

116TH CONGRESS  
1ST SESSION

# H. R. 267

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IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2019

Received; read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 Departments of Transportation, and Housing and Urban  
4 Development, and related agencies for the fiscal year end-  
5 ing September 30, 2019, and for other purposes, namely:

6 TITLE I—DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,  
10 \$113,535,000, of which not to exceed \$3,001,000 shall be  
11 available for the immediate Office of the Secretary; not  
12 to exceed \$1,040,000 shall be available for the immediate  
13 Office of the Deputy Secretary; not to exceed \$20,428,000  
14 shall be available for the Office of the General Counsel;  
15 not to exceed \$10,265,000 shall be available for the Office  
16 of the Under Secretary of Transportation for Policy; not  
17 to exceed \$14,019,000 shall be available for the Office of  
18 the Assistant Secretary for Budget and Programs; not to  
19 exceed \$2,550,000 shall be available for the Office of the  
20 Assistant Secretary for Governmental Affairs; not to ex-  
21 ceed \$29,244,000 shall be available for the Office of the  
22 Assistant Secretary for Administration; not to exceed  
23 \$2,142,000 shall be available for the Office of Public Af-  
24 fairs; not to exceed \$1,835,000 shall be available for the  
25 Office of the Executive Secretariat; not to exceed

1 \$12,325,000 shall be available for the Office of Intel-  
2 ligence, Security, and Emergency Response; and not to ex-  
3 ceed \$16,686,000 shall be available for the Office of the  
4 Chief Information Officer: *Provided*, That the Secretary  
5 of Transportation is authorized to transfer funds appro-  
6 priated for any office of the Office of the Secretary to any  
7 other office of the Office of the Secretary: *Provided fur-*  
8 *ther*, That no appropriation for any office shall be in-  
9 creased or decreased by more than 5 percent by all such  
10 transfers: *Provided further*, That notice of any change in  
11 funding greater than 5 percent shall be submitted for ap-  
12 proval to the House and Senate Committees on Appropria-  
13 tions: *Provided further*, That not to exceed \$60,000 shall  
14 be for allocation within the Department for official recep-  
15 tion and representation expenses as the Secretary may de-  
16 termine: *Provided further*, That notwithstanding any other  
17 provision of law, excluding fees authorized in Public Law  
18 107-71, there may be credited to this appropriation up  
19 to \$2,500,000 in funds received in user fees: *Provided fur-*  
20 *ther*, That none of the funds provided in this Act shall  
21 be available for the position of Assistant Secretary for  
22 Public Affairs.

23 RESEARCH AND TECHNOLOGY

24 For necessary expenses related to the Office of the  
25 Assistant Secretary for Research and Technology,

1 \$8,471,000, of which \$2,218,000 shall remain available  
2 until September 30, 2021: *Provided*, That there may be  
3 credited to this appropriation, to be available until ex-  
4 pended, funds received from States, counties, municipali-  
5 ties, other public authorities, and private sources for ex-  
6 penses incurred for training: *Provided further*, That any  
7 reference in law, regulation, judicial proceedings, or else-  
8 where to the Research and Innovative Technology Admin-  
9 istration shall continue to be deemed to be a reference to  
10 the Office of the Assistant Secretary for Research and  
11 Technology of the Department of Transportation.

12 NATIONAL INFRASTRUCTURE INVESTMENTS

13 For capital investments in surface transportation in-  
14 frastructure, \$1,000,000,000, to remain available through  
15 September 30, 2021: *Provided*, That the Secretary of  
16 Transportation shall distribute funds provided under this  
17 heading as discretionary grants to be awarded to a State,  
18 local government, transit agency, port authority, or a col-  
19 laboration among such entities on a competitive basis for  
20 projects that will have a significant local or regional im-  
21 pact: *Provided further*, That projects eligible for funding  
22 provided under this heading shall include, but not be lim-  
23 ited to, highway or bridge projects eligible under title 23,  
24 United States Code; public transportation projects eligible  
25 under chapter 53 of title 49, United States Code; pas-

