Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2017

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

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
Departments of Transportation, and Housing and Urban
Development, and related agencies for the fiscal year end-
ing September 30, 2018, and for other purposes, namely:

TITLE I
DEPARTMENT OF TRANSPORTATION
Office of the Secretary

For necessary expenses of the Office of the Secretary, $108,899,000, 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 $10,033,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,019,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $24,255,000 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 $18,485,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 10 percent by all such transfers: Provided further, That notice of any change in funding greater than 10 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology,
$8,465,109, of which $2,618,000 shall remain available until September 30, 2020: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau authorized by 49 U.S.C. 116, $1,000,000 Provided, That the Secretary is required to notify the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h).

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of
network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2019.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,500,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $8,500,001: Provided, That of such amount, $3,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting
and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $202,245,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.
MINORITY BUSINESS RESOURCE CENTER PROGRAM

For necessary expenses of the Minority Business Resource Center, the provision of financial education outreach activities to eligible transportation-related small businesses, the monitoring of existing loans in the guaranteed loan program, and the modification of such loans of the Minority Business Resource Center, $500,301, as authorized by 49 U.S.C. 332; Provided, That notwithstanding that section, these funds may be for business opportunities related to any mode of transportation.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $3,999,093, to remain available until September 30, 2019: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $150,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining
between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: \textit{Provided further}, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: \textit{Provided further}, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: \textit{Provided further}, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: \textit{Provided further}, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

\textbf{ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION (INCLUDING TRANSFER OF FUNDS)}

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

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department’s Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: Provided, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees; Provided further, That such reserve will not ex-
ceed one month of benefits payable and may be used only
for the purpose of providing for the continuation of transit
benefits; Provided further, That the Working Capital Fund
will be fully reimbursed by each customer agency for the
actual cost of the transit benefit.

Sec. 104. Hereafter, the Secretary may transfer to
the National Surface Transportation and Innovative Fi-
nance Bureau, for the purposes of the Bureau, funds allo-
cated to the administrative costs of processing applications
for the programs referred to in 49 U.S.C. 116(d)(1) and
funds allocated to any office or office function that the
Secretary determines has duties, responsibilities, re-
sources, or expertise that support the purposes of the Bu-
reau: Provided, That any such funds, or portions thereof,
transferred to the Bureau may be transferred back to and
merged with the original account.

Sec. 105. Section 503(l)(4) of the Railroad Revital-
ization and Regulatory Reform Act of 1976 (45 U.S.C.
823(l)(4)) is amended—

(1) by striking the heading “SAFETY AND Op-
erations Account” and inserting the heading
“National Surface Transportation and Inno-
Vative Finance Bureau Account, Office of
the Secretary”; and
(2) in subparagraph (A) by striking “the Safety and Operations account of the Federal Railroad Administration” and inserting “the National Surface Transportation and Innovative Finance Bureau account.”

Federal Aviation Administration

Operations

(Airport and Airway Trust Fund)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $10,185,482,000, to remain available until September 30, 2019, of which $8,859,900,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,691,814,000 shall be available for air traffic organization activities; not to exceed $1,309,749,000 shall be available for aviation safety activities; not to exceed $21,587,000 shall be available for commercial space transportation activities; not to
exceed $777,506,000 shall be available for finance and
management activities; not to exceed $59,951,000 shall be
available for NextGen and operations planning activities;
not to exceed $112,622,000 shall be available for security
and hazardous materials safety; and not to exceed
$212,253,000 shall be available for staff offices: Provided,
That not to exceed 5 percent of any budget activity, except
for aviation safety budget activity, may be transferred to
any budget activity under this heading: Provided further,
That no transfer may increase or decrease any appropria-
tion by more than 5 percent: Provided further, That any
transfer in excess of 5 percent shall be treated as a re-
programming of funds under section 405 of this Act and
shall not be available for obligation or expenditure except
in compliance with the procedures set forth in that section:
Provided further, That not later than March 31 of each
fiscal year hereafter, the Administrator of the Federal
Aviation Administration shall transmit to Congress an an-
nual update to the report submitted to Congress in De-
cember 2004 pursuant to section 221 of Public Law 108–
176: Provided further, That the amount herein appro-
priated shall be reduced by $100,000 for each day after
March 31 that such report has not been submitted to the
Congress: Provided further, That not later than March 31
of each fiscal year hereafter, the Administrator shall
transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for

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issuance, renewal or modification of certificates, including
airman, aircraft, and repair station certificates, or for
tests related thereto, or for processing major repair or al-
teration forms: Provided further, That of the funds appro-
priated under this heading, not less than $162,000,000
shall be for the contract tower program, including the con-
tact tower cost share program: Provided further, That
none of the funds in this Act for aeronautical charting
and cartography are available for activities conducted by,
or coordinated through, the Working Capital Fund: Pro-
vided further, That none of the funds appropriated or oth-
erwise made available by this Act or any other Act may
be used to eliminate the Contract Weather Observers pro-
gram at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for,
for acquisition, establishment, technical support services,
improvement by contract or purchase, and hire of national
airspace systems and experimental facilities and equip-
ment, as authorized under part A of subtitle VII of title
49, United States Code, including initial acquisition of
necessary sites by lease or grant; engineering and service
testing, including construction of test facilities and acqui-
sition of necessary sites by lease or grant; construction
and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,855,000,000, of which $493,000,000 shall remain available until September 30, 2019, $2,247,000,000 shall remain available until September 30, 2020, and $115,000,000 shall remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2019 through 2023, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.
RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $170,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2020: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices
and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2018, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government’s share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding
any other provision of law, of funds limited under this
heading, not more than $111,863,000 shall be available
for administration, not less than $15,000,000 shall be
available for the Airport Cooperative Research Program,
and not less than $33,210,000 shall be available for Air-
port Technology Research.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
ADMINISTRATION

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

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

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

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

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

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.
SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner’s or operator’s aircraft registration number from any display of the Federal Aviation Administration’s Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

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

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

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

Sec. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants, pending as of January 1, 2016, as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport

SEC. 119D. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit an Organization Designation Authorization holder from utilizing authorized delegated functions, unless the FAA documents, through surveillance, oversight or accident/incident finding, a systemic airworthiness noncompliance performance issue on the part of the ODA holder with regard to a specific function or where an ODA’s capability has not been previously established in terms of a new compliance method or design feature: Provided, that where the FAA has limited the authority of the ODA the FAA shall work with the ODA holder to develop the capability to execute that function safely and effectively.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $439,443,925, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred
to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

**FEDERAL-AID HIGHWAYS**

**(LIMITATION ON OBLIGATIONS)**

**(HIGHWAY TRUST FUND)**

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America’s Surface Transportation Act shall not exceed total obligations of $44,234,212,000 for fiscal year 2018: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.
LIQUIDATION OF CONTRACT AUTHORIZATION

