth under this heading in Public Law*  
13 *102–229.*

14 *DEPARTMENT OF DEFENSE—CIVIL*

15 *CEMETERIAL EXPENSES, ARMY*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for maintenance, operation,*  
18 *and improvement of Arlington National Cemetery and Sol-*  
19 *diers' and Airmen's Home National Cemetery, including*  
20 *the purchase or lease of passenger motor vehicles for replace-*  
21 *ment on a one-for-one basis only, and not to exceed \$1,000*  
22 *for official reception and representation expenses,*  
23 *\$70,800,000 of which not to exceed \$28,000,000 shall re-*  
24 *main available until September 30, 2019. In addition, such*  
25 *sums as may be necessary for parking maintenance, repairs*

1 *and replacement, to be derived from the “Lease of Depart-*  
2 *ment of Defense Real Property for Defense Agencies” ac-*  
3 *count.*

4 *ARMED FORCES RETIREMENT HOME*

5 *TRUST FUND*

6 *For expenses necessary for the Armed Forces Retire-*  
7 *ment Home to operate and maintain the Armed Forces Re-*  
8 *tirement Home—Washington, District of Columbia, and the*  
9 *Armed Forces Retirement Home—Gulfport, Mississippi, to*  
10 *be paid from funds available in the Armed Forces Retire-*  
11 *ment Home Trust Fund, \$64,300,000, of which \$1,000,000*  
12 *shall remain available until expended for construction and*  
13 *renovation of the physical plants at the Armed Forces Re-*  
14 *tirement Home—Washington, District of Columbia, and the*  
15 *Armed Forces Retirement Home—Gulfport, Mississippi:*  
16 *Provided, That of the amounts made available under this*  
17 *heading from funds available in the Armed Forces Retire-*  
18 *ment Home Trust Fund, \$22,000,000 shall be paid from*  
19 *the general fund 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.*

7 *TITLE IV*

8 *GENERAL PROVISIONS*

9 *SEC. 401. No part of any appropriation contained in*  
10 *this Act shall remain available for obligation beyond the*  
11 *current fiscal year unless expressly so provided herein.*

12 *SEC. 402. None of the funds made available in this*  
13 *Act may be used for any program, project, or activity, when*  
14 *it is made known to the Federal entity or official to which*  
15 *the funds are made available that the program, project, or*  
16 *activity is not in compliance with any Federal law relating*  
17 *to risk assessment, the protection of private property rights,*  
18 *or unfunded mandates.*

19 *SEC. 403. All departments and agencies funded under*  
20 *this Act are encouraged, within the limits of the existing*  
21 *statutory authorities and funding, to expand their use of*  
22 *“E-Commerce” technologies and procedures in the conduct*  
23 *of their business practices and public service activities.*

24 *SEC. 404. Unless stated otherwise, all reports and noti-*  
25 *fications required by this Act shall be submitted to the Sub-*

1 *committee on Military Construction and Veterans Affairs,*  
2 *and Related Agencies of the Committee on Appropriations*  
3 *of the House of Representatives and the Subcommittee on*  
4 *Military Construction and Veterans Affairs, and Related*  
5 *Agencies of the Committee on Appropriations of the Senate.*

6       *SEC. 405. None of the funds made available in this*  
7 *Act may be transferred to any department, agency, or in-*  
8 *strumentality of the United States Government except pur-*  
9 *suant to a transfer made by, or transfer authority provided*  
10 *in, this or any other appropriations Act.*

11       *SEC. 406. (a) Any agency receiving funds made avail-*  
12 *able in this Act, shall, subject to subsections (b) and (c),*  
13 *post on the public Web site of that agency any report re-*  
14 *quired to be submitted by the Congress in this or any other*  
15 *Act, upon the determination by the head of the agency that*  
16 *it shall serve the national interest.*

17       *(b) Subsection (a) shall not apply to a report if—*

18               *(1) the public posting of the report compromises*  
19 *national security; or*

20               *(2) the report contains confidential or propri-*  
21 *etary information.*

22       *(c) The head of the agency posting such report shall*  
23 *do so only after such report has been made available to the*  
24 *requesting Committee or Committees of Congress for no less*  
25 *than 45 days.*