1 senger and freight rail transportation projects; and port  
2 infrastructure investments (including inland port infra-  
3 structure and land ports of entry): *Provided further*, That  
4 of the amount made available under this heading, the Sec-  
5 retary may use an amount not to exceed \$15,000,000 for  
6 the planning, preparation or design of projects eligible for  
7 funding under this heading: *Provided further*, That grants  
8 awarded under the previous proviso shall not be subject  
9 to a minimum grant size: *Provided further*, That the Sec-  
10 retary may use up to 20 percent of the funds made avail-  
11 able under this heading for the purpose of paying the sub-  
12 sidy and administrative costs of projects eligible for Fed-  
13 eral credit assistance under chapter 6 of title 23, United  
14 States Code, or sections 501 through 504 of the Railroad  
15 Revitalization and Regulatory Reform Act of 1976 (Public  
16 Law 94–210), as amended, if the Secretary finds that  
17 such use of the funds would advance the purposes of this  
18 paragraph: *Provided further*, That in distributing funds  
19 provided under this heading, the Secretary shall take such  
20 measures so as to ensure an equitable geographic distribu-  
21 tion of funds, an appropriate balance in addressing the  
22 needs of urban and rural areas, and the investment in a  
23 variety of transportation modes: *Provided further*, That a  
24 grant funded under this heading shall be not less than  
25 \$5,000,000 and not greater than \$25,000,000: *Provided*

1 *further*, That not more than 10 percent of the funds made  
2 available under this heading may be awarded to projects  
3 in a single State: *Provided further*, That the Federal share  
4 of the costs for which an expenditure is made under this  
5 heading shall be, at the option of the recipient, up to 80  
6 percent: *Provided further*, That the Secretary shall give  
7 priority to projects that require a contribution of Federal  
8 funds in order to complete an overall financing package:  
9 *Provided further*, That not less than 30 percent of the  
10 funds provided under this heading shall be for projects lo-  
11 cated in rural areas: *Provided further*, That for projects  
12 located in rural areas, the minimum grant size shall be  
13 \$1,000,000 and the Secretary may increase the Federal  
14 share of costs above 80 percent: *Provided further*, That  
15 projects conducted using funds provided under this head-  
16 ing must comply with the requirements of subchapter IV  
17 of chapter 31 of title 40, United States Code: *Provided*  
18 *further*, That the Secretary shall conduct a new competi-  
19 tion to select the grants and credit assistance awarded  
20 under this heading: *Provided further*, That the Secretary  
21 may retain up to \$25,000,000 of the funds provided under  
22 this heading, and may transfer portions of those funds to  
23 the Administrators of the Federal Highway Administra-  
24 tion, the Federal Transit Administration, the Federal  
25 Railroad Administration, and the Maritime Administra-

1 tion to fund the award and oversight of grants and credit  
2 assistance made under the National Infrastructure Invest-  
3 ments program: *Provided further*, That none of the funds  
4 provided in the previous proviso may be used to hire addi-  
5 tional personnel: *Provided further*, That the Secretary  
6 shall consider and award projects based solely on the selec-  
7 tion criteria from the fiscal year 2016 Notice of Funding  
8 Opportunity: *Provided further*, That the Secretary shall  
9 not use the Federal share or an applicant's ability to gen-  
10 erate non-Federal revenue as a selection criteria in award-  
11 ing projects: *Provided further*, That the Secretary shall  
12 issue the Notice of Funding Opportunity no later than 60  
13 days after enactment of this Act: *Provided further*, That  
14 the Notice of Funding Opportunity shall require applica-  
15 tion submissions 90 days after the publishing of such No-  
16 tice: *Provided further*, That of the applications submitted  
17 under the previous two provisos, the Secretary shall make  
18 grants no later than 270 days after enactment of this Act  
19 in such amounts that the Secretary determines: *Provided*  
20 *further*, That such sums provided for national infrastruc-  
21 ture investments for passenger rail transportation projects  
22 under title I of division C of the Consolidated and Further  
23 Continuing Appropriations Act, 2012 (Public Law 112–  
24 55; 125 Stat. 641), shall remain available for expenditure  
25 through fiscal year 2019 for the liquidation of valid obliga-