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $44,973,212,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of $800,000,000 is hereby permanently rescinded on November 30, 2017: Provided, That such rescission shall not apply to funds distributed in accordance with sections 104(b)(3) and 130(f) of title 23, United States Code; section 133(d)(1)(A) of such title; the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141); sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59); and section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141): Provided further, That such rescission shall not apply to
funds that are exempt from the obligation limitation or subject to special no-year obligation limitation: Provided further, That the amount to be rescinded from a State shall be determined by multiplying the total amount of the rescission by the ratio that the unobligated balances subject to the rescission as of September 30, 2017, for the State; bears to the unobligated balances subject to the rescission as of September 30, 2017, for all States: Provided further, That the amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the rescission amount calculated for such State by the ratio that the unobligated balance as of September 30, 2017, for such program in such State; bears to the unobligated balances as of September 30, 2017, for all programs to which the rescission applies in such State.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Sec. 120. (a) For fiscal year 2018, the Secretary of Transportation shall—

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

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

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

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

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

(3) determine the proportion that—

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

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1)
through (11) of subsection (b) and sums au-

thorized to be appropriated for section 119 of
title 23, United States Code, equal to the
amount referred to in subsection (b)(12) for
such fiscal year), less the aggregate of the
amounts not distributed under paragraphs (1)
and (2) of this subsection;

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

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

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

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

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

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

(b) Exceptions From Obligation Limitation.—
The obligation limitation for Federal-aid highways shall
not apply to obligations under or for—

(1) section 125 of title 23, United States Code;
(2) section 147 of the Surface Transportation
Assistance Act of 1978 (23 U.S.C. 144 note; 92
Stat. 2714);
(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

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

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

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

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

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

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;
(10) section 105 of title 23, United States Code
(as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2018, only in an amount equal to $639,000,000).

(e) Redistributions of unused obligation authority.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

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

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

(d) **Applicability of Obligation Limitations to Transportation Research Programs.**—

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

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

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

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

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

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

(e) **Redistribution of Certain Authorized Funds.**—

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

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

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

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

(3) Availability.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.
suant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

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

Sec. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on
Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 125. For this fiscal year, the Federal Highway Administration shall reinstate Interim Approval IA-5, relating to the provisional use of an alternative lettering style on certain highway guide signs, as it existed before its termination, as announced in the Federal Register on January 25, 2016 [(81 Fed. Reg. 4083)].

SEC. 126. Section 127(t) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting “NORTH DAKOTA AND” before “IDAHO”;
(2) in the matter preceding paragraph (1) by inserting “North Dakota or” before “Idaho”; and

(3) in paragraph (3) by striking “Idaho State law” and inserting “the law of the relevant State”.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act, $283,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $283,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2018, of which $9,073,000, to remain available for obligation until September 30, 2020,
is for the research and technology program, and of which $34,824,000, to remain available for obligation until September 30, 2020, is for information management.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act, $374,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $374,800,000 in fiscal year 2018 for “Motor Carrier Safety Grants”; of which $298,900,000 shall be available for the motor carrier safety assistance program, $31,800,000 shall be available for the commercial driver’s license program implementation program, $43,100,000 shall be available for the high priority activities program, and $1,000,000 shall be available for the commercial motor vehicle operators grant program: Provided further, That of the amounts provided for Commercial Vehicle Information Systems Network Development or
other Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA-LU (Public Law 109–59), or other appropriation or authorization acts prior to Fiscal Year 2017, $100,000,000 in additional obligation limitation is provided for a highly automated commercial vehicle research and development program, in accordance with 49 U.S.C. 31108, and shall remain available until September 30, 2022: Provided further, That the activities funded by the previous proviso may be accomplished through direct expenditure, direct research activities, grants, cooperative agreements, contracts, intra or interagency agreements, other agreements with private and public organizations, and transfers to other Federal agencies for activities under this heading: Provided further, That such funds as necessary for payment of obligations incurred in carrying out this section shall be derived from the Highway Trust Fund (other than the Mass Transit Account), to be available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.
SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 133. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to amend, revise or otherwise modify by rulemaking, guidance, or interpretation the regulations in effect on December 4, 2015 relating to safety fitness determinations for motor carriers until the Inspector General of the Department of Transportation makes the certifications set out in section 5223(a) of Public Law 114–94.

SEC. 134. FEDERAL AUTHORITY.
(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “paragraphs (2) and (3)” and inserting “paragraphs (3) and (4)”;

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

“(2) ADDITIONAL LIMITATION.—

“(A) IN GENERAL.—A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.
“(B) Statutory construction.—Nothing in this paragraph may be construed to limit the provisions of paragraph (1).”;

(4) in paragraph (3) (as redesignated) by striking “Paragraph (1)—” and inserting “Paragraphs (1) and (2)—”; and

(5) in paragraph (4)(A) (as redesignated) by striking “Paragraph (1)” and inserting “Paragraphs (1) and (2)”.

(b) Effective Date.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $180,075,000, of which $20,000,000 shall remain available through September 30, 2019.
For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the Fixing America’s Surface Transportation (FAST) Act, and chapter 303 of title 49, United States Code, $149,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2018, are in excess of $149,000,000, of which $143,700,000 shall be for programs authorized under 23 U.S.C. 403 and $5,300,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the $149,000,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2019, and shall be in addition to the amount of any limitation imposed on obligations for future years.
HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404 and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act, to remain available until expended, $597,629,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided,

That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2018, are in excess of $597,629,000 for programs authorized under 23 U.S.C. 402, 404 and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act, of which $261,200,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402; $280,200,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; $29,900,000 shall be for “High Visibility Enforcement Program” under 23 U.S.C. 404; $26,329,000 shall be for “Administrative Expenses” under section 4001(a)(6) of the Fixing America’s Surface Transportation Act: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for of-
fice furnishings and fixtures for State, local or private
buildings or structures: Provided further, That not to ex-
ceed $500,000 of the funds made available for “National
Priority Safety Programs” under 23 U.S.C. 405 for “Im-
paired Driving Countermeasures” (as described in sub-
section (d) of that section) shall be available for technical
assistance to the States: Provided further, That with re-
spect to the “Transfers” provision under 23 U.S.C.
405(a)(8), any amounts transferred to increase the
amounts made available under section 402 shall include
the obligation authority for such amounts: Provided fur-
ther, That the Administrator shall notify the House and
Senate Committees on Appropriations of any exercise of
the authority granted under the previous proviso or under
23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY
TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made
available to the National Highway Traffic Safety Adminis-
tration, out of the amount limited for section 402 of title
23, United States Code, to pay for travel and related ex-
penses for State management reviews and to pay for core
competency development training and related expenses for
highway safety staff.
SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration’s National Roadside Survey.

