IN THE SENATE OF THE UNITED STATES

JULY 27, 2017

Ms. COLLINS, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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 Representatives 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 ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $112,813,000, of which not to exceed $3,001,000 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 $20,555,000 shall be available for the Office of the General Counsel; not to exceed $10,331,000 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 $29,356,000 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 $11,318,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to ex-
ceed $16,745,000 shall be available for the Office of the
Chief Information Officer: **Provided**, That the Secretary
of Transportation is authorized to transfer funds appro-
priated for any office of the Office of the Secretary to any
other office of the Office of the Secretary: **Provided fur-
ther**, That no appropriation for any office shall be in-
creased or decreased by more than 5 percent by all such
transfers: **Provided further**, That notice of any change in
funding greater than 5 percent shall be submitted for ap-
proval to the House and Senate Committees on Appropria-
tions: **Provided further**, That not to exceed $60,000 shall
be for allocation within the Department for official recep-
tion and representation expenses as the Secretary may de-
termine: **Provided further**, That notwithstanding any other
provision of law, excluding fees authorized in Public Law
107–71, there may be credited to this appropriation up
to $2,500,000 in funds received in user fees: **Provided fur-
ther**, That none of the funds provided in this Act shall
be available for the position of Assistant Secretary for
Public Affairs.

**RESEARCH AND TECHNOLOGY**

For necessary expenses related to the Office of the
Assistant Secretary for Research and Technology,
$8,465,000, of which $2,618,000 shall remain available
until September 30, 2021: **Provided**, That there may be
credited to this appropriation, to be available until ex-
spended, funds received from States, counties, municipali-
ties, other public authorities, and private sources for ex-
penses incurred for training: *Provided further*, That any
reference in law, regulation, judicial proceedings, or else-
where to the Research and Innovative Technology Admin-
istration shall continue to be deemed to be a reference to
the Office of the Assistant Secretary for Research and
Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation in-
frastucture, $550,000,000, to remain available through
September 30, 2020: *Provided*, That the Secretary of
Transportation shall distribute funds provided under this
heading as discretionary grants to be awarded to a State,
local government, transit agency, or a collaboration among
such entities on a competitive basis for projects that will
have a significant local or regional impact: *Provided fur-
ther*, That projects eligible for funding provided under this
heading shall include, but not be limited to, highway or
bridge projects eligible under title 23, United States Code;
public transportation projects eligible under chapter 53 of
title 49, United States Code; passenger and freight rail
transportation projects; and port infrastructure invest-
ments (including inland port infrastructure and land ports
Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: Provided further, That not more than 5 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further,
vided further, That for projects located in rural areas, the
minimum grant size shall be $1,000,000 and the Secretary
may increase the Federal share of costs above 80 percent:
Provided further, That projects conducted using funds pro-
vided under this heading must comply with the require-
ments of subchapter IV of chapter 31 of title 40, United
States Code: Provided further, That the Secretary shall
conduct a new competition to select the grants and credit
assistance awarded under this heading: Provided further,
That the Secretary may retain up to $20,000,000 of the
funds provided under this heading, and may transfer por-
tions of those funds to the Administrators of the Federal
Highway Administration, the Federal Transit Administra-
tion, the Federal Railroad Administration, and the Mari-
time Administration to fund the award and oversight of
grants and credit assistance made under the National In-
frastructure Investments program: Provided further, That
the Secretary shall consider and award projects based sole-
lly on the selection criteria from the fiscal year 2016 Notice
of Funding Opportunity: Provided further, That the Sec-
retary shall not use the Federal share as a selection cri-
teria in awarding projects: Provided further, That the Sec-
retary shall issue the Notice of Funding Opportunity
under the previous proviso no later than 45 days after en-
actment of this Act: Provided further, That the Notice of
Funding Opportunity shall require application submissions 60 days after the publishing of such Notice: Provided further, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 225 days after enactment of this Act in such amounts that the Secretary determines.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses for the administration of the National Surface Transportation and Innovative Finance Bureau (the Bureau) within the Office of the Secretary of Transportation, $3,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall use such amount for the necessary expenses to fulfill the responsibilities of the Bureau, as detailed in section 9001 of the Fixing America’s Surface Transportation (FAST) Act (Public Law 114–94) (49 U.S.C. 116): Provided further, That the Secretary is required to receive the advance approval of the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h): Provided further, That the program be available to other Federal agencies, States, municipalities and project sponsors seeking Federal transportation expertise in obtaining financing.
FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation’s financial systems and re-engineering business processes, $3,000,000, to remain available through September 30, 2019.

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, $8,500,000: Provided, That of such amount,
$1,500,000 shall be for necessary expenses of the Inter-agency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for 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 the cost of guaranteed loans, $339,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

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

**SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH**

For necessary expenses for small and disadvantaged business utilization and outreach activities, $4,646,000, 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, $155,000,000, to be de-
derived from the Airport and Airway Trust Fund, to remain
available until expended: *Provided*, That in determining
between or among carriers competing to provide service
to a community, the Secretary may consider the relative
subsidy requirements of the carriers: *Provided further,*
That basic essential air service minimum requirements
shall not include the 15-passenger capacity requirement
under subsection 41732(b)(3) of title 49, United States
Code: *Provided further*, That none of the funds in this Act
or any other Act shall be used to enter into a new contract
with a community located less than 40 miles from the
nearest small hub airport before the Secretary has nego-
tiated with the community over a local cost share: *Pro-
vided further*, That amounts authorized to be distributed
for the essential air service program under subsection
41742(b) of title 49, United States Code, shall be made
available immediately from amounts otherwise provided to
the Administrator of the Federal Aviation Administration:
*Provided further*, That the Administrator may reimburse
such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

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

SEC. 102. 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 exceed 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 from available funds for the actual cost of the transit benefit.

SEC. 103. 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. 104. Hereafter, the Secretary may transfer to the National Surface Transportation and Innovative Finance Bureau, for the purposes of the Bureau, funds allocated 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, resources, or expertise that support the purposes of the Bureau: 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 Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 823(l)(4)) is amended—

(1) by striking the heading “Safety and Operations Account” and inserting the heading “National Surface Transportation and Innovative 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”.