1 tions of active grants incurred in fiscal year 2012: *Pro-*  
2 *vided further*, That such sums provided for national infra-  
3 structure investments for port infrastructure projects  
4 under title VIII of division F of the Consolidated and Fur-  
5 ther Continuing Appropriations Act, 2013 (Public Law  
6 113–6; 127 Stat. 432) shall remain available through fis-  
7 cal year 2020 for the liquidation of valid obligations of  
8 active grants incurred in fiscal year 2013: *Provided fur-*  
9 *ther*, That the 2 preceding provisos shall be applied as if  
10 they were in effect on September 30, 2018: *Provided fur-*  
11 *ther*, That after calculating the distribution of obligation  
12 limitation for Federal-aid highways for fiscal year 2019  
13 under section 120(a), the obligation limitation shall be re-  
14 duced by \$52,000,000 to a total of \$45,216,596,000: *Pro-*  
15 *vided further*, That the reduction in the preceding proviso  
16 shall be applied to the obligation limitation determined  
17 under section 120(a)(4) for the TIFIA program (as de-  
18 fined in section 601(a) of title 23, United States Code).

19 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE  
20 FINANCE BUREAU

21 For necessary expenses of the National Surface  
22 Transportation and Innovative Finance Bureau as author-  
23 ized by 49 U.S.C. 116, \$2,987,000, to remain available  
24 until expended.



## 1 FINANCIAL MANAGEMENT CAPITAL

2 For necessary expenses for upgrading and enhancing  
3 the Department of Transportation's financial systems and  
4 re-engineering business processes, \$2,000,000, to remain  
5 available through September 30, 2020.

## 6 CYBER SECURITY INITIATIVES

7 For necessary expenses for cyber security initiatives,  
8 including necessary upgrades to wide area network and  
9 information technology infrastructure, improvement of  
10 network perimeter controls and identity management,  
11 testing and assessment of information technology against  
12 business, security, and other requirements, implementa-  
13 tion of Federal cyber security initiatives and information  
14 infrastructure enhancements, and implementation of en-  
15 hanced security controls on network devices, \$15,000,000,  
16 to remain available through September 30, 2020.

## 17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,  
19 \$9,470,000.

## 20 TRANSPORTATION PLANNING, RESEARCH, AND

## 21 DEVELOPMENT

22 For necessary expenses for conducting transportation  
23 planning, research, systems development, development ac-  
24 tivities, and making grants, \$7,879,000, to remain avail-  
25 able until expended: *Provided*, That of such amount,

1 \$1,000,000 shall be for necessary expenses for the Inter-  
2 agency Infrastructure Permitting Improvement Center  
3 (IIPIC): *Provided further*, That there may be transferred  
4 to this appropriation, to remain available until expended,  
5 amounts transferred from other Federal agencies for ex-  
6 penses incurred under this heading for IIPIC activities not  
7 related to transportation infrastructure: *Provided further*,  
8 That the tools and analysis developed by the IIPIC shall  
9 be available to other Federal agencies for the permitting  
10 and review of major infrastructure projects not related to  
11 transportation only to the extent that other Federal agen-  
12 cies provide funding to the Department as provided for  
13 under the previous proviso.

14 WORKING CAPITAL FUND

15 For necessary expenses for operating costs and cap-  
16 ital outlays of the Working Capital Fund, not to exceed  
17 \$203,883,000, shall be paid from appropriations made  
18 available to the Department of Transportation: *Provided*,  
19 That such services shall be provided on a competitive basis  
20 to entities within the Department of Transportation: *Pro-*  
21 *vided further*, That the above limitation on operating ex-  
22 penses shall not apply to non-DOT entities: *Provided fur-*  
23 *ther*, That no funds appropriated in this Act to an agency  
24 of the Department shall be transferred to the Working  
25 Capital Fund without majority approval of the Working

1 Capital Fund Steering Committee and approval of the  
2 Secretary: *Provided further*, That no assessments may be  
3 levied against any program, budget activity, subactivity or  
4 project funded by this Act unless notice of such assess-  
5 ments and the basis therefor are presented to the House  
6 and Senate Committees on Appropriations and are ap-  
7 proved by such Committees.

8           MINORITY BUSINESS RESOURCE CENTER PROGRAM

9           For necessary expenses of the Minority Business Re-  
10 source Center, the provision of financial education out-  
11 reach activities to eligible transportation-related small  
12 businesses, the monitoring of existing loans in the guaran-  
13 teed loan program, and the modification of such loans of  
14 the Minority Business Resource Center, \$249,000, as au-  
15 thorized by 49 U.S.C. 332: *Provided*, That notwith-  
16 standing that section, these funds may be for business op-  
17 portunities related to any mode of transportation.