SEC. 143. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $218,298,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,100,000, to remain available until expended.
RAILROAD REHABILITATION AND IMPROVEMENT
FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2018, except for federal funds awarded in accordance with section 3028(c) of Public Law 114–94.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair grants as authorized by section 24911 of title 49, United States Code, $500,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: Provided further, That in selecting an applicant for
a grant, the Secretary shall first give preference to eligible projects for which the environmental impact statement required under the National Environmental Policy Act and design work is already complete at the time of the grant application review, or to projects that address major critical assets which have conditions that pose a substantial risk now or in the future to the reliability of train service.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants as authorized by section 24407 of title 49, United States Code, $25,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24407 of title 49, United States Code.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–
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1 94), $328,000,000, to remain available until expended:
2 Provided, That the Secretary may retain up to one-half
3 of 1 percent of the funds provided under both this heading
4 and the “National Network Grants to the National Rail-
5 road Passenger Corporation” heading to fund the costs
6 of project management and oversight of activities author-
7 ized by section 11101(e) of division A of Public Law 114–
8 94: Provided further, That in addition to the project man-
9 agement oversight funds authorized under section
10 11101(e) of division A of Public Law 114–94, the Sec-
11 retary may retain up to an additional $5,000,000 of the
12 funds provided under this heading to fund expenses associ-
13 ated with the Northeast Corridor Commission established
14 under section 24905 of title 49, United States Code: Pro-
15 vided further, That of the amounts made available under
16 this heading and the “National Network Grants to the Na-
17 tional Railroad Passenger Corporation” heading, not less
18 than $50,000,000 shall be made available to bring Am-
19 trak-served facilities and stations into compliance with the
20 Americans with Disabilities Act.
21 NATIONAL NETWORK GRANTS TO THE NATIONAL
22 RAILROAD PASSENGER CORPORATION
23 To enable the Secretary of Transportation to make
24 grants to the National Railroad Passenger Corporation for
25 activities associated with the National Network as author-
ized by section 11101(b) of the Fixing America’s Surface
Transportation Act (division A of Public Law 114–94),
$1,100,000,000, to remain available until expended: Pro-
vided, That the Secretary may retain up to an additional
$2,000,000 of the funds provided under this heading to
fund expenses associated with the State-Supported Route
Committee established under section 24712 of title 49,
United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
ADMINISTRATION

SEC. 150. None of the funds provided to the National
Railroad Passenger Corporation may be used to fund any
overtime costs in excess of $35,000 for any individual em-
ployee: Provided, That the President of Amtrak may waive
the cap set in the previous proviso for specific employees
when the President of Amtrak determines such a cap
poses a risk to the safety and operational efficiency of the
system: Provided further, That the President of Amtrak
shall report to the House and Senate Committees on Ap-
propriations each quarter within 30 days of such quarter
of the calendar year on waivers granted to employees and
amounts paid above the cap for each month within such
quarter and delineate the reasons each waiver was grant-
ed: Provided further, That the President of Amtrak shall
report to the House and Senate Committees on Appropria-
tions by March 1, 2018, a summary of all overtime pay-
ments incurred by the Corporation for 2017 and the three
prior calendar years: Provided further, That such sum-
mary shall include the total number of employees that re-
ceived waivers and the total overtime payments the Cor-
poration paid to those employees receiving waivers for
each month for 2017 and for the three prior calendar
years.

Sec. 151. None of the funds made available by this
Act may be used for high-speed rail in the State of Cali-
ifornia or for the California High-Speed Rail Authority,
nor may any be used by the Federal Railroad Administra-
tion to administer a grant agreement with the California
High-Speed Rail Authority that contains a tapered match-
ing requirement.

Sec. 152. None of the funds made available by this
Act shall be used by the Surface Transportation Board
to take any actions with respect to the construction of a
high speed rail project in California unless the permit is
issued by the Board with respect to the project in its en-
tirety.

Federal Transit Administration

Administrative Expenses

For necessary administrative expenses of the Federal
Transit Administration’s programs authorized by chapter
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53 of title 49, United States Code, $110,794,692: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2019 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2019.

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 section 3006(b) of the Fixing America’s Surface Transportation Act, $10,300,000,000, 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 section 3006(b) of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of $9,733,353,407 in fiscal year 2018.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $1,752,989,851, to remain available until expended, of which $1,007,929,851 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $145,700,000 shall be available for projects authorized under section 5309(e) of such title, $182,000,000 shall be available for projects authorized under section 5309(h) of the title, and $400,000,000 shall be available for projects authorized under section 5309(q): Provided, That the Secretary shall continue to administer the Capital Investment Grant Program in accordance with the procedural and substantive requirements of section 5309 of title 49.
GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

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

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
ADMINISTRATION

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

SEC. 161. Notwithstanding any other provision of
law, funds appropriated or limited by this Act under the
heading “Fixed Guideway Capital Investment” of the Fed-
eral Transit Administration for projects specified in this
Act or identified in reports accompanying this Act not ob-
ligated by September 30, 2022, and other recoveries, shall
be directed to projects eligible to use the funds for the
purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of
law, any funds appropriated before October 1, 2017, under
any section of chapter 53 of title 49, United States Code,
that remain available for expenditure, may be transferred
to and administered under the most recent appropriation
heading for any such section.
SEC. 163. (a) Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

(b) The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

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

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

SEC. 164. Notwithstanding any other provision of
law, none of the funds made available in this Act shall
be used to enter into a full funding grant agreement for
a project with a New Starts share greater than 50 percent.

SAINT LAWRENCE SEAWAY DEVELOPMENT

CORPORATION

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

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations,
maintenance, and capital asset renewal activities of those
portions of the St. Lawrence Seaway owned, operated, and
maintained by the Saint Lawrence Seaway Development
Corporation, $31,346,012, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662. Of that amount, $12,500,000 to be used on asset renewal activities shall be made available through September 30, 2019.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $175,620,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $6,000,000 shall remain available until expended for National Security Multi-Mission Vessel Program for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2019, for the Student Incentive Program at State Maritime Academies, and of which $1,800,000 shall remain available until expended for training ship fuel assistance payments, and of which $18,000,000 shall remain available until expended for fa-
ilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $3,000,000 shall remain available through September 30, 2019, for Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code: Provided, That not later than February 1, 2018, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $3,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated

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under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $9,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged for use by the Office of the Secretary’s National Surface Transportation and Innovative Finance Bureau to administer the Title XI program in addition to those programs listed in 49 U.S.C. 116(d)(1).

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Sec. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be cred-
ited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further,*

That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

**Sec. 171.** None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: *Provided,* That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: *Provided further,* That nothing contained herein shall affect the Maritime Administration’s authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or
otherwise authorized under the Federal Acquisition Regulation.

Sec. 172. Penalty Wages.—

(a) Foreign and Intercostal Voyages.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—

(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit,” and inserting “by the seaman”.

(b) Coastwise Voyages.—Section 10504(c) of such title is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—
(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit” and inserting “by the seaman”.

**Pipeline and Hazardous Materials Safety Administration**

**Operational Expenses**

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $20,500,000.

**Hazardous Materials Safety**

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $57,000,000, of which $7,570,000 shall remain available until September 30, 2020: Provided, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.
PIPETLINE SAFETY

(Pipeline Safety Fund)

(Oil Spill Liability Trust Fund)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $162,000,000, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2020; and of which $131,000,000 shall be derived from the Pipeline Safety Fund, of which $64,736,000 shall remain available until September 30, 2020; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account and shall remain available for carrying out 49 U.S.C. 60141, of which $6,000,000 shall remain available until September 30, 2020.

Emergency Preparedness Grants

(Emergency Preparedness Fund)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2018 from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and
Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $92,152,000: Provided, That the Inspector General shall have all necessary au-
authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Provided further, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

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

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, op-
eration, and deployment of unmanned aircraft systems that advance the Department’s, or its operating administra-
tions’, missions.