1        *SEC. 407. (a) None of the funds made available in this*  
2 *Act may be used to maintain or establish a computer net-*  
3 *work unless such network blocks the viewing, downloading,*  
4 *and exchanging of pornography.*

5        *(b) Nothing in subsection (a) shall limit the use of*  
6 *funds necessary for any Federal, State, tribal, or local law*  
7 *enforcement agency or any other entity carrying out crimi-*  
8 *nal investigations, prosecution, or adjudication activities.*

9        *SEC. 408. None of the funds made available in this*  
10 *Act may be used by an agency of the executive branch to*  
11 *pay for first-class travel by an employee of the agency in*  
12 *contravention of sections 301–10.122 through 301–10.124 of*  
13 *title 41, Code of Federal Regulations.*

14        *SEC. 409. (a) IN GENERAL.—None of the funds appro-*  
15 *priated or otherwise made available to the Department of*  
16 *Defense in this Act may be used to construct, renovate, or*  
17 *expand any facility in the United States, its territories, or*  
18 *possessions to house any individual detained at United*  
19 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*  
20 *poses of detention or imprisonment in the custody or under*  
21 *the control of the Department of Defense.*

22        *(b) The prohibition in subsection (a) shall not apply*  
23 *to any modification of facilities at United States Naval*  
24 *Station, Guantánamo Bay, Cuba.*



1 vided, That funds appropriated in this paragraph shall be  
2 used to expand the delivery of primary health services au-  
3 thorized by section 330 of the Public Health Service  
4 (“PHS”) Act in Puerto Rico and other territories: Provided  
5 further, That such amount is designated by the Congress  
6 as an emergency requirement pursuant to section  
7 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
8 Deficit Control Act of 1985.

9 *HEALTH WORKFORCE*

10 For an additional amount for fiscal year 2016 for  
11 “Health Workforce”, \$6,000,000 to remain available until  
12 September 30, 2017, to prevent, prepare for, and respond  
13 to Zika virus, other vector-borne diseases, and related health  
14 outcomes, domestically and internationally: Provided, That  
15 funds appropriated in this paragraph may, for purposes  
16 of providing primary health services in areas affected by  
17 Zika virus or other vector-borne diseases, be used to assign  
18 National Health Service Corps (“NHSC”) members to  
19 Puerto Rico and other Territories, notwithstanding the as-  
20 signment priorities and limitations in or under sections  
21 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to  
22 make NHSC Loan Repayment Program awards under sec-  
23 tion 338B of such Act: Provided further, That for purposes  
24 of the previous proviso, section 331(a)(3)(D) of the PHS  
25 Act shall be applied as if the term “primary health services”

1 *included health services regarding pediatric subspecialists:*  
2 *Provided further, That such amount is designated by the*  
3 *Congress as an emergency requirement pursuant to section*  
4 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985.*

6 *MATERNAL AND CHILD HEALTH*

7 *For an additional amount for fiscal year 2016 for*  
8 *“Maternal and Child Health”, \$5,000,000 to remain avail-*  
9 *able until September 30, 2017, to prevent, prepare for, and*  
10 *respond to Zika virus, other vector-borne diseases, and re-*  
11 *lated health outcomes, domestically and internationally:*  
12 *Provided, That funds appropriated in this paragraph may*  
13 *be awarded for projects of regional and national signifi-*  
14 *cance in Puerto Rico and other Territories authorized*  
15 *under section 501 of the Social Security Act, notwith-*  
16 *standing section 502 of such Act: Provided further, That*  
17 *such amount is designated by the Congress as an emergency*  
18 *requirement pursuant to section 251(b)(2)(A)(i) of the Bal-*  
19 *anced Budget and Emergency Deficit Control Act of 1985.*

20 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

21 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*

22 *For an additional amount for fiscal year 2016 for*  
23 *“CDC-Wide Activities and Program Support”,*  
24 *\$449,000,000, to remain available until September 30,*  
25 *2017, to prevent, prepare for, and respond to Zika virus,*