18           SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND

19   OUTREACH

20           For necessary expenses for small and disadvantaged  
21 business utilization and outreach activities, \$3,488,000, to  
22 remain available until September 30, 2020: *Provided*,  
23 That notwithstanding 49 U.S.C. 332, these funds may be  
24 used for business opportunities related to any mode of  
25 transportation.

## 1 PAYMENTS TO AIR CARRIERS

2 (AIRPORT AND AIRWAY TRUST FUND)

3 In addition to funds made available from any other  
4 source to carry out the essential air service program under  
5 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-  
6 rived from the Airport and Airway Trust Fund, to remain  
7 available until expended: *Provided*, That in determining  
8 between or among carriers competing to provide service  
9 to a community, the Secretary may consider the relative  
10 subsidy requirements of the carriers: *Provided further*,  
11 That basic essential air service minimum requirements  
12 shall not include the 15-passenger capacity requirement  
13 under subsection 41732(b)(3) of title 49, United States  
14 Code: *Provided further*, That none of the funds in this Act  
15 or any other Act shall be used to enter into a new contract  
16 with a community located less than 40 miles from the  
17 nearest small hub airport before the Secretary has nego-  
18 tiated with the community over a local cost share: *Pro-*  
19 *vided further*, That amounts authorized to be distributed  
20 for the essential air service program under subsection  
21 41742(b) of title 49, United States Code, shall be made  
22 available immediately from amounts otherwise provided to  
23 the Administrator of the Federal Aviation Administration:  
24 *Provided further*, That the Administrator may reimburse

1 such amounts from fees credited to the account estab-  
2 lished under section 45303 of title 49, United States Code.

3 ADMINISTRATIVE PROVISIONS—OFFICE OF THE  
4 SECRETARY OF TRANSPORTATION

5 SEC. 101. None of the funds made available in this  
6 Act to the Department of Transportation may be obligated  
7 for the Office of the Secretary of Transportation to ap-  
8 prove assessments or reimbursable agreements pertaining  
9 to funds appropriated to the modal administrations in this  
10 Act, except for activities underway on the date of enact-  
11 ment of this Act, unless such assessments or agreements  
12 have completed the normal reprogramming process for  
13 Congressional notification.

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

20 SEC. 103. In addition to authority provided by section  
21 327 of title 49, United States Code, the Department's  
22 Working Capital Fund is hereby authorized to provide  
23 partial or full payments in advance and accept subsequent  
24 reimbursements from all Federal agencies from available  
25 funds for transit benefit distribution services that are nec-

1    essary to carry out the Federal transit pass transportation  
2    fringe benefit program under Executive Order No. 13150  
3    and section 3049 of Public Law 109–59: *Provided*, That  
4    the Department shall maintain a reasonable operating re-  
5    serve in the Working Capital Fund, to be expended in ad-  
6    vance to provide uninterrupted transit benefits to Govern-  
7    ment employees: *Provided further*, That such reserve will  
8    not exceed one month of benefits payable and may be used  
9    only for the purpose of providing for the continuation of  
10   transit benefits: *Provided further*, That the Working Cap-  
11   ital Fund will be fully reimbursed by each customer agen-  
12   cy from available funds for the actual cost of the transit  
13   benefit.

14                   FEDERAL AVIATION ADMINISTRATION

15                                   OPERATIONS

16   (AIRPORT AND AIRWAY TRUST FUND)

17       For necessary expenses of the Federal Aviation Ad-  
18   ministration, not otherwise provided for, including oper-  
19   ations and research activities related to commercial space  
20   transportation, administrative expenses for research and  
21   development, establishment of air navigation facilities, the  
22   operation (including leasing) and maintenance of aircraft,  
23   subsidizing the cost of aeronautical charts and maps sold  
24   to the public, the lease or purchase of passenger motor  
25   vehicles for replacement only, in addition to amounts made