(e) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

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

Sec. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

Sec. 183. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may
be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 184. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant totaling $500,000 or more unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any “quick release” of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary
grant unless the Secretary of Transportation provides the
House and Senate Committees on Appropriations a com-
prehensive list of all such loans, loan guarantees, lines of
credit, or discretionary grants that will be announced not
less the 3 full business days before such announcement:

Provided, That the requirement to provide a list in this
subsection does not apply to any “quick release” of funds
from the emergency relief program: Provided further, That
no list shall involve funds that are not available for obliga-
tion.

SEC. 185. Rebates, refunds, incentive payments,
minor fees and other funds received by the Department
of Transportation from travel management centers,
charge card programs, the subleasing of building space,
and miscellaneous sources are to be credited to appropria-
tions of the Department of Transportation and allocated
to elements of the Department of Transportation using
fair and equitable criteria and such funds shall be avail-
able until expended.

SEC. 186. Amounts made available in this or any
other Act that the Secretary determines represent im-
proper payments by the Department of Transportation to
a third-party contractor under a financial assistance
award, which are recovered pursuant to law, shall be avail-
able—
(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

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

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

SEC. 187. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the
costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 189. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 190. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;
(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

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

This title may be cited as the “Department of Transportation Appropriations Act, 2018”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,708,000: Provided, That not to exceed $25,000 of the
amount made available under this heading shall be avail-
able to the Secretary for official reception and representa-
tion expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES
(INCLUDING TRANSFER OF FUNDS)

For necessary salaries and expenses for Administrative Support Offices, $518,303,000, of which $10,762,000 shall be available for, including the establishment of, the Office of the Chief Operations Officer; $50,340,000 shall be available for the Office of the Chief Financial Officer; $92,006,000 shall be available for the Office of the General Counsel; $205,873,000 shall be available for the Office of Administration; $38,245,000 shall be available for the Office of the Chief Human Capital Officer; $49,588,000 shall be available for the Office of Field Policy and Management; $19,065,000 shall be available for the Office of the Chief Procurement Officer; $3,570,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,975,000 shall be available for the Office of Strategic Planning and Management; and $43,879,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for,
including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: Provided further, That in addition to the transfer authority under section 221 of this Act, of the amount appropriated for the Office of the Chief Operations Officer under this heading, the Secretary may transfer up to $10,000,000 to the heading “Information Technology Fund”: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $216,633,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $107,554,000.
For necessary salaries and expenses of the Office of Housing, $392,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $24,065,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,808,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $7,600,000.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency’s printing, records management, space renovation, furniture, supply services, or other shared services as the Secretary deter-
mines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Office Salaries and Expenses”, and “Government National Mortgage Association”, the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the matter preceding the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f): *Provided further*, That up to $6,550,000 in the Fund may be available for the management reporting initiative to improve the effectiveness of enterprise data governance, analysis, and re-
porting, including information technology investments to
make such improvements: Provided further, That to carry
out the previous proviso, the Secretary shall transfer any
amounts for related information technology investments to
the heading “Information Technology Fund”.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of ten-
ant-based rental assistance authorized under the United
States Housing Act of 1937, as amended (42 U.S.C. 1437
et seq.) (“the Act” herein), not otherwise provided for,
$16,486,725,000, to remain available until expended, shall
be available on October 1, 2017 (in addition to the
$4,000,000,000 previously appropriated under this head-
ing that shall be available on October 1, 2017), and
$4,000,000,000, to remain available until expended, shall
be available on October 1, 2018: Provided, That the
amounts made available under this heading are provided
as follows:

(1) $18,709,725,000 shall be available for re-
newals of expiring section 8 tenant-based annual
contributions contracts (including renewals of en-
hanced vouchers under any provision of law author-
izing such assistance under section 8(t) of the Act)
and including renewal of other special purpose incre-
mental vouchers: Provided, That notwithstanding
any other provision of law, from amounts provided
under this paragraph and any carryover, the Sec-
retary for the calendar year 2018 funding cycle shall
provide renewal funding for each public housing
agency based on validated voucher management sys-
tem (VMS) leasing and cost data for the prior cal-
endar year and by applying an inflation factor as es-
established by the Secretary, by notice published in
the Federal Register, and by making any necessary
adjustments for the costs associated with the first-
time renewal of vouchers under this paragraph in-
cluding tenant protection, HOPE VI, and Choice
Neighborhoods vouchers: Provided further, That
none of the funds provided under this paragraph
may be used to fund a total number of unit months
under lease which exceeds a public housing agency’s
authorized level of units under contract, except for
public housing agencies participating in the MTW
demonstration, which are instead governed by the
terms and conditions of their MTW agreements:
Provided further, That the Secretary shall, to the ex-
tent necessary to stay within the amount specified
under this paragraph (except as otherwise modified
under this paragraph), prorate each public housing
agency’s allocation otherwise established pursuant to
this paragraph: *Provided further,* That except as
provided in the following provisos, the entire amount
specified under this paragraph (except as otherwise
modified under this paragraph) shall be obligated to
the public housing agencies based on the allocation
and pro rata method described above, and the Sec-
retary shall notify public housing agencies of their
annual budget by the later of 60 days after enact-
ment of this Act or March 1, 2018: *Provided further,*
That the Secretary may extend the notification pe-
riod with the prior written approval of the House
and Senate Committees on Appropriations: *Provided
further,* That public housing agencies participating
in the MTW demonstration shall be funded pursuant
to their MTW agreements and in accordance with
the requirements of the MTW program and shall be
subject to the same pro rata adjustments under the
previous provisos: *Provided further,* That the Sec-
retary may offset public housing agencies’ calendar
year 2018 allocations based on the excess amounts
of public housing agencies’ net restricted assets ac-
counts, including HUD held programmatic reserves
(in accordance with VMS data in calendar year 2017
that is verifiable and complete), as determined by
the Secretary: *Provided further,* That public housing
agencies participating in the MTW demonstration
shall also be subject to the offset, as determined by
the Secretary from the agencies’ calendar year 2018
MTW funding allocation: *Provided further,* That the
Secretary shall use any offset referred to in the pre-
vious two provisos throughout the calendar year to
prevent the termination of rental assistance for fam-
ilies as the result of insufficient funding, as deter-
mined by the Secretary, and to avoid or reduce the
proration of renewal funding allocations: *Provided
further,* That up to $100,000,000 shall be available
only: (1) for adjustments in the allocations for public
housing agencies, after application for an adjust-
ment by a public housing agency that experienced a
significant increase, as determined by the Secretary,
in renewal costs of vouchers resulting from unfore-
seen circumstances or from portability under section
8(r) of the Act; (2) for vouchers that were not in use
during the previous 12-month period in order to be
available to meet a commitment pursuant to section
8(o)(13) of the Act; (3) for adjustments for costs as-
associated with HUD-Veterans Affairs Supportive
Housing (HUD–VASH) vouchers; and (4) for public
housing agencies that despite taking reasonable cost
savings measures, as determined by the Secretary,
would otherwise be required to terminate rental as-
sistance for families as a result of insufficient fund-
ing: Provided further, That the Secretary shall allo-
cate amounts under the previous proviso based on
need, as determined by the Secretary;