1 *other vector-borne diseases, and related health outcomes, do-*  
2 *mestically and internationally; and to carry out titles II,*  
3 *III, and XVII of the PHS Act with respect to domestic pre-*  
4 *paredness and global health: Provided, That products pur-*  
5 *chased with these funds may, at the discretion of the Sec-*  
6 *retary of Health and Human Services, be deposited in the*  
7 *Strategic National Stockpile under section 319F–2 of the*  
8 *PHS Act: Provided further, That funds may be used for*  
9 *purchase and insurance of official motor vehicles in foreign*  
10 *countries: Provided further, That the provisions in section*  
11 *317S of the PHS Act shall not apply to the use of funds*  
12 *appropriated in this paragraph: Provided further, That*  
13 *funds appropriated in this paragraph may be used for*  
14 *grants for the construction, alteration, or renovation of non-*  
15 *federally owned facilities to improve preparedness and re-*  
16 *sponse capability at the State and local level: Provided fur-*  
17 *ther, That of the amount appropriated in this paragraph,*  
18 *\$88,000,000 may be used to reimburse accounts adminis-*  
19 *tered by the Centers for Disease Control and Prevention for*  
20 *obligations incurred for Zika virus response prior to the*  
21 *enactment of this Act: Provided further, That such amount*  
22 *is designated by the Congress as an emergency requirement*  
23 *pursuant to section 251(b)(2)(A)(i) of the Balanced Budget*  
24 *and Emergency Deficit Control Act of 1985.*

1                    *NATIONAL INSTITUTES OF HEALTH*2                    *NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS*3                    *DISEASES*

4                    *For an additional amount for fiscal year 2016 for*  
5                    *“National Institute of Allergy and Infectious Diseases”,*  
6                    *\$200,000,000, to remain available until September 30,*  
7                    *2017, to prevent, prepare for, and respond to Zika virus,*  
8                    *other vector-borne diseases, and related health outcomes, do-*  
9                    *mestically and internationally, including expenses related*  
10                   *to carrying out section 301 and title IV of the PHS Act:*  
11                   *Provided, That such amount is designated by the Congress*  
12                   *as an emergency requirement pursuant to section*  
13                   *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
14                   *Deficit Control Act of 1985.*

15                    *OFFICE OF THE SECRETARY*16                    *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*17                    *(INCLUDING TRANSFER OF FUNDS)*

18                    *For an additional amount for fiscal year 2016 for*  
19                    *“Public Health and Social Services Emergency Fund”,*  
20                    *\$150,000,000, to remain available until September 30,*  
21                    *2017, to prevent, prepare for, and respond to Zika virus,*  
22                    *other vector-borne diseases, and related health outcomes, do-*  
23                    *mestically and internationally; to develop necessary coun-*  
24                    *termeasures and vaccines, including the development and*  
25                    *purchase of vaccines, therapeutics, diagnostics, necessary*

1 *medical supplies, and administrative activities; for car-*  
2 *rying out titles II, III, and XVII of the PHS Act with re-*  
3 *spect to domestic preparedness and global health; and for*  
4 *additional payments for distribution as provided for under*  
5 *the “Social Services Block Grant Program”: Provided, That*  
6 *funds appropriated in this paragraph may be used to pro-*  
7 *vide security countermeasures (as defined in section 319F-*  
8 *2(c)(1)(B) of the PHS Act, as amended by this Act): Pro-*  
9 *vided further, That paragraphs (1) and (7)(C) of subsection*  
10 *(c) of section 319F-2 of the PHS Act, but no other provi-*  
11 *sions of such section, shall apply to such security counter-*  
12 *measures procured with funds appropriated in this para-*  
13 *graph: Provided further, That products purchased with*  
14 *funds appropriated in this paragraph may, at the discre-*  
15 *tion of the Secretary of Health and Human Services, be*  
16 *deposited in the Strategic National Stockpile under section*  
17 *319F-2 of the PHS Act: Provided further, That counter-*  
18 *measures related to the Zika virus procured with funds ap-*  
19 *propriated in this paragraph shall be deemed to be security*  
20 *countermeasures as defined in section 319F-2(c)(1) of the*  
21 *PHS Act, and paragraph (7)(C), but no other provision,*  
22 *of such section 319F-2(c) shall apply to procurements of*  
23 *such countermeasures: Provided further, That \$75,000,000*  
24 *shall be transferred to “Social Services Block Grant” for*  
25 *health services, notwithstanding section 2005(a)(4) of the*