1 available by Public Law 112–95, \$10,410,758,000, to re-  
2 main available until September 30, 2020, of which  
3 \$9,833,400,000 shall be derived from the Airport and Air-  
4 way Trust Fund, of which not to exceed \$7,843,427,000  
5 shall be available for air traffic organization activities; not  
6 to exceed \$1,334,377,000 shall be available for aviation  
7 safety activities; not to exceed \$24,981,000 shall be avail-  
8 able for commercial space transportation activities; not to  
9 exceed \$816,562,000 shall be available for finance and  
10 management activities; not to exceed \$61,796,000 shall be  
11 available for NextGen and operations planning activities;  
12 not to exceed \$114,312,000 shall be available for security  
13 and hazardous materials safety; and not to exceed  
14 \$215,303,000 shall be available for staff offices: *Provided*,  
15 That not to exceed 5 percent of any budget activity, except  
16 for aviation safety budget activity, may be transferred to  
17 any budget activity under this heading: *Provided further*,  
18 That no transfer may increase or decrease any appropria-  
19 tion by more than 5 percent: *Provided further*, That any  
20 transfer in excess of 5 percent shall be treated as a re-  
21 programming of funds under section 405 of this Act and  
22 shall not be available for obligation or expenditure except  
23 in compliance with the procedures set forth in that section:  
24 *Provided further*, That not later than March 31 of each  
25 fiscal year hereafter, the Administrator of the Federal

1 Aviation Administration shall transmit to Congress an an-  
2 nual update to the report submitted to Congress in De-  
3 cember 2004 pursuant to section 221 of Public Law 108–  
4 176: *Provided further*, That the amount herein appro-  
5 priated shall be reduced by \$100,000 for each day after  
6 March 31 that such report has not been submitted to the  
7 Congress: *Provided further*, That not later than March 31  
8 of each fiscal year hereafter, the Administrator shall  
9 transmit to Congress a companion report that describes  
10 a comprehensive strategy for staffing, hiring, and training  
11 flight standards and aircraft certification staff in a format  
12 similar to the one utilized for the controller staffing plan,  
13 including stated attrition estimates and numerical hiring  
14 goals by fiscal year: *Provided further*, That the amount  
15 herein appropriated shall be reduced by \$100,000 per day  
16 for each day after March 31 that such report has not been  
17 submitted to Congress: *Provided further*, That funds may  
18 be used to enter into a grant agreement with a nonprofit  
19 standard-setting organization to assist in the development  
20 of aviation safety standards: *Provided further*, That none  
21 of the funds in this Act shall be available for new appli-  
22 cants for the second career training program: *Provided*  
23 *further*, That none of the funds in this Act shall be avail-  
24 able for the Federal Aviation Administration to finalize  
25 or implement any regulation that would promulgate new



1 aviation user fees not specifically authorized by law after  
2 the date of the enactment of this Act: *Provided further*,  
3 That there may be credited to this appropriation, as off-  
4 setting collections, funds received from States, counties,  
5 municipalities, foreign authorities, other public authori-  
6 ties, and private sources for expenses incurred in the pro-  
7 vision of agency services, including receipts for the mainte-  
8 nance and operation of air navigation facilities, and for  
9 issuance, renewal or modification of certificates, including  
10 airman, aircraft, and repair station certificates, or for  
11 tests related thereto, or for processing major repair or al-  
12 teration forms: *Provided further*, That of the funds appro-  
13 priated under this heading, not less than \$168,000,000  
14 shall be used to fund direct operations of the current 254  
15 air traffic control towers in the contract tower program,  
16 including the contract tower cost share program, and any  
17 airport that is currently qualified or that will qualify for  
18 the program during the fiscal year: *Provided further*, That  
19 none of the funds in this Act for aeronautical charting  
20 and cartography are available for activities conducted by,  
21 or coordinated through, the Working Capital Fund: *Pro-*  
22 *vided further*, That none of the funds appropriated or oth-  
23 erwise made available by this Act or any other Act may  
24 be used to eliminate the Contract Weather Observers pro-  
25 gram at any airport: *Provided further*, That of the amount

1 appropriated under this heading, up to \$6,000,000 shall  
2 be used for providing matching funds to qualified commer-  
3 cial entities seeking to demonstrate or validate tech-  
4 nologies that the Federal Aviation Administration con-  
5 siders essential to the safe integration of unmanned air-  
6 craft systems (UAS) in the National Airspace System at  
7 Federal Aviation Administration designated UAS test  
8 sites: *Provided further*, That not later than 60 days after  
9 the date of enactment of this Act, the Administrator of  
10 the Federal Aviation Administration shall identify essen-  
11 tial integration technologies that could be demonstrated  
12 or validated at test sites designated in accordance with  
13 the preceding proviso.