(2) $60,000,000 shall be for section 8 rental as-
sistance for relocation and replacement of housing
units that are demolished or disposed of pursuant to
section 18 of the Act, conversion of section 23
projects to assistance under section 8, the family
unification program under section 8(x) of the Act,
relocation of witnesses in connection with efforts to
combat crime in public and assisted housing pursuant
to a request from a law enforcement or prosecu-
tion agency, enhanced vouchers under any provision
of law authorizing such assistance under section 8(t)
of the Act, HOPE VI and Choice Neighborhood
vouchers, mandatory and voluntary conversions, and
tenant protection assistance including replacement
and relocation assistance or for project-based assist-
ance to prevent the displacement of unassisted elder-
ly tenants currently residing in section 202 prop-
erties financed between 1959 and 1974 that are refi-
nanced pursuant to Public Law 106–569, as amend-
ed, or under the authority as provided under this
Act: Provided, That when a public housing develop-
ment is submitted for demolition or disposition
under section 18 of the Act, the Secretary may pro-
vide section 8 rental assistance when the units pose
an imminent health and safety risk to residents:
Provided further, That the Secretary may only pro-
vide replacement vouchers for units that were occu-
pied within the previous 24 months that cease to be
available as assisted housing, subject only to the
availability of funds: Provided further, That of the
amounts made available under this paragraph,
$5,000,000 may be available to provide tenant pro-
tection assistance, not otherwise provided under this
paragraph, to residents residing in low vacancy
areas and who may have to pay rents greater than
30 percent of household income, as the result of: (A)
the maturity of a HUD-insured, HUD-held or sec-
tion 202 loan that requires the permission of the
Secretary prior to loan prepayment; (B) the expira-
tion of a rental assistance contract for which the
tenants are not eligible for enhanced voucher or ten-
ant protection assistance under existing law; or (C)
the expiration of affordability restrictions accom-
panying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the “Project-Based Rental Assistance” heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy con-
tract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,550,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That no less than $1,540,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2018 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the
amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and in accordance with the requirements of the MTW program and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;
(4) $150,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: Provided further, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available for incremental tenant-based assistance contracts under such section 811, including necessary administrative expenses;

(5) the Secretary shall separately track all special purpose vouchers funded under this heading, including the renewal, from amounts provided under paragraph (1) under this heading, of HUD–VASH vouchers, funded under this heading in prior Acts to address veterans’ homelessness, of no less than $577,000,000;
(6) $7,000,000 shall be for renewal grants, including rental assistance and associated administrative fees for Tribal HUD–VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or Indian areas: Provided, That such amount shall be made available for renewal grants to the recipients that received assistance under the rental assistance and supportive housing demonstration program for Native American veterans authorized under the heading “Tenant-Based Rental Assistance” in title II of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235, 128 Stat. 2733): Provided further, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients under the demonstration program: Provided further, That renewal grants under this paragraph shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: Provided further, That assistance under this paragraph shall be modeled after, with necessary and appropriate adjustments for Native
American grant recipients and veterans, the rental assistance and supportive housing program known as HUD–VASH program, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the United States Housing Act of 1937: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waiver or alternative requirements are necessary for the effective delivery and administration of such assistance: Provided further, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary and;

(7) $10,000,000 shall be available to support modernization of public housing agency (PHA) information technology systems with respect to administration of program data and funding provided under this heading, including related expenses; Pro-
vided, That the Secretary may transfer up to $10,000,000 of the amounts provided under this paragraph to the “Public Housing Capital Fund” heading under this title to support modernization of PHA information technology systems with respect to administration of program data and funding under such heading, including related expenses.

HOUSING CERTIFICATE FUND
(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2018 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of addi-
ional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the “Act”) $1,850,000,000, to remain available until September 30, 2021: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2018, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That up to $8,300,000 shall be to support ongoing public housing financial and physical assessment activities: Provided further, That up to $1,000,000 shall be to support the costs of administra-
tive and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2018: Provided further, That of the amount made available under the previous proviso, not less than $5,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading $35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, up to $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That funding provided under the previous proviso shall be available for competi-
tive grants to partnerships between public housing au-
thorities, local workforce investment boards established
under section 117 of the Workforce Investment Act of
1998, and other agencies and organizations that provide
support to help public housing residents obtain employ-
ment and increase earnings: Provided further, That appli-
cants must demonstrate the ability to provide services to
residents, partner with workforce investment boards, and
leverage service dollars: Provided further, That the Sec-
retary may allow public housing agencies to request ex-
emptions from rent and income limitation requirements
under sections 3 and 6 of the United States Housing Act
of 1937 as necessary to implement the Jobs-Plus program,
on such terms and conditions as the Secretary may ap-
prove upon a finding by the Secretary that any such waiv-
ers or alternative requirements are necessary for the effec-
tive implementation of the Jobs-Plus initiative as a vol-
untary program for residents: Provided further, That the
Secretary shall publish by notice in the Federal Register
any waivers or alternative requirements pursuant to the
preceeding proviso no later than 10 days before the effec-
tive date of such notice: Provided further, That for funds
provided under this heading, the limitation in section
9(g)(1) of the Act shall be 25 percent: Provided further,
That the Secretary may waive the limitation in the pre-
previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2018 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2018 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,400,000,000, to remain available until September 30, 2019.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of
poverty into functioning, sustainable mixed income neighbor-
hoods with appropriate services, schools, public assets, trans-
portation and access to jobs, $20,000,000, to remain avail-
able until September 30, 2020: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less
than $10,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than $1,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: Provided further, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assist-
ance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2019: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996
(NAHASDA) (25 U.S.C. 4111 et seq.), $654,000,000, to remain available until September 30, 2022: Provided, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: Provided further, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That of the amounts made available under this heading, $3,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance related to funding provided under this heading and other headings under this Act for the needs
of Native American families and Indian country: Provided further, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,391,304: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: Provided further, That notwithstanding section 302(d) of NAHASDA, if on the date of enactment of this Act, a recipient’s total amount of undisbursed block grant funds in the Department’s line of credit control system is greater than the sum of its prior 3 years’ initial formula allocation calculations, the Secretary shall adjust that recipient’s formula allocation that it would otherwise receive down by the difference between its total amount of undisbursed block grant funds in the Department’s line of credit control system on the date of enactment of this Act, and the sum of its prior 3 years’ initial formula allocation calculations: Provided further,
That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such proviso: Provided further, That the second proviso shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $5,000,000: Provided further, That to take effect, the three previous provisos do not require issuance or amendment of any regulation, shall not be subject to a formula challenge by an Indian tribe, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $5,500,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,486,486,486, to remain available until expended: Provided further, That up to $750,000 of
this amount may be for administrative contract expenses
including management processes and systems to carry out
the loan guarantee program: Provided further, That an ad-
dditional $1,727,000 shall be available until expended for
such costs of guaranteed loans authorized under such sec-
tion 184 issued to tribes and Indian housing authorities
for the construction of rental housing for law enforcement,
healthcare, educational, technical and other skilled work-
ers: Provided further, That the funds specified in the pre-
vious proviso are available to subsidize total loan principal,
any part of which is to be guaranteed, up to $466,756,757
to remain available until expended: Provided further, That
the Secretary may specify any additional program require-
ments with respect to the previous two provisos through
publication of a Mortgagee Letter or Notice.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Per-
sons with AIDS program, as authorized by the AIDS
Housing Opportunity Act (42 U.S.C. 12901 et seq.),
$356,000,000, to remain available until September 30,
2019, except that amounts allocated pursuant to section
854(c)(5) of such Act shall remain available until Sep-
tember 30, 2020: Provided, That the Secretary shall renew
all expiring contracts for permanent supportive housing
that initially were funded under section 854(e)(5) of such
Act from funds made available under this heading in fiscal
year 2010 and prior fiscal years that meet all program
requirements before awarding funds for new contracts
under such section: Provided further, That the Depart-
ment shall notify grantees of their formula allocation with-
in 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local govern-
ment, and to other entities, for economic and community
development activities, and for other purposes,
$2,960,000,000, to remain available until September 30,
2020, unless otherwise specified: Provided, That of the
total amount provided, $2,900,000,000 is for carrying out
the community development block grant program under
title I of the Housing and Community Development Act
of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
et seq.): Provided further, That unless explicitly provided
for under this heading, not to exceed 20 percent of any
grant made with funds appropriated under this heading
shall be expended for planning and management develop-
ment and administration: Provided further, That a metro-
politan city, urban county, unit of general local govern-
ment, or Indian tribe, or insular area that directly or indi-
rectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: Provided further, That of the total amount provided under this heading $60,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2018, commitments to guarantee loans under section 108 of the Housing and
Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $850,000,000, to remain available until September 30, 2021: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the “Full-Year Continuing Appropriations Act, 2013”, shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by
the Final Rule titled “Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards” which became effective on such date: *Provided further,* That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