Sec. 106. The suspension of the comment period imposed by the Department of Transportation on its Request for Information titled “Exploring Industry Practices on Distribution and Display of Airline Fare, Schedule and Availability Information” is hereby lifted, and the Department shall accept additional public comment for 30 days after the date of enactment of this Act.

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, the lease or purchase of passenger motor
vehicles for replacement only, in addition to amounts made
available by Public Law 112–95, $10,186,000,000, to re-
main available until September 30, 2019, of which
$8,947,000,000 shall be derived from the Airport and Air-
way Trust Fund, of which not to exceed $7,692,032,000
shall be available for air traffic organization activities; not
to exceed $1,310,000,000 shall be available for aviation
safety activities; not to exceed $21,587,000 shall be avail-
able for commercial space transportation activities; not to
exceed $777,506,000 shall be available for finance and
management activities; not to exceed $60,000,000 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-
annual update to the report submitted to Congress in De-
cember 2004 pursuant to section 221 of Public Law 108–

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 appli-
cants for the second career training program: Provided
further, That none of the funds made available in this Act
or any other Act shall be used to transfer authority to
modify air traffic procedures for airport arrivals and de-
partures: Provided further, That none of the funds in this
Act shall be available for the Federal Aviation Administra-
tion to finalize or implement any regulation that would
promulgate new aviation user fees not specifically author-
ized by law after the date of the enactment of this Act:
Provided further, That there may be credited to this ap-
propriation, as offsetting collections, funds received from
States, counties, municipalities, foreign authorities, other
public authorities, and private sources for expenses in-
curred in the provision of agency services, including re-
cipts for the maintenance and operation of air navigation
facilities, and for issuance, renewal or modification of cer-
tificates, including airman, aircraft, and repair station cer-
tificates, or for tests related thereto, or for processing
major repair or alteration forms: Provided further, That
of the funds appropriated under this heading, not less
than $162,000,000 shall be used to fund direct operations
of the current 253 air traffic control towers in the contract
tower program, including the contract tower cost share
program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: 

*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: *Provided further,* That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program 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 equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head-
ing, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,005,000,000, of which $498,000,000 shall remain available until September 30, 2019, $2,392,000,000 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 none of the funds made available in this Act or any other Act shall be used to plan or implement the liquidation of the FAA’s federally-owned assets, or the intellectual property rights of the air traffic organization: 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, $179,000,000, 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)
(INCLUDING TRANSFER OF FUNDS)

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, $3,250,000,000, to be derived from the Airport and
Airway Trust Fund and to remain available until ex-
pended: Provided, That none of the funds under this head-
ing shall be available for the planning or execution of pro-
grams the obligations for which are in excess of
$3,600,000,000 in fiscal year 2018, notwithstanding sec-
tion 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 sys-
tems, reconfiguration of terminal baggage areas, or other
airport improvements that are necessary to install bulk ex-
plosive detection systems: Provided further, That notwith-
standing 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 sec-
tion 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 con-
struction 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, not less than $33,210,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to “Office of the Secretary, Salaries and Expenses” to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2018.
SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration 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 avail-
able for salaries and expenses of more than seven political
and Presidential appointees in the Federal Aviation Ad-
ministration.

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 ex-
plains 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 lim-
ited 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 Traffic Control Towers (FAA–APO–90–7 as of August, 1990).

SEC. 119D. The Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2018; and

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

SEC. 119E. (a) Notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity
(LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)), and except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act or by any other Act may be used to implement any law, regulation, or policy that prohibits the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba based on the restrictions set forth in part 515 of title 31, Code of Federal Regulations (commonly known as the “Cuban Assets Control Regulations”): Provided,

That passengers on such aircraft engaged in a stop for non-traffic purposes as permitted under the agreement shall be exempt from part 515 of title 31, Code of Federal Regulations.

(b) This section shall not apply to foreign carriers that—

(1) are owned by the Government of Cuba or are based in Cuba; or

(2) do not otherwise have a license to make transit stops in the United States.

(c) Nothing in this section may be construed to limit the authority of the President to restrict stops for non-
traffic purposes described in subsection (a), or any trans-
action incident to such transit stops, on a case-by-case
basis, if such restriction is important to the national secu-

rity of the United States.

SEC. 119F. (a) Notwithstanding any other transfer
restriction in this Act, the Secretary of Transportation
may transfer during fiscal year 2018 an amount equal to
the amount specified in subsection (c) to any appropria-
tion made available by this Act for the current fiscal year
for the Federal Aviation Administration, for any activity
or activities funded by that account, from the amount
made available for obligation in that fiscal year as discre-
tionary grants-in-aid for airports pursuant to section
47117(f) of title 49, United States Code.

(b) An amount transferred under subsection (a)(1)
shall—

(1) be treated as a reprogramming of funds
under section 405 of this Act and shall not be avail-
able for obligation unless approval is received from
the Committees on Appropriations of the Senate and
the House of Representatives; and

(2) be deemed as obligated for grants-in-aid for
airports under part B of subtitle VII of title 49,
United States Code, for purposes of complying with
the limitation on incurring obligations under the
heading “Grants-in-Aid for Airports” in this or any other appropriations Act.

(c) The amount specified in this subsection is the amount, not to exceed the lower of either 10 percent of funds limited by this Act under the heading “Grants-in-Aid for Airports” or 10 percent of all appropriations to which the amount will be transferred, that the Secretary of Transportation determines to be necessary to prevent the furlough of Federal Aviation Administration employees or disruptions or delays to NextGen programs, projects or activities.

Sec. 119G. Section 47124(b)(3)(D) of title 49, United States Code, is amended by adding at the end the following: “Airports with both Part 121 air service and more than 25,000 passenger enplanements in calendar year 2014 shall be exempt from any cost share requirement under the Cost-share Program.”.