1 *Social Security Act, in territories with active or local trans-*  
2 *mission cases of the Zika virus, as confirmed by the Centers*  
3 *for Disease Control and Prevention: Provided further, That*  
4 *the Secretary of Health and Human Services shall dis-*  
5 *tribute funds transferred to the “Social Services Block*  
6 *Grant” in this paragraph to such territories in accordance*  
7 *with objective criteria that are made available to the public:*  
8 *Provided further, That such amount is designated by the*  
9 *Congress as an emergency requirement pursuant to section*  
10 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
11 *Deficit Control Act of 1985.*

12 *GENERAL PROVISIONS—THIS CHAPTER*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 501. For purposes of preventing, preparing for,*  
15 *and responding to Zika virus, other vector-borne diseases,*  
16 *and related health outcomes domestically and internation-*  
17 *ally, the Secretary of Health and Human Services may use*  
18 *funds provided in this chapter to acquire, lease, construct,*  
19 *alter, renovate, equip, furnish, or manage facilities outside*  
20 *of the United States, as necessary to conduct such programs,*  
21 *in consultation with the Secretary of State, either directly*  
22 *for the use of the United States Government or for the use,*  
23 *pursuant to grants, direct assistance, or cooperative agree-*  
24 *ments, of public or nonprofit private institutions or agen-*  
25 *cies in participating foreign countries.*

1       *SEC. 502. Funds appropriated by this chapter may be*  
2 *used by the heads of the Department of Health and Human*  
3 *Services, Department of State, and the Agency for Inter-*  
4 *national Development to appoint, without regard to the*  
5 *provisions of sections 3309 through 3319 of title 5 of the*  
6 *United States Code, candidates needed for positions to per-*  
7 *form critical work relating to Zika response for which—*

8               *(1) public notice has been given; and*  
9               *(2) the Secretary of Health and Human Services*  
10       *has determined that such a public health threat exists.*

11       *SEC. 503. Funds appropriated in this chapter may be*  
12 *transferred to, and merged with, other appropriation ac-*  
13 *counts under the headings “Centers for Disease Control and*  
14 *Prevention”, “Public Health and Social Services Emer-*  
15 *gency Fund”, “Health Resources and Services Administra-*  
16 *tion”, and “National Institutes of Health” for the purposes*  
17 *specified in this chapter following consultation with the Of-*  
18 *fice of Management and Budget: Provided, That the Com-*  
19 *mittees on Appropriations shall be notified 10 days in ad-*  
20 *vance of any such transfer: Provided further, That, upon*  
21 *a determination that all or part of the funds transferred*  
22 *from an appropriation are not necessary, such amounts*  
23 *may be transferred back to that appropriation: Provided*  
24 *further, That none of the funds made available by this chap-*  
25 *ter may be transferred pursuant to the authority in section*

1 206 of division G of Public Law 113–235 or section 241(a)  
2 of the PHS Act.

3       SEC. 504. Not later than 30 days after enactment of  
4 this Act, the Secretary of Health and Human Services shall  
5 provide a detailed spend plan of anticipated uses of funds  
6 made available in this chapter, including estimated per-  
7 sonnel and administrative costs, to the Committees on Ap-  
8 propriations: Provided, That such plans shall be updated  
9 and submitted to the Committee on Appropriations of the  
10 Senate every 90 days until September 30, 2017, and every  
11 180 days thereafter until all funds have been fully expended.