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

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $45,000,000, to remain available until September 30, 2020: *Provided,* That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further,* That of the total amount provided under this heading, $30,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further,* That of the total amount provided under this heading,
1. $5,000,000 shall be made available for capacity building
2. by national rural housing organizations with experience
3. assessing national rural conditions and providing financ-
4. ing, training, technical assistance, information, and re-
5. search to local nonprofits, local governments and Indian
6. Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as au-
7. thorized under subtitle B of title IV of the McKinney-
8. Vento Homeless Assistance Act, as amended; the Con-
9. tinuum of Care program as authorized under subtitle C
10. of title IV of such Act; and the Rural Housing Stability
11. Assistance program as authorized under subtitle D of title
12. IV of such Act, $2,383,000,000, to remain available until
13. September 30, 2020: Provided, That any rental assistance
14. amounts that are recaptured under such Continuum of
15. Care program shall remain available until expended: Pro-
16. vided further, That not less than $270,000,000 of the
17. funds appropriated under this heading shall be available
18. for such Emergency Solutions Grants program: Provided
19. further, That not less than $2,106,000,000 of the funds
20. appropriated under this heading shall be available for such
21. Continuum of Care and Rural Housing Stability Assist-
22. ance programs: Provided further, That up to $7,000,000
23. of the funds appropriated under this heading shall be
available for the national homeless data analysis project: 

Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: Provided further, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: Provided further, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care’s system performance: Provided further, That the Secretary shall prioritize fund-
ing under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2018: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party docu-
mentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, $10,682,000,000, to remain available until expended, shall be available on October 1, 2017 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2017), and $400,000,000, to remain available until expended, shall be available on October 1, 2018: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal
of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the
amount otherwise provided by this heading for uses au-
chorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts, for
housing for the elderly, as authorized by section 202 of
the Housing Act of 1959, as amended, and for project
rental assistance for the elderly under section 202(c)(2)
of such Act, including amendments to contracts for such
assistance and renewal of expiring contracts for such as-
sistance for up to a 1-year term, and for senior preserva-
tion rental assistance contracts, including renewals, as au-
thorized by section 811(e) of the American Housing and
Economic Opportunity Act of 2000, as amended, and for
supportive services associated with the housing,

$573,000,000 to remain available until September 30,

2021: Provided, That of the amount provided under this
heading, up to $90,000,000 shall be for service coordina-
tors and the continuation of existing congregate service
grants for residents of assisted housing projects: Provided

further, That amounts under this heading shall be avail-
able for Real Estate Assessment Center inspections and
inspection-related activities associated with section 202
projects: Provided further, That the Secretary may waive
the provisions of section 202 governing the terms and con-
ditions of project rental assistance, except that the initial
contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2021: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, and for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such
Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $147,000,000, to remain available until September 30, 2021: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2021: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the
amounts otherwise provided by this heading for amend-
ments and renewals: Provided further, That unobligated
balances, including recaptures and carryover, remaining
from funds transferred to or appropriated under this
heading shall be used for amendments and renewals not-
withstanding the purposes for which such funds originally
were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding
loans, as authorized under section 106 of the Housing and
Urban Development Act of 1968, as amended, $50,000,000, to remain available until September 30,
2019, including up to $4,500,000 for administrative con-
tract services: Provided, That grants made available from
amounts provided under this heading shall be awarded
within 180 days of enactment of this Act: Provided further,
That funds shall be used for providing counseling and ad-
vice to tenants and homeowners, both current and pro-
spective, with respect to property maintenance, financial
management/literacy, and such other matters as may be
appropriate to assist them in improving their housing con-
ditions, meeting their financial needs, and fulfilling the re-
sponsibilities of tenancy or homeownership; for program
administration; and for housing counselor training: Pro-
vided further, That for purposes of providing such grants
from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $14,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $11,000,000, to remain available until expended, of which $11,000,000 is to be derived from the Manufactured
Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.
New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2019: Provided, That during fiscal year 2018, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, $135,000,000, to remain available until September 30, 2019: Provided further, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2018, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: Provided further, That during fiscal year 2018 the Secretary
may insure and enter into new commitments to insure
mortgages under section 255 of the National Housing Act
only to the extent that the net credit subsidy cost for such
insurance does not exceed zero.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under
the General and Special Risk Insurance Funds, as author-
ized by sections 238 and 519 of the National Housing Act
(12 U.S.C. 1715z–3 and 1735e), shall not exceed
$30,000,000,000 in total loan principal, any part of which
is to be guaranteed, to remain available until September
30, 2019: Provided, That during fiscal year 2018, gross
obligations for the principal amount of direct loans, as au-
thorized by sections 204(g), 207(l), 238, and 519(a) of
the National Housing Act, shall not exceed $5,000,000,
which shall be for loans to nonprofit and governmental en-
tities in connection with the sale of single family real prop-
erties owned by the Secretary and formerly insured under
such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out
the purposes of section 306 of the National Housing Act,
as amended (12 U.S.C. 1721(g)), shall not exceed
$500,000,000,000, to remain available until September 30, 2019: Provided, That $25,400,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2018, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance,
$85,000,000, to remain available until September 30, 2019: Provided, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided further, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: Provided further, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: Provided further, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil
Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, 
$65,300,000, to remain available until September 30, 2019: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $130,000,000, to remain available until September 30, 2019, of which $25,000,000
shall be for the Healthy Homes Initiative, pursuant to sec-
tions 501 and 502 of the Housing and Urban Develop-
ment Act of 1970, that shall include research, studies,
testing, and demonstration efforts, including education
and outreach concerning lead-based paint poisoning and
other housing-related diseases and hazards: Provided,
That for purposes of environmental review, pursuant to
the National Environmental Policy Act of 1969 (42 U.S.C.
4321 et seq.) and other provisions of the law that further
the purposes of such Act, a grant under the Healthy
Homes Initiative, or the Lead Technical Studies program
under this heading or under prior appropriations Acts for
such purposes under this heading, shall be considered to
be funds for a special project for purposes of section
305(c) of the Multifamily Housing Property Disposition
Reform Act of 1994: Provided further, That of the total
amount made available under this heading, $50,000,000
shall be made available on a competitive basis for areas
with the highest lead-based paint abatement needs: Pro-
vided further, That each recipient of funds provided under
the previous proviso shall contribute an amount not less
than 25 percent of the total: Provided further, That each
applicant shall certify adequate capacity that is acceptable
to the Secretary to carry out the proposed use of funds
pursuant to a notice of funding availability: Provided fur-
ther, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $150,000,000 shall remain available until September 30, 2019: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General
Act of 1978, as amended, $128,082,000: Provided, That
the Inspector General shall have independent authority
over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget au-