Sec. 119H. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit the use of an Organization Designation Authorizations (ODA) documented in its procedures manual on a type certification project unless the Administrator documents a systemic airworthiness non-compliance performance issue as a result of inspection or oversight that the safety of air commerce requires a limita-
tion with regard to a specific authorization or where an ODA’s capability has not been previously established in terms of a new compliance method or design feature and in such cases FAA shall work with the ODA holder to develop the capability to execute that function safely and efficiently.

SEC. 119I. Section 44701(e) of title 49, United States Code, is amended by adding at the end the following:

“(5) MANDATORY COMPLIANCE AIRWORTHINESS INSTRUCTIONS ISSUED BY FOREIGN COUNTRIES.—

“(A) ACCEPTANCE.—The Administrator may accept mandatory compliance airworthiness instructions issued by an aeronautical safety authority of a foreign country by issuing a final rule and a request for comments, if—

“(i) the country is the state of design for the product that is the subject of the instructions;

“(ii) the United States has a bilateral safety agreement relating to aircraft certification with the country;

“(iii) as part of the bilateral safety agreement with the country, the Adminis-
tractor has determined that the aeronautical safety authority has an aircraft certification system relating to safety that produces a level of safety equivalent to the level produced by the system of the Federal Aviation Administration; and

“(iv) the aeronautical safety authority utilizes an open and transparent public notice and comment process in the issuance of mandatory compliance airworthiness instructions.

“(B) ALTERNATIVE APPROVAL PROCESS.—

Notwithstanding subparagraph (A), the Administrator may issue a Federal Aviation Administration airworthiness directive instead of accepting mandatory compliance airworthiness instructions issued by the aeronautical safety authority of a foreign country if the Administrator determines that such issuance is necessary for safety or operational reasons due to the complexity or unique features of the Federal Aviation Administration airworthiness directive or the United States aviation system.

“(C) ALTERNATIVE MEANS OF COMPLIANCE.—The Administrator may—
“(i) accept an alternative means of compliance, with respect to mandatory compliance airworthiness instructions under subparagraph (A), that was approved by the aeronautical safety authority of the foreign country that issued the instructions; or

“(ii) notwithstanding subparagraph (A), and at the request of any person affected by mandatory compliance airworthiness instructions under that subparagraph, the Administrator may approve an alternative means of compliance with respect to the instructions.”.

Sec. 119J. Section 40104 of title 49, United States Code, is amended by adding at the end the following:

“(d) PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.—The Secretary shall take appropriate actions—

“(1) to promote United States aerospace-related safety standards abroad;

“(2) to facilitate and vigorously defend approvals of United States aerospace products and services abroad;
“(3) with respect to bilateral partners, to use bilateral safety agreements and other mechanisms to improve validation of type certificated aeronautical products and services and enhance mutual acceptance in order to eliminate redundancies and unnecessary costs; and

“(4) with respect to the aeronautical safety authorities of a foreign country, to streamline validation and facilitate acceptance of United States aerospace standards, products, and services.”.

SEC. 119K. (a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

“§ 41725 Prohibition on certain cell phone voice communications

“(a) PROHIBITION.—The Secretary of Transportation shall issue regulations—

“(1) to prohibit an individual on an aircraft from engaging in voice communications using a mobile communications device during a flight of that aircraft in scheduled passenger interstate air transportation or intrastate air transportation; and

“(2) that exempt from the prohibition described in paragraph (1)—
“(A) any member of the flight crew on duty on an aircraft; and

“(B) any Federal law enforcement officer acting in an official capacity.

“(b) DEFINITIONS.—In this section:

“(1) FLIGHT.—The term ‘flight’ means, with respect to an aircraft, the period beginning when the aircraft takes off and ending when the aircraft lands.

“(2) MOBILE COMMUNICATIONS DEVICE.—

“(A) IN GENERAL.—The term ‘mobile communications device’ means any portable wireless telecommunications equipment utilized for the transmission or reception of voice data.

“(B) LIMITATION.—The term ‘mobile communications device’ does not include a phone installed on an aircraft.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41724 the following new item:

“41725. Prohibition on certain cell phone voice communications.”.

SEC. 119L. (a) Section 40117 of title 49, United States Code, is amended—
(1) in paragraph (b)(4), by striking “$4.00 or $4.50” and inserting “$4.00 or any whole- or half-dollar increment up to $8.50”; and

(2) in subsection (e), by adding a new paragraph (3) as follows:

“(3) The maximum passenger facility charge that may be collected from a passenger boarding a second flight on a one-way trip or on a trip in each direction of a round trip through an airport that imposes a charge may not exceed $4.50.”.

(b) Section 47114(f) of such title 49 is amended—

(1) in paragraph (1)—

(A) by striking “paragraph (3)” and inserting “paragraph (4)”;

(B) by striking “percent” and inserting “percent, but not more than 1.0 percent”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(3) by inserting a new paragraph (2) as follows:

“(2) LARGE HUB RULE.—Subject to paragraph (4), an amount that would be apportioned under this section (except subsection (e)(2)) in a fiscal year to the sponsor of an airport having 1.0 percent or more of the total number of boardings each year in the United States and for which a charge is imposed in
the fiscal year under section 40117 of this title shall
be reduced by an amount equal to 100 percent of
the projected revenues from the charge in the fiscal
year but not by more than 100 percent of the
amount that otherwise would be apportioned under
this section.”.

Sec. 119M. Unless otherwise authorized by law, none
of the funds made available under this Act or any prior
Act may be used to transfer any authority under 49
U.S.C. 40103(b): Provided, That the prohibition of funds
in this section does not apply to the Administrator enter-
ing into any contracts, leases, cooperative agreements, and
other transactions (i) with State, local, or tribal govern-
ments for programs under which the Administrator pro-
vides technical assistance to and coordinates efforts with
such governments; (ii) with a department, agency, or in-
strumentality of the United States Government; (iii) re-
lated to the Administration’s contract towers program,
flight services program, existing non-Federally controlled
towers, and other similar transfers or delegations of au-
thority that exist as of the date of this Act; (iv) related
to pilot programs or studies providing unmanned aircraft
system traffic management, or other programs or services
surrounding such traffic management; (v) related to the
provision of remote towers services; (vi) related to com-
mercial space transportation; and (vii) for other programs similar in nature or purposes to the above.