12                                   CHAPTER 2

13                                   **DEPARTMENT OF STATE**

14                                   ADMINISTRATION OF FOREIGN AFFAIRS

15                                   DIPLOMATIC AND CONSULAR PROGRAMS

16       For an additional amount for fiscal year 2016 for  
17 “Diplomatic and Consular Programs”, \$14,594,000, to re-  
18 main available until September 30, 2017, for necessary ex-  
19 penses to support response efforts related to the Zika virus  
20 and related health outcomes, other vector-borne diseases, or  
21 other infectious diseases: Provided, That up to \$4,000,000  
22 may be made available for medical evacuation costs of any  
23 other Department or agency of the United States under  
24 Chief of Mission authority, and may be transferred to any  
25 other appropriation of such Department or agency for such



1 *tional amount of gross obligations for the principal amount*  
2 *of direct loans not to exceed \$1,880,406: Provided further,*  
3 *That such amount is designated by the Congress as an emer-*  
4 *gency requirement pursuant to section 251(b)(2)(A)(i) of*  
5 *the Balanced Budget and Emergency Deficit Control Act*  
6 *of 1985.*

7 *UNITED STATES AGENCY FOR INTERNATIONAL*

8 *DEVELOPMENT*

9 *FUNDS APPROPRIATED TO THE PRESIDENT*

10 *OPERATING EXPENSES*

11 *For an additional amount for fiscal year 2016 for*  
12 *“Operating Expenses”, \$10,000,000, to remain available*  
13 *until September 30, 2017, for necessary expenses to support*  
14 *response efforts related to the Zika virus and related health*  
15 *outcomes, other vector-borne diseases, or other infectious dis-*  
16 *eases: Provided, That such amount is designated by the*  
17 *Congress as an emergency requirement pursuant to section*  
18 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
19 *Deficit Control Act of 1985.*

20 *BILATERAL ECONOMIC ASSISTANCE*

21 *FUNDS APPROPRIATED TO THE PRESIDENT*

22 *GLOBAL HEALTH PROGRAMS*

23 *For an additional amount for fiscal year 2016 for*  
24 *“Global Health Programs”, \$211,000,000, to remain avail-*  
25 *able until expended, for necessary expenses for assistance*

1 *or research to prevent, treat, or otherwise respond to the*  
2 *Zika virus and related health outcomes, other vector-borne*  
3 *diseases, or other infectious diseases: Provided, That such*  
4 *funds may be made available for multi-year funding com-*  
5 *mitments to incentivize the development of global health*  
6 *technologies, following consultation with the Committees on*  
7 *Appropriations: Provided further, That none of the funds*  
8 *appropriated in this chapter may be made available for the*  
9 *Grand Challenges for Development program: Provided fur-*  
10 *ther, That such amount is designated by the Congress as*  
11 *an emergency requirement pursuant to section*  
12 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
13 *Deficit Control Act of 1985.*

14 *INTERNATIONAL SECURITY ASSISTANCE*

15 *DEPARTMENT OF STATE*

16 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

17 *RELATED PROGRAMS*

18 *For an additional amount for fiscal year 2016 for*  
19 *“Nonproliferation, Anti-terrorism, Demining and Related*  
20 *Programs”, \$4,000,000, to remain available until Sep-*  
21 *tember 30, 2017, for necessary expenses to support response*  
22 *and research efforts related to the Zika virus and related*  
23 *health outcomes, other vector-borne diseases, or other infec-*  
24 *tious diseases: Provided, That such amount is designated*  
25 *by the Congress as an emergency requirement pursuant to*

1 *section 251(b)(2)(A)(i) of the Balanced Budget and Emer-*  
2 *gency Deficit Control Act of 1985.*

3 *MULTILATERAL ASSISTANCE*

4 *FUNDS APPROPRIATED TO THE PRESIDENT*

5 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

6 *For an additional amount for fiscal year 2016 for*  
7 *“International Organizations and Programs”, \$13,500,000,*  
8 *to remain available until September 30, 2017 for necessary*  
9 *expenses to support response and research efforts related to*  
10 *the Zika virus and related health outcomes, other vector-*  
11 *borne diseases, or other infectious diseases: Provided, That*  
12 *section 307(a) of the Foreign Assistance Act of 1961 shall*  
13 *not apply to funds appropriated under this heading: Pro-*  
14 *vided further, That such amount is designated by the Con-*  
15 *gress as an emergency requirement pursuant to section*  
16 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *GENERAL PROVISIONS—THIS CHAPTER*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 505. (a) Funds appropriated by this chapter*  
21 *under the headings “Global Health Programs”, “Non-*  
22 *proliferation, Anti-terrorism, Demining and Related Pro-*  
23 *grams”, “International Organizations and Programs”, and*  
24 *“Operating Expenses” may be transferred to, and merged*