thority, or in lieu thereof 50 percent of the cash amounts

associated with such budget authority, that are recaptured

from projects described in section 1012(a) of the Stewart

B. McKinney Homeless Assistance Amendments Act of

1988 (42 U.S.C. 1437f note) shall be rescinded or in the

case of cash, shall be remitted to the Treasury, and such

amounts of budget authority or cash recaptured and not

rescinded or remitted to the Treasury shall be used by

State housing finance agencies or local governments or

local housing agencies with projects approved by the Sec-

retary of Housing and Urban Development for which set-

tlement occurred after January 1, 1992, in accordance

with such section. Notwithstanding the previous sentence,

the Secretary may award up to 15 percent of the budget

authority or cash recaptured and not rescinded or remitted
to the Treasury to provide project owners with incentives
to refinance their project at a lower interest rate.
Sec. 202. None of the amounts made available under this Act may be used during fiscal year 2018 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

Sec. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

Sec. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank
within the meaning of the Federal Deposit Insurance Cor-

SEC. 205. Unless otherwise provided for in this Act
or through a reprogramming of funds, no part of any ap-
propriation for the Department of Housing and Urban
Development shall be available for any program, project
or activity in excess of amounts set forth in the budget
estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Depart-
ment of Housing and Urban Development which are sub-
ject to the Government Corporation Control Act are here-
by authorized to make such expenditures, within the limits
of funds and borrowing authority available to each such
corporation or agency and in accordance with law, and to
make such contracts and commitments without regard to
fiscal year limitations as provided by section 104 of such
Act as may be necessary in carrying out the programs set
forth in the budget for 2018 for such corporation or agen-
cy except as hereinafter provided: Provided, That collec-
tions of these corporations and agencies may be used for
new loan or mortgage purchase commitments only to the
extent expressly provided for in this Act (unless such loans
are in support of other forms of assistance provided for
in this or prior appropriations Acts), except that this pro-
viso shall not apply to the mortgage insurance or guaranty
operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. The President’s formal budget request for fiscal year 2019, as well as the Department of Housing and Urban Development’s congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2018 and 2019, the Secretary of Housing and Urban Development may authorize the transfer of
some or all project-based assistance, debt held or insured
by the Secretary and statutorily required low-income and
very low-income use restrictions if any, associated with one
or more multifamily housing project or projects to another
multifamily housing project or projects.

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring
project: The number of low-income and very
low-income units and the configuration (i.e.,
bedroom size) provided by the transferring
project shall be no less than when transferred
to the receiving project or projects and the net
dollar amount of Federal assistance provided to
the transferring project shall remain the same
in the receiving project or projects.
(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

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

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

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

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.
(6) The Secretary determines that this transfer is in the best interest of the tenants.

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

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

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

(d) For purposes of this section—

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

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

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

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

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

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;
(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

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

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

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

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

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

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

(E) assistance payments made under section 202(e)(2) of the Housing Act of 1959; and
(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

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

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

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

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

SEC. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—
(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

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

SEC. 212. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2018, insure and enter into commitments to insure mortgages under such section 255.

SEC. 214. Notwithstanding any other provision of law, in fiscal year 2018, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States
Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the
contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

Sec. 215. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

Sec. 216. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

Sec. 217. With respect to the use of amounts provided in this Act and in future Acts for the operation, cap-
ital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 218. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Associa-

SEC. 219. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2018, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2018, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 220. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spend-
ing plan for such costs to the House and Senate Commit-
tees on Appropriations.

Sec. 221. The Secretary is authorized to transfer up
to 10 percent or $4,000,000, whichever is less, of funds
appropriated for any office under the heading “Adminis-
trative Support Offices” or for any account under the gen-
eral heading “Program Office Salaries and Expenses” to
any other such office or account: Provided, That no appro-
priation for any such office or account shall be increased
or decreased by more than 10 percent or $4,000,000,
whichever is less, without prior written approval of the
House and Senate Committees on Appropriations: Pro-
vided further, That the Secretary shall provide notification
to such Committees three business days in advance of any
such transfers under this section up to 10 percent or
$4,000,000, whichever is less.

Sec. 222. (a) Any entity receiving housing assistance
payments shall maintain decent, safe, and sanitary condi-
tions, as determined by the Secretary of Housing and
Urban Development (in this section referred to as the
“Secretary”), and comply with any standards under appli-
cable State or local laws, rules, ordinances, or regulations
relating to the physical condition of any property covered
under a housing assistance payment contract.
(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

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

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner’s appeal results
in a UPCS score of 60 or above, the Secretary may with-
draw the Notice of Default.

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

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

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

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

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

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

(F) pursue exclusionary sanctions, including
suspensions or debarments from Federal programs;
(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

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

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section
524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA"); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

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

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

(3) any administrative or legislative recommendations to further improve the living condi-
tions at properties covered under a housing assistance payment contract.

SEC. 223. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2018.

SEC. 224. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 225. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking “fiscal year” and all that follows through the period at the end and inserting “fiscal year 2018.”; and

(2) in subsection (o), by striking “September” and all that follows through the period at the end and inserting “September 30, 2018.”.
SEC. 226. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 227. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 228. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 229. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Develop-

Sec. 230. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

Sec. 231. Employees of the Department of Housing and Urban Development who are subject to administrative discipline in fiscal year 2018, including suspension from work, shall not receive awards (including performance, special act, or spot) for the remainder of fiscal year 2018 after the effective date of the disciplinary action.