SEC. 119N. (a) TERMINAL AERODROME FORECAST.—The Administrator shall permit an air carrier operation under part 121 of title 14, Code of Federal Regulations, to operate to a destination determined to be under visual flight rules without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if a current Area Forecast, supplemented by other local weather observations or reports, is available, and an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified. The air carrier shall have approved procedures for dispatch and enroute weather evaluation and shall operate under instrument flight rules enroute to the destination.

(b) LIMITATION.—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance document that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.
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: Provided, That in addition, not to exceed $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 serv-
icing 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 administra-
tive expenses that are also available for such purpose, and
are not subject to any obligation limitation or the limita-
tion 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 avail-
able until expended.

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 Ac-
count) 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 Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-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 Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

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

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

(1) section 125 of title 23, United States Code;
(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

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

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

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

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

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

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

(9) Federal-aid 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) Redistribution of Unused Obligation Au-
thority.—Notwithstanding subsection (a), the Secretary
shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limita-
tion 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 bal-
ances 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 para-
graph (2), the obligation limitation for Federal-aid
highways shall apply to contract authority for trans-
portation research programs carried out under—

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

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

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

(A) remain available for a period of 4 fis-
cal 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.
SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid 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 provided 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: Provided, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associa-
ated obligation limitation: Provided, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory
statement, which was administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 100 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

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

SEC. 126. Section 1105(c)(89) of Public Law 102–240, as amended, is amended to read as follows:

“(89) I–57 Corridor Extension as follows: In Arkansas, the corridor shall follow United States Route 67 in North Little Rock, Arkansas, from I–40 to United States Route 412, then continuing generally northeast to the State line, and in Missouri, the corridor shall continue generally north from the
Arkansas State line to Poplar Bluff, Missouri, and then follow United States Route 60 to I–57.”.

SEC. 127. Within 30 days of enactment of this Act, the Secretary shall remove from the National Highway System the 4.3-mile section of Peña Boulevard from Highway E–470 east to the Denver International Airport.

SEC. 128. Section 149(m) of title 23, United States Code, is amended by adding “or on a State-Supported Amtrak route with a valid cost-sharing agreement under section 209 of the Passenger Rail Investment and Improvement Act of 2008 and no current nonattainment areas under subsection (d),” after “2012,”.

SEC. 129. Section 1012(e) of Public Law 102–240 is amended by inserting “(1)” before “Notwithstanding” and adding at the end the following:

“(2) Upon the request of any State Department of Transportation that was authorized to enter into a tolling agreement under section 120(e) of Public Law 100–17 (101 STAT. 159), the Secretary is authorized to modify the agreement entered into under Public Law 100–17, as follows. The Secretary shall authorize the use of excess toll revenues for any other purpose for which Federal funds may be obligated under title 23, United States Code, provided the State—
“(A) certifies annually that the tolled facility is being adequately maintained; and

“(B) agrees to comply with the audit requirements in section 129(a)(3)(B) of title 23, United States Code.

“(3) For the purposes of paragraph (2), ‘excess toll revenues’ means revenues in excess of amounts necessary for operation and maintenance; debt service; reasonable return on investment of any private person or entity that may be authorized by the State to operate and maintain the facility; and any cost necessary for improvement, including reconstruction, resurfacing, restoration, and rehabilitation.”.

Sec. 129A. Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(u) VEHICLES IN NORTH DAKOTA.—A vehicle limited or prohibited under this section from operating on a segment of the Interstate System in the State of North Dakota may operate on such a segment if such vehicle—

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

“(2) other than gross vehicle weight, complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and
“(3) is authorized to operate on such segment under North Dakota State law.”.

SEC. 129B. Notwithstanding the vehicle weight limitations set forth in section 127 of title 23, United States Code, effective June 30, 2016, with respect to Interstate Routes 89, 93, and 95 in the State of New Hampshire, a combination of truck-tractor and dump trailer equipped with 6 axles or more with a gross weight of up to 99,000 pounds shall be permitted if the distances between the extreme axles, excluding the steering axle, is 28 feet or more.

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 imple-
mentation, 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.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds provided 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 for motor carrier safety operations and programs, $13,914,757 is hereby permanently rescinded.

MOTOR CARRIER SAFETY

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds provided in the Transportation Equity Act for the 21st Century (Public Law 105–178) or other appropriation or authorization acts prior to fiscal year 2017 for the motor carrier safety program, $2,929,772 is hereby permanently rescinded.
Of the unobligated balances of funds provided in the Transportation Equity Act for the 21st Century (Public Law 105–178) or other appropriation or authorization acts prior to fiscal year 2017 for the national motor carrier safety program, $9,419,390 is hereby permanently rescinded.

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 commer-
cial driver’s license program implementation program,
$43,100,000 shall be available for the high priority activi-
ties program, and $1,000,000 shall be available for the
commercial motor vehicle operators grant program: Pro-
vided further, That of the unobligated amounts provided
for Commercial Vehicle Information Systems Network De-
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, $87,000,000 in additional obligation limitation
is provided for the modernization and maintenance of bor-
der facilities, and shall remain available until September
30, 2020: 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.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds provided 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 for motor carrier safety grants, $91,451,870
is hereby permanently rescinded.

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

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

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, $162,000,000, of which
$20,000,000 shall remain available through September
30, 2019.
OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the FAST Act (Public Law 114–94), 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-
office furnishings and fixtures for State, local or private buildings or structures: *Provided further,* That not to exceed $500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further,* That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further,* That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(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 Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.
SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $210,000,000, of which $15,900,000 shall remain available until expended, and of which up to $350,000 shall be available for the Secretary of Transportation to assist Class II and Class III railroads in preparing to apply and applying for direct loans and loan guarantees for eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210) to also 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 to exist as long as any such direct loan or loan guarantee is outstanding.