1 *be available for obligation unless the Secretary of State or*  
2 *the USAID Administrator, as appropriate, notifies the*  
3 *Committees on Appropriations in writing at least 15 days*  
4 *in advance of such obligation.*

5 *SPEND PLAN REQUIREMENT*

6 *SEC. 507. Not later than 45 days after enactment of*  
7 *this Act and prior to the obligation of funds made available*  
8 *by this chapter to respond to the Zika virus outbreak, other*  
9 *vector-borne diseases, or other infectious diseases, the Sec-*  
10 *retary of State and the USAID Administrator, as appro-*  
11 *priate, shall submit spend plans to the Committees on Ap-*  
12 *propriations on the anticipated uses of funds on a country*  
13 *and project basis, including estimated personnel and ad-*  
14 *ministrative costs: Provided, That such plans shall be up-*  
15 *dated and submitted to the Committee on Appropriations*  
16 *every 90 days until September 30, 2017, and every 180 days*  
17 *thereafter until all funds have been fully expended.*

18 *COMPTROLLER GENERAL OVERSIGHT*

19 *SEC. 508. Of the funds appropriated by this chapter,*  
20 *up to \$500,000 shall be made available to the Comptroller*  
21 *General of the United States, to remain available until ex-*  
22 *pended, for oversight of activities supported pursuant to*  
23 *this chapter with funds appropriated by this chapter: Pro-*  
24 *vided, That the Secretary of State and USAID Adminis-*  
25 *trator, as appropriate, and the Comptroller General shall*

1 *consult with the Committees on Appropriations prior to ob-*  
 2 *ligating such funds.*

3 *RESCISSION*

4 *SEC. 509. Of the unobligated balances available under*  
 5 *the heading “Operating Expenses” in title IX of the Depart-*  
 6 *ment of State, Foreign Operations, and Related Programs*  
 7 *Appropriations Act, 2015 (division J of Public Law 113–*  
 8 *235), \$10,000,000 are rescinded: Provided, That such*  
 9 *amounts are designated by the Congress as an emergency*  
 10 *requirement pursuant to section 251(b)(2)(A)(i) of the Bal-*  
 11 *anced Budget and Emergency Deficit Control Act of 1985.*

12 *CHAPTER 3*

13 ***GENERAL PROVISIONS—THIS TITLE***

14 *EXTENSION OF AUTHORITIES AND PROVISIONS*

15 *SEC. 510. Unless otherwise provided for by this title,*  
 16 *the additional amounts appropriated pursuant to this title*  
 17 *for fiscal year 2016 are subject to the requirements for funds*  
 18 *contained in the Consolidated Appropriations Act, 2016*  
 19 *(Public Law 114–113).*

20 *PERSONAL SERVICE CONTRACTORS*

21 *SEC. 511. Funds made available by this title to sup-*  
 22 *port response efforts related to the Zika virus and related*  
 23 *health outcomes, other vector-borne diseases, or other infec-*  
 24 *tious diseases may be used to enter into contracts with indi-*  
 25 *viduals for the provision of personal services (as described*

1 *in section 104 of part 37 of title 48, Code of Federal Regula-*  
2 *tions (48 CFR 37.104)), within the United States and*  
3 *abroad, subject to prior consultation with, and the notifica-*  
4 *tion procedures of, the Committees on Appropriations: Pro-*  
5 *vided, That such individuals may not be deemed employees*  
6 *of the United States for the purpose of any law adminis-*  
7 *tered by the Office of Personnel Management.*

8 *DESIGNATION REQUIREMENT*

9 *SEC. 512. Each amount designated in this title by the*  
10 *Congress as an emergency requirement pursuant to section*  
11 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
12 *Deficit Control Act of 1985 shall be available (or rescinded,*  
13 *if applicable) only if the President subsequently so des-*  
14 *ignates all such amounts and transmits such designations*  
15 *to the Congress.*

16 *EFFECTIVE DATE*

17 *SEC. 513. This title shall become effective immediately*  
18 *upon enactment of this Act.*

Attest:

*Secretary.*



114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 2577**

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**AMENDMENT**