Sec. 232. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2016, 2017, and 2018 for the continuum of care (CoC) program as authorized under subtitle C of title IV
of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient’s matching requirements, provided the costs are eligible CoC costs that supplement the recipients CoC program.

SEC. 233. (a) From amounts made available under this title under the heading “Homeless Assistance Grants”, the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 234. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake spe-
specific changes to existing zoning laws as part of carrying
out the final rule entitled “Affirmatively Furthering Fair
Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
notice entitled “Affirmatively Furthering Fair Housing
Assessment Tool” (79 Fed. Reg. 57949 (September 26,
2014)).

SEC. 235. Section 579 of the Multifamily Assisted
Housing Reform and Affordability Act of 1997 (42 U.S.C.
1437f note) is amended by striking “October 1, 2017”
each place it appears and inserting in lieu thereof “Octo-
ber 1, 2022”.

SEC. 236. None of the funds made available under
this Act for new guarantees of mortgages insured under
the Mutual Mortgage Insurance Fund may be used to
guarantee or insure any mortgage on a property that is
subject to a loan or other obligation, including those billed
as taxes or assessments, for the purpose of financing any
improvements under a Property Assessed Clean Energy
or substantially similar program, if any portion of such
loan or obligation is or has the potential to be in a lien
position superior to the mortgage to be insured or guaran-
teed under the Mutual Mortgage Insurance Fund.

SEC. 237. The matter under the heading “Rental As-
sistance Demonstration” in the Department of Housing
and Urban Development Appropriations Act, 2012 (42 U.S.C. 1437f note), as amended, is amended—

(1) in the 14th proviso—

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

(B) by striking “preserves its interest” and inserting “or a nonprofit entity preserves an interest”;

(2) by striking the 18th proviso and inserting the following: “Provided further, That for fiscal year 2012 and hereafter, owners of properties assisted or previously assisted under section 101 of the Housing and Urban Development Act of 1965, section 236(f)(2) of the National Housing Act, or section 8(e)(2) of the United States Housing Act of 1937, for which a contract expires or terminates due to prepayment on or after October 1, 2006, has caused or results in the termination of rental assistance or affordability restrictions or both and the issuance of tenant protection vouchers under section 8(o) or section 8(t) of the Act, or with a project rental assistance contract under section 202(c)(2) of Housing Act of 1959, shall be eligible, subject to requirements established by the Secretary, including but not limited to tenant consultation procedures, for
conversion of assistance available or provided for such vouchers or assistance contracts, to assistance under a long-term project-based subsidy contract under section 8 of the Act, which shall have a term of no less than 20 years, which shall have initial rents set at comparable market rents for the market area, with subsequent rent adjustments only by an operating cost factor established by the Secretary, and which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), or, subject to agreement of the administering public housing agency, to assistance under section 8(o)(13) of the Act, to which the limitation under subparagraph (B) of section 8(o)(13) of the Act shall not apply and for which the Secretary may waive or alter the provisions of subparagraphs (C) and (D) of section 8(o)(13) of the Act (‘Second Component’ herein):’’;

(3) by inserting before the 19th proviso the following: “Provided further, That conversions of assistance under the Second Component may not be the basis for re-screening or termination of assistance or eviction of any tenant family in a property participating in the demonstration:”;}
(4) in the 20th proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking “previous proviso” and all that follows through the end of the proviso and inserting “Second Component, except for conversion of section 202 project rental assistance contracts, shall be available for project-based subsidy contracts entered into pursuant to the Second Component:”;  

(5) in the 21st proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking “previous two provisos” and inserting “Second Component, except for conversion of section 202 project rental assistance contracts,”;  

(6) in the 22nd proviso, as so reordered by the amendments made by the preceding provisions of this section, by striking “three previous provisos” and inserting “Second Component, except for conversion of section 202 project rental assistance contracts,”;  

(7) by inserting before the last proviso the following: “Provided further, That the Secretary may transfer amounts made available under the heading ‘Housing for the Elderly’ to the accounts under the headings ‘Project-Based Rental Assistance’ or ‘Tenant-Based Rental Assistance’ to facilitate any sec-
tion 202 project rental assistance contract conversions under the Second Component, and any increase in cost for ‘Project-Based Rental Assistance’ or ‘Tenant-Based Rental Assistance’ associated with such conversion shall be equal to amounts so transferred:”; and

(8) in the last proviso, by striking “previous four provisos” and inserting “Second Component, as applicable”.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2018”.

TITLE III
RELATED AGENCIES
ACCESS BOARD
SALARIES AND EXPENSES
For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,190,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Mer-
chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
cluding services as authorized by 5 U.S.C. 3109; hire of
passenger motor vehicles as authorized by 31 U.S.C.
1343(b); and uniforms or allowances therefore, as author-
ized by 5 U.S.C. 5901–5902, $27,490,000: Provided, That
not to exceed $2,000 shall be available for official recep-
tion and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION
OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector
General for the National Railroad Passenger Corporation
to carry out the provisions of the Inspector General Act
of 1978, as amended, $23,274,000: Provided, That the In-
spector General shall have all necessary authority, in car-
rying out the duties specified in the Inspector General Act,
as amended (5 U.S.C. App. 3), to investigate allegations
of fraud, including false statements to the government (18
U.S.C. 1001), by any person or entity that is subject to
regulation by the National Railroad Passenger Corpora-
tion: Provided further, That the Inspector General may
enter into contracts and other arrangements for audits,
studies, analyses, and other services with public agencies
and with private persons, subject to the applicable laws
and regulations that govern the obtaining of such services
within the National Railroad Passenger Corporation: *Provided further,* That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further,* That concurrent with the President’s budget request for fiscal year 2018, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2018 in similar format and substance to those submitted by executive agencies of the Federal Government.

**NATIONAL TRANSPORTATION SAFETY BOARD**

**SALARIES AND EXPENSES**

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

**Neighborhood Reinvestment Corporation**

**Payment to the Neighborhood Reinvestment Corporation**

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $140,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

**Surface Transportation Board**

**Salaries and Expenses**

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2018, to result in
a final appropriation from the general fund estimated at no more than $35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For closure of the United States Interagency Council on Homelessness, $570,000, notwithstanding section 209 of title II of the McKinney-Vento Homeless Assistance Act, as amended.

TITLE IV

GENERAL PROVISIONS—THIS ACT

(including rescissions)

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

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

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

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

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

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

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

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.
(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

Sec. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

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

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

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

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

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;
(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2018 from appropriations made available for salaries and expenses for fiscal year 2018 in this Act, shall remain available through September 30, 2019, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

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

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

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

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

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

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

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

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

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

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


•HR 3353 RH
“National Transportation Safety Board-Salaries and Expenses”, and “United States Interagency Council on Homelessness-Operating Expenses” are rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated in division K of Public Law 115–31 for accounts under the headings “Department of Housing and Urban Development-Management and Administration” and “Department of Housing and Urban Development-Program Office Salaries and Expenses” are rescinded.

Sec. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SPENDING REDUCTION ACCOUNT

Sec. 418. $0.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018”.

•HR 3353 RH
A BILL
Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

JULY 21, 2017
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.