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, $92,547,000, to remain available until expended, for projects eligible under section 24407 of title 49, United States Code, of which $35,547,000 shall be available for eligible projects under section 24407(c)(2) of title 49, United States Code, that contribute to the initiation or restoration of intercity passenger rail service: 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.
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, $26,000,000, 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.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $5,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight.

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 Sur-
face Transportation Act (division A of Public Law 114–94), $358,400,000, to remain available until expended: 

Provided, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: Provided further, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: Provided further, That of the amounts made available under this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK 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 National Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94), $1,241,600,000, to remain available until expended: Provided, 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: Provided further, That up to $5,000,000 of the amount provided under this heading shall be available for costs associated with any matters Amtrak may elect to bring before the Surface Transportation Board related to the restoration of passenger rail service over routes previously served by Amtrak.

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 employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on 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 granted: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2018, a summary of all overtime payments incurred by the Corporation for 2017 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2017 and for the three prior calendar years.

Federal Transit Administration

Administrative Expenses

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $113,165,000: 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 trans-
mit 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 sections 3006(b) and 3028 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 sections 3006(b) and 3028 of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of $9,733,353,407 in fiscal
year 2018: *Provided further*, That the Federal share of
the cost of activities carried out under section 5312 shall
not exceed 80 percent, except that if there is substantial
public interest or benefit, the Secretary may approve a
greater Federal share.

**CAPITAL INVESTMENT GRANTS**

For necessary expenses to carry out 49 U.S.C. 5309
and section 3005(b) of the FAST Act, $2,132,910,000 to
remain available until September 30, 2021: *Provided,
That* $8,900,000 in New Starts recoveries from prior year
obligations from fiscal years 2000 to 2015 and $5,500,000
in Bus and Bus Facilities recoveries from prior year obli-
gations from fiscal years 2000 to 2005 shall remain avail-
able until September 30, 2021 to carry out 49 U.S.C.
5309: *Provided further*, That of the amounts made avail-
able in the previous provisos, $1,007,910,000 shall be
available for payments on previously executed New Starts
full funding grant agreements, $454,000,000 shall be
available for new New Starts full funding grant agree-
ments, $200,000,000 shall be available for payments on
previously executed Core Capacity full funding grant
agreements, $145,700,000 shall be available for new Core
Capacity full funding grant agreements, $149,900,000
shall be available to complete payments on partially fund-
ed Small Starts projects, and $168,400,000 shall be avail-
able for new grant agreements for Small Starts projects:

Provided, That the Secretary shall administer the program
and assist project sponsors according to 49 U.S.C. 5309
and make payments available to project sponsors in ac-
cordance with the report accompanying this Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA

TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area
Transit Authority as authorized under section 601 of divi-
sion 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 pre-
ventive 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 Tran-
sit 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 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
Law 110–432.

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, 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.

SAINT LAWRENCE SEAWAY DEVELOPMENT
CORPORATION

The Saint Lawrence Seaway Development Corpora-
tion is hereby authorized to make such expenditures, within
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, $36,028,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

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

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $228,642,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $50,000,000 shall remain available until expended for the National Security Multi-Mission Vessel, 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 $14,179,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $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, and of which $7,000,000 shall remain available until expended for the Short Sea Transportation Program (America’s Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code: Provided, That not later than January 12, 2019, 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, $10,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Opportunity no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration: Provided further, That available balances under this heading from prior year recoveries shall be available to carry out activities authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281.

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 the cost of guaranteed loans, $30,000,000, of which $27,000,000 shall remain available until expended:
Provided, That such costs, including the costs of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That not to exceed $3,000,000 shall be for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for “Operations and Training”, Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Sec. 170. Notwithstanding any other provision of this Act, 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 credited 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.
For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,000,000, of which $1,500,000 shall be for “Pipeline Safety Information Grants to Communities” as authorized under section 60130 of title 49, United States Code: *Provided*, That the Secretary of Transportation shall issue a final rule to expand the applicability of comprehensive oil spill response plans no later than 5 days of enactment of this Act.

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $59,000,000, 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 in-
curred in performance of hazardous materials exemptions
and approvals functions.

PIPELINE SAFETY

(Pipeline Safety Fund)

(Oil Spill Liability Trust Fund)

For expenses necessary to conduct the functions of
the pipeline safety program, for grants-in-aid to carry out
a pipeline safety program, as authorized by 49 U.S.C.
60107, and to discharge the pipeline program responsibil-
ities of the Oil Pollution Act of 1990, $162,000,000, of
which $23,000,000 shall be derived from the Oil Spill Li-
ability Trust Fund and shall remain available until Sep-
tember 30, 2020; and of which $131,000,000 shall be de-
rived 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 the
Pipeline Safety Fund as provided in 49 U.S.C. 60302
(section 12 of the PIPES Act of 2016 (Public Law 114–
183)) from the Underground Natural Gas Storage Facility
Safety Account for the purpose of carrying out 49 U.S.C.
60141 of such Act (section 12 of the PIPES Act of 2016
(Public Law 114–183)), of which $6,000,000 shall remain
available until September 30, 2020: Provided, That not
less than $1,058,000 of the funds provided under this
heading shall be for the One-Call State grant program.
EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

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 (c): 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.

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, $92,100,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Trans-
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, operation, and deployment of unmanned aircraft systems that advance the Department’s, or its operating administrations’, missions.
(c) 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. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

Sec. 183. (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. 184. 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. 185. (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 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 comprehensive 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 obligation.

Sec. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

Sec. 187. Amounts made available in this or any prior 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 available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: Provided, That amounts made available in this Act shall be available until expended; 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 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. 188. 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 de-
nied by the House and Senate Committees on Appropriations.

SEC. 189. 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. 190. 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. 191. 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 De-
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, $15,645,000: Provided, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $520,190,000, of which $52,200,000 shall be available for the Office of the Chief Financial Officer; $95,400,000 shall be available for the Office of the General Counsel; $206,140,000 shall be available for the Office of Administration; $39,300,000 shall be available for the Office of the Chief Human Capital Officer; $53,500,000 shall be available for the Office of Field Policy and Management; $19,500,000 shall be available for
the Office of the Chief Procurement Officer; $3,800,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,950,000 shall be available for the Office of Strategic Planning and Management; and $45,400,000 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 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, $222,000,000.