14 FACILITIES AND EQUIPMENT

15 (AIRPORT AND AIRWAY TRUST FUND)

16 For necessary expenses, not otherwise provided for,  
17 for acquisition, establishment, technical support services,  
18 improvement by contract or purchase, and hire of national  
19 airspace systems and experimental facilities and equip-  
20 ment, as authorized under part A of subtitle VII of title  
21 49, United States Code, including initial acquisition of  
22 necessary sites by lease or grant; engineering and service  
23 testing, including construction of test facilities and acqui-  
24 sition of necessary sites by lease or grant; construction  
25 and furnishing of quarters and related accommodations

1 for officers and employees of the Federal Aviation Admin-  
2 istration stationed at remote localities where such accom-  
3 modations are not available; and the purchase, lease, or  
4 transfer of aircraft from funds available under this head-  
5 ing, including aircraft for aviation regulation and certifi-  
6 cation; to be derived from the Airport and Airway Trust  
7 Fund, \$3,000,000,000, of which \$512,823,000 shall re-  
8 main available until September 30, 2020, \$2,362,977,000  
9 shall remain available until September 30, 2021, and  
10 \$124,200,000 shall remain available until expended: *Pro-*  
11 *vided*, That there may be credited to this appropriation  
12 funds received from States, counties, municipalities, other  
13 public authorities, and private sources, for expenses in-  
14 curred in the establishment, improvement, and moderniza-  
15 tion of national airspace systems: *Provided further*, That  
16 no later than March 31, the Secretary of Transportation  
17 shall transmit to the Congress an investment plan for the  
18 Federal Aviation Administration which includes funding  
19 for each budget line item for fiscal years 2020 through  
20 2024, with total funding for each year of the plan con-  
21 strained to the funding targets for those years as esti-  
22 mated and approved by the Office of Management and  
23 Budget.

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,  
4 for research, engineering, and development, as authorized  
5 under part A of subtitle VII of title 49, United States  
6 Code, including construction of experimental facilities and  
7 acquisition of necessary sites by lease or grant,  
8 \$191,000,000, to be derived from the Airport and Airway  
9 Trust Fund and to remain available until September 30,  
10 2021: *Provided*, That there may be credited to this appro-  
11 priation as offsetting collections, funds received from  
12 States, counties, municipalities, other public authorities,  
13 and private sources, which shall be available for expenses  
14 incurred for research, engineering, and development.

15 GRANTS-IN-AID FOR AIRPORTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (AIRPORT AND AIRWAY TRUST FUND)

19 (INCLUDING TRANSFER OF FUNDS)

20 For liquidation of obligations incurred for grants-in-  
21 aid for airport planning and development, and noise com-  
22 patibility planning and programs as authorized under sub-  
23 chapter I of chapter 471 and subchapter I of chapter 475  
24 of title 49, United States Code, and under other law au-  
25 thorizing such obligations; for procurement, installation,

1 and commissioning of runway incursion prevention devices  
2 and systems at airports of such title; for grants authorized  
3 under section 41743 of title 49, United States Code; and  
4 for inspection activities and administration of airport safe-  
5 ty programs, including those related to airport operating  
6 certificates under section 44706 of title 49, United States  
7 Code, \$3,000,000,000, to be derived from the Airport and  
8 Airway Trust Fund and to remain available until ex-  
9 pended: *Provided*, That none of the funds under this head-  
10 ing shall be available for the planning or execution of pro-  
11 grams the obligations for which are in excess of  
12 \$3,350,000,000 in fiscal year 2019, notwithstanding sec-  
13 tion 47117(g) of title 49, United States Code: *Provided*  
14 *further*, That none of the funds under this heading shall  
15 be available for the replacement of baggage conveyor sys-  
16 tems, reconfiguration of terminal baggage areas, or other  
17 airport improvements that are necessary to install bulk ex-  
18 plosive detection systems: *Provided further*, That notwith-  
19 standing section 47109(a) of title 49, United States Code,  
20 the Government's share of allowable project costs under  
21 paragraph (2) for subgrants or paragraph (3) of that sec-  
22 tion shall be 95 percent for a project at other than a large  
23 or medium hub airport that is a successive phase of a  
24 multi-phased construction project for which the project  
25 sponsor received a grant in fiscal year 2011 for the con-