Community Planning and Development

For necessary salaries and expenses of the Office of Community Planning and Development, $108,300,000.

Housing

For necessary salaries and expenses of the Office of Housing, $383,000,000.

Policy Development and Research

For necessary salaries and expenses of the Office of Policy Development and Research, $25,400,000.

Fair Housing and Equal Opportunity

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $72,400,000.

Office of Lead Hazard Control and Healthy Homes

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $8,200,000.

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, or supply services as the Secretary determines 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).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, $17,365,120,000, to remain available until expended, shall be available on October 1, 2017 (in addition to the $4,000,000,000 previously appropriated under this heading 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) $19,370,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding
any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2018 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to
this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2018: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies' calendar year 2018 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 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, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2018 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost
savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $75,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as 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-	ection 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-
ppanying a mortgage or preservation program admin-
istered 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 contract 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) $1,725,000,000 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 $1,715,000,000 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 percent-
age applicable to all agencies receiving funding
under this paragraph or may, to the extent nec-
essary to provide full payment of amounts deter-
mined under the previous proviso, utilize unobligated
balances, including recaptures and carryovers, re-
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 partici-
pating in the MTW demonstration shall be funded
pursuant to their MTW agreements, and shall be
subject to the same uniform percentage decrease as
under the previous proviso: Provided further, That
amounts provided under this paragraph shall be only
for activities related to the provision of tenant-based
rental assistance authorized under section 8, includ-
ing related development activities;

(4) $130,120,000 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) $5,000,000 shall be for 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 other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VA Supportive Housing program: *Provided further*, That the Secretary shall be authorized to
specify criteria for renewal grants, including data on
the utilization of assistance reported by grant recipi-
ents: Provided further, That such assistance shall be
administered in accordance with program require-
ments under the Native American Housing Assist-
ance and Self-Determination Act of 1996 and mod-
eled after the HUD–VASH program: Provided fur-
ther, That the Secretary shall be authorized to
waive, or specify alternative requirements for any
provision of any statute or regulation that the Sec-
retary administers in connection with the use of
funds made available under this paragraph (except
for requirements related to fair housing, non-
discrimination, labor standards, and the environ-
ment), upon a finding by the Secretary that any
such waivers or alternative requirements are nec-
essary for the effective delivery and administration
of such assistance: Provided further, That grant re-
cipients shall report to the Secretary on utilization
of such rental assistance and other program data, as
prescribed by the Secretary: Provided further, That
the Secretary may reallocate, as determined by the
Secretary, amounts returned or recaptured from
awards under prior acts;
(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Developmentadministers in connection with the use of funds made
available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program; and
(8) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 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 additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.
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”) $1,945,000,000, 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 administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed $21,500,000 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 in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2019, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: Provided further, That of the total amount provided under this heading, $25,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus
demonstration: Provided further, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act...
shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 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)), $4,500,000,000, 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 neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $50,000,000, to remain available 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 agencies, 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 $25,000,000 shall be awarded to public housing agencies. Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations. Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources. Provided further, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community. Provided further, That unobligated balances, including recaptures and 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 develop-
opment of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 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.), $655,000,000, 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, $7,000,000 shall be for providing training and technical assistance to Indian housing authorities and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for 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 amounts made available under the previous proviso may be used, contracted, or competed as determined by the Secretary: 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: Pro-
vided 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 no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph.

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), $1,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $270,270,270, to remain available until expended: Provided further, That up to $750,000 of this amount may be for administrative contract expenses

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including management processes and systems to carry out the loan guarantee program.

**NATIVE HAWAIIAN HOUSING BLOCK GRANT**

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $1,000,000 to remain available until September 30, 2019: *Provided,* That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: *Provided further,* That the language under the first proviso under the heading “Native Hawaiian Housing Block Grant” in the Department of Housing and Urban Development Appropriations Act, 2015 (Public Law 113–235) is amended by striking “Hawaii-based”: *Provided further,* That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

**COMMUNITY PLANNING AND DEVELOPMENT**

**HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS**

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS
Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2019, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2020: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under competitive grants 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 section 854(c)(5) of such Act: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,060,000,000, to remain available until September 30, 2020, unless otherwise specified: Provided, That of the total amount provided, $3,000,000,000 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 development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: 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, $950,000,000, 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 Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2020: Provided, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help 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, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: Provided further, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local non-
profits, local governments, and Indian Tribes serving high
need rural communities: Provided further, That an addi-
tional $4,000,000, to remain available until expended,
shall be for a program to rehabilitate and modify homes
of disabled or low-income veterans, as authorized under
section 1079 of Public Law 113–291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as au-
thorized under subtitle B of title IV of the McKinney-
Vento Homeless Assistance Act, as amended; the Con-
tinuum of Care program as authorized under subtitle C
of title IV of such Act; and the Rural Housing Stability
Assistance program as authorized under subtitle D of title
IV of such Act, $2,456,000,000, to remain available until
September 30, 2020: Provided, That any rental assistance
amounts that are recaptured under such Continuum of
Care program shall remain available until expended: Pro-
vided further, That not less than $270,000,000 of the
funds appropriated under this heading shall be available
for such Emergency Solutions Grants program: Provided
further, That not less than $2,099,000,000 of the funds
appropriated under this heading shall be available for such
Continuum of Care and Rural Housing Stability Assist-
ance programs: Provided further, That of the amounts
made available under this heading, up to $25,000,000
shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, and stalking: Provided further, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to $7,000,000 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 funding 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 up to $55,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 15 communities, including at least five communities with substantial rural populations, can dramatically reduce youth homelessness: Provided further, That of the amount made available under the previous proviso, up to $5,000,000 shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: Provided further, That youth aged 24 and under seeking as-
Housing Programs

Rental Assistance Demonstration

For continuing activities under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), $4,000,000, to remain available until September 30, 2021: Provided, That such funds shall only be available to properties converting from assistance under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)).

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, $11,107,000,000, 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 Oct-
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 of the total amounts provided under this heading, not to exceed $285,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to
section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-
based Housing Assistance Payments contract that author-
izes 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 remit-
ted to the Department and deposited in this account, to
be available until expended: Provided further, That
amounts deposited pursuant to the previous proviso shall
be available in addition to the amount otherwise provided
by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts, for
housing for the elderly, as authorized by section 202 of
the Housing Act of 1959, as amended, and for project
rental assistance for the elderly under section 202(c)(2)
of such Act, including amendments to contracts for such
assistance and renewal of expiring contracts for such as-
stance 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 available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 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 renew-
als 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 author-
ized by section 811 of the Cranston-Gonzalez National Af-
fordable Housing Act (42 U.S.C. 8013), for project rental
assistance for supportive housing for persons with disabil-
ities under section 811(d)(2) of such Act, for project as-
sistance contracts pursuant to section 202(h) of the Hous-
ing Act of 1959 (Public Law 86–372; 73 Stat. 667), in-
cluding 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 serv-
ices associated with the housing for persons with disabil-
ities, as authorized by section 811(b)(1) of such Act,
$147,00,000, 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 associ-
ated with section 811 projects: Provided further, That, in
this fiscal year, upon the request of the Secretary of Hous-
ing 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 remit-
ted 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, $47,000,000, 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 advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, 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
1 up to one year for expiring contracts under such sections
2 of law.
3 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
4 FUND
5 For necessary expenses as authorized by the National
6 Manufactured Housing Construction and Safety Stan-
7 dards Act of 1974 (42 U.S.C. 5401 et seq.), up to
8 $11,000,000, to remain available until expended, of which
9 $11,000,000 is to be derived from the Manufactured
10 Housing Fees Trust Fund: Provided, That not to exceed
11 the total amount appropriated under this heading shall be
12 available from the general fund of the Treasury to the ex-
13 tent necessary to incur obligations and make expenditures
14 pending the receipt of collections to the Fund pursuant
15 to section 620 of such Act: Provided further, That the
16 amount made available under this heading from the gen-
17 eral fund shall be reduced as such collections are received
18 during fiscal year 2018 so as to result in a final fiscal
19 year 2018 appropriation from the general fund estimated
20 at zero, and fees pursuant to such section 620 shall be
21 modified as necessary to ensure such a final fiscal year
22 2018 appropriation: Provided further, That for the dispute
23 resolution and installation programs, the Secretary of
24 Housing and Urban Development may assess and collect
25 fees from any program participant: Provided further, That
such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

**Federal Housing Administration**

**Mutual Mortgage Insurance Program Account**

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 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, $130,000,000, 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.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

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

Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2019: Provided, That $24,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 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, State or local governments and their agencies, or colleges or universities 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: Provided further, That none of the funds provided
under this heading may be available for the doctoral dis-
sertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not oth-
erwise 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 Sec-
retary of Housing and Urban Development for the cre-
ation and promotion of translated materials and other pro-
grams 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 author-
ized by section 1011 of the Residential Lead-Based Paint
Hazard Reduction Act of 1992, $160,000,000, to remain
available until September 30, 2019, of which $30,000,000
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 not less than
$65,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, shall remain available until September 30, 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, $126,000,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.

General Provisions—Department of Housing and Urban Development

(including transfer of funds)

(including rescission)

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

SEC. 202. None of the 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 Corporation Act, as amended (12 U.S.C. 1811–1).

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

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

Sec. 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 related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

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

(2) The transferring project shall, as deter-
mined 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 re-
siding in the transferring project and provide a cer-
tification of approval by all appropriate local govern-
mental 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 re-
ceiving project or projects meets the condition speci-
ﬁed in subsection (d)(2)(A), any lien on the receiv-
ing project resulting from additional ﬁnancing ob-
tained 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 deter-
mination that such a waiver is necessary to facilitate
the ﬁnancing of acquisition, construction, and/or re-
ahbilitation of the receiving project or projects.

(8) If the transferring project meets the re-
quirements of subsection (d)(2), the owner or mort-
gagor of the receiving project or projects shall exe-
cute 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 restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;
(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

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

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

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

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;
(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

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

(F) assistance payments made under section 811(d)(2) of the Cranston-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 oper-
ational 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 only to the extent that the net credit subsidy cost for such insurance does not exceed zero.
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, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

Sec. 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 Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

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 spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 221. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the heading “Administrative Support Offices” or for any account under the general heading “Program Office Salaries and Expenses” to any other such office or account: Provided, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide notification to such Committees three business days in advance of any
such transfers under this section up to 10 percent or $5,000,000, whichever is less.

Sec. 222. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”), and comply with any standards under applicable 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 withdraw the Notice of Default. Thirty days following the issuance of a Notice of Default for failure to provide decent, safe and sanitary conditions or notice of violation of a regulatory agreement for failure to maintain a property in accordance with HUD regulations, and when a physical inspection score underlying such notices has not been successfully appealed, the project owner shall pay to residents occupying units 25 percent of the HUD contract rent for such unit each month until owner has certified to HUD that the project has been restored to decent, safe and sanitary condition. These payments cannot be made from Federal funds including housing assistance payments by HUD. Projects exempted from this provision are those under a HUD-approved corrective action plan of a third party sale. Owners shall post in the management office
all notices of violation and-or default by HUD, owner’s
HUD-approved corrective action plan and owners certifi-
cation that the property is decent, safe and sanitary. This
creates a private right of action limited to enforcing pay-
ment of 25 percent of HUD contract rent for residents
of these properties.

(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 re-
quiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other re-
lated party to stabilize the property in an attempt
to preserve the property through compliance, trans-
fer 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 appro-
priate by the Secretary.