1 construction project: *Provided further*, That notwithstanding  
2 any other provision of law, of funds limited under this  
3 heading, not more than \$112,600,000 shall be available  
4 for administration, not less than \$15,000,000 shall be  
5 available for the Airport Cooperative Research Program,  
6 not less than \$33,210,000 shall be available for Airport  
7 Technology Research, and \$10,000,000, to remain avail-  
8 able until expended, shall be available and transferred to  
9 “Office of the Secretary, Salaries and Expenses” to carry  
10 out the Small Community Air Service Development Pro-  
11 gram: *Provided further*, That in addition to airports eligi-  
12 ble under section 41743 of title 49, United States Code,  
13 such program may include the participation of an airport  
14 that serves a community or consortium that is not larger  
15 than a small hub airport, according to FAA hub classifica-  
16 tions effective at the time the Office of the Secretary  
17 issues a request for proposals.

18 GRANTS-IN-AID FOR AIRPORTS

19 For an additional amount for “Grants-In-Aid for Air-  
20 ports”, to enable the Secretary of Transportation to make  
21 grants for projects as authorized by subchapter 1 of chap-  
22 ter 471 and subchapter 1 of chapter 475 of title 49,  
23 United States Code, \$750,000,000, to remain available  
24 through September 30, 2021: *Provided*, That amounts  
25 made available under this heading shall be derived from

1 the general fund, and such funds shall not be subject to  
2 apportionment formulas, special apportionment categories,  
3 or minimum percentages under chapter 471: *Provided fur-*  
4 *ther*, That the Secretary shall distribute funds provided  
5 under this heading as discretionary grants to airports:  
6 *Provided further*, That the amount made available under  
7 this heading shall not be subject to any limitation on obli-  
8 gations for the Grants-in-Aid for Airports program set  
9 forth in any Act: *Provided further*, That the Administrator  
10 of the Federal Aviation Administration may retain up to  
11 0.5 percent of the funds provided under this heading to  
12 fund the award and oversight by the Administrator of  
13 grants made under this heading.

14 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

15 ADMINISTRATION

16 SEC. 110. None of the funds in this Act may be used  
17 to compensate in excess of 600 technical staff-years under  
18 the federally funded research and development center con-  
19 tract between the Federal Aviation Administration and the  
20 Center for Advanced Aviation Systems Development dur-  
21 ing fiscal year 2019.

22 SEC. 111. None of the funds in this Act shall be used  
23 to pursue or adopt guidelines or regulations requiring air-  
24 port sponsors to provide to the Federal Aviation Adminis-  
25 tration without cost building construction, maintenance,

1 utilities and expenses, or space in airport sponsor-owned  
2 buildings for services relating to air traffic control, air  
3 navigation, or weather reporting: *Provided*, That the pro-  
4 hibition of funds in this section does not apply to negotia-  
5 tions between the agency and airport sponsors to achieve  
6 agreement on “below-market” rates for these items or to  
7 grant assurances that require airport sponsors to provide  
8 land without cost to the Federal Aviation Administration  
9 for air traffic control facilities.

10       SEC. 112. The Administrator of the Federal Aviation  
11 Administration may reimburse amounts made available to  
12 satisfy 49 U.S.C. 41742(a)(1) from fees credited under  
13 49 U.S.C. 45303 and any amount remaining in such ac-  
14 count at the close of that fiscal year may be made available  
15 to satisfy section 41742(a)(1) for the subsequent fiscal  
16 year.

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

22       SEC. 114. None of the funds in this Act shall be avail-  
23 able for paying premium pay under subsection 5546(a) of  
24 title 5, United States Code, to any Federal Aviation Ad-  
25 ministration employee unless such employee actually per-



1 formed work during the time corresponding to such pre-  
2 mium pay.

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

7 SEC. 116. None of the funds in this Act may be obli-  
8 gated or expended for retention bonuses for an employee  
9 of the Federal Aviation Administration without the prior  
10 written approval of the Assistant Secretary for Adminis-  
11 tration of the Department of Transportation.

12 SEC. 117. Notwithstanding any other provision of  
13 law, none of the funds made available under this Act or  
14 any prior Act may be used to implement or to continue  
15 to implement any limitation on the ability of any owner  
16 or operator of a private aircraft to obtain, upon a request  
17 to the Administrator of the Federal Aviation Administra-  
18 tion, a blocking of that owner's or operator's aircraft reg-  
19 istration number from any display of the Federal Aviation  
20 Administration's Aircraft Situational Display to Industry  
21 data that is made available to the public, except data made  
22 available to a Government agency, for the noncommercial  
23 flights of that owner or operator.

24 SEC. 118. None of the funds in this Act shall be avail-  
25 able for salaries and expenses of more than eight political

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

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

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

17       SEC. 119B. None of the funds appropriated or lim-  
18 ited by this Act may be used to change weight restrictions  
19 or prior permission rules at Teterboro airport in  
20 Teterboro, New Jersey.

21       SEC. 119C. None of the funds provided under this  
22 Act may be used by the Administrator of the Federal Avia-  
23 tion Administration to withhold from consideration and  
24 approval any new application for participation in the Con-  
25 tract Tower Program, or for reevaluation of Cost-share

1 Program participants, as long as the Federal Aviation Ad-  
2 ministration has received an application from the airport,  
3 and as long as the Administrator determines such tower  
4 is eligible using the factors set forth in the Federal Avia-  
5 tion Administration report, Establishment and Dis-  
6 continuance Criteria for Airport Traffic Control Towers  
7 (FAA–APO–90–7 as of August, 1990).

8       SEC. 119D. Notwithstanding any other provision of  
9 law, none of the funds made available in this Act may be  
10 obligated or expended to limit the use of an Organization  
11 Designation Authorization’s (ODA) delegated functions  
12 documented in its procedures manual on a type certifi-  
13 cation project unless the Administrator documents a sys-  
14 temic airworthiness noncompliance performance issue as  
15 a result of inspection or oversight that the safety of air  
16 commerce requires a limitation with regard to a specific  
17 authorization or where an ODA’s capability has not been  
18 previously established in terms of a new compliance meth-  
19 od or design feature: *Provided*, That in such cases the  
20 Federal Aviation Administration shall work with the ODA  
21 holder if requested to develop the capability to execute  
22 that function safely, efficiently and effectively.

23       SEC. 119E. (a) TERMINAL AERODROME FORE-  
24 CAST.—The Administrator shall permit an air carrier op-  
25 eration under part 121 of title 14, Code of Federal Regu-

1 lations, to operate to a destination determined to be under  
2 visual flight rules without a Terminal Aerodrome Forecast  
3 or Meteorological Aerodrome Report if a current Area  
4 Forecast, supplemented by other local weather observa-  
5 tions or reports, is available, and an alternate airport that  
6 has an available Terminal Aerodrome Forecast and weath-  
7 er report is specified. The air carrier shall have approved  
8 procedures for dispatch and en route weather evaluation  
9 and shall operate under instrument flight rules en route  
10 to the destination.

11 (b) LIMITATION.—Without a written finding of neces-  
12 sity, based on objective and historical evidence of immi-  
13 nent threat to safety, the Administrator shall not promul-  
14 gate any operation specification, policy, or guidance docu-  
15 ment that is more restrictive than, or requires procedures  
16 that are not expressly stated in, the regulations.

17 SEC. 119F. Of the funds provided under the heading  
18 “Grants-in-aid for Airports”, up to \$3,500,000 shall be  
19 for necessary expenses, including an independent  
20 verification regime, to provide reimbursement to airport  
21 sponsors that do not provide gateway operations and pro-  
22 viders of general aviation ground support services located  
23 at those airports closed during a temporary flight restric-  
24 tion (TFR) for any residence of the President that is des-  
25 igned or identified to be secured by the United States

1 Secret Service, and for direct and incremental financial  
2 losses incurred while such airports are closed solely due  
3 to the actions of the Federal Government: *Provided*, That  
4 no funds shall be obligated or distributed to airport spon-  
5 sors that do not provide gateway operations and providers  
6 of general aviation ground support services until an inde-  
7 pendent audit is completed: *Provided further*, That losses  
8 incurred as a result of violations of law, or through fault  
9 or negligence, of such operators and service providers or  
10 of third parties (including