(3) For purposes of this section and notwithstanding
any provision of law, the amount of the civil money pen-
alties under paragraph (2) shall be the higher of one per-
cent of the housing assistance payment contract budget
authority for such project or the applicable civil money
penalty under current law.

(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 conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect. For each day after the due dates herein that this report has not been submitted to such Committees, the appropriations under this title for the “Executive Offices” account, the “Housing” account, and for the Office of the Chief Financial Officer under the “Administrative Support Offices” account shall each be reduced by $50,000.

Sec. 223. None of the funds made available by this Act, or any other Act, for purposes authorized under sec-
tion 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. 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. 225. 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. 226. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 227. 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 refines 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. 228. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 229. 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 re-
search, evaluation, or statistical purposes for which the
amounts are made available to that Office subject to re-
programming requirements in section 405 of this Act.

Sec. 230. None of the funds provided in this Act or
any other act may be used for awards, including perform-
ance, special act, or spot, for any employee of the Depart-
ment of Housing and Urban Development who has been
subject to administrative discipline in fiscal years 2017 or
2018, including suspension from work.

Sec. 231. Funds made available in this title under
the heading “Homeless Assistance Grants” may be used
by the Secretary to participate in Performance Partner-
ship Pilots authorized under section 526 of division H of
Public Law 113–76, section 524 of division G of Public
Law 113–235, section 525 of division H of Public Law
114–113, and such authorities as are enacted for Perform-
ance Partnership Pilots in an appropriations Act for fiscal
year 2018: Provided, That such participation shall be lim-
ited to no more than 10 continuums of care and housing
activities to improve outcomes for disconnected youth.

Sec. 232. With respect to grant amounts awarded
under the heading “Homeless Assistance Grants” for fis-
cal years 2015, 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 recipient’s 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 CoC 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 CoC and meet standards determined by the Secretary.

Sec. 234. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g))
shall not apply with respect to the right of a jurisdiction
to draw funds from its HOME Investment Trust Fund
that otherwise expired or would expire in 2016, 2017,
2018, 2019, or 2020 under that section.

SEC. 235. 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-
cific 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. 236. The language under the heading “Rental
Assistance Demonstration” in the Department of Housing
and Urban Development Appropriations Act, 2012 (Public
Law 112–55), as amended by Public Law 113–76, Public
31, is amended—

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

(2) in matter preceding the first proviso, by in-
serting the following before the colon: “(herein the
‘First Component’)”;
(3) by striking the fourth proviso;

(4) in the thirteenth proviso, as reordered above, by —

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

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

(5) in the seventeenth proviso, as reordered above, by —

(A) inserting “or with a project rental assistance contract under section 202(c)(2) of the Housing Act of 1959,” after “section 8(o) of the Act,”;

(B) inserting “the subordination, restructuring, or both, of any mortgage or other agreements securing a capital advance previously provided by the Secretary under section 202(c)(1) of the Housing Act of 1959 in connection with the conversion of assistance,” following “including but not limited to”;

(C) inserting “or assistance contracts” after “for such vouchers”; and

(D) inserting the following before the colon: “(herein the ‘Second Component’)”;
(6) by inserting the following provisos after the seventeenth proviso, as reordered above:

“Provided further, That contracts provided to properties converting assistance from section 101 of the Housing and Urban Development Act of 1965 or section 236(f)(2) of the National Housing Act located in high-cost areas shall have initial rents set at comparable market rents for the market area: 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 and such a family shall not be considered a new admission for any purpose, including compliance with income targeting;”;

(7) in the twentieth proviso, as reordered above, by striking “the previous proviso” and all that follows through the end of the proviso and inserting “the Second Component shall be available for project-based subsidy contracts entered into pursuant to the Second Component;”;

(8) in the twenty-first proviso, as reordered above, by striking “the previous two provisos” and inserting “the Second Component, except for conversion of section 202 project rental assistance contracts,”;
(9) in the twenty-second proviso, as reordered above, by striking “the three previous provisos” and inserting “the Second Component, except for conversion of section 202 project rental assistance contracts,”;

(10) by inserting the following proviso before the final proviso:

“Provided further, That the Secretary may transfer amounts made available under the headings ‘Housing for the Elderly’ and ‘Rental Assistance Demonstration’ to the accounts under the headings ‘Project-Based Rental Assistance’ or ‘Tenant-Based Rental Assistance’ to facilitate any section 202 project rental assistance contract conversion 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

(11) in the final proviso, by striking “the previous four provisos” and inserting “the Second Component”.

Sec. 237. None of the funds made available under this Act may be used to interfere with State and local inspections of public housing dwelling units.

Sec. 238. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant
to such designations, made by the Secretary of Housing
and Urban Development in prior fiscal years, shall remain
in effect in accordance with the terms and conditions of
such agreements.

This title may be cited as the “Department of Hous-
ing 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 Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $27,490,000: Provided, That not to exceed $2,000 shall be available for official reception and representation 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 Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided...
vided further, That concurrent with the President’s budget request for fiscal year 2019, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2019 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), $110,400,000, 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 necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of ex-
perts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,600,000: Provided, That title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) is amended by: (1) in section 208 (42 U.S.C. 11318), by striking “to carry out this subchapter $3,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011” and inserting “such sums as may be necessary to carry out this title”; (2) by striking section 209 (42 U.S.C. 11319); and (3) by redesignating section 210 (42 U.S.C. 11320) as section 209.

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

Sec. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.
SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

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

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

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

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or
(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 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, ad-
justments made by Congress, adjustments due
to enacted rescissions, if appropriate, and the
fiscal year enacted level;

(B) a delineation in the table for each ap-
propriation 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 Ap-
propriations for approval prior to the expenditure of such
funds: Provided further, That these requests shall be made
in compliance with reprogramming guidelines under sec-
tion 405 of this Act.

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

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

Sec. 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 completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 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 section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

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

SEC. 415. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 416. 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.

SEC. 417. None of the funds in this Act shall be used to plan, design, or implement the privatization of the air traffic organization functions of the Federal Aviation Administration.
SEC. 418. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.
This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018”.
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 27, 2017

Read twice and placed on the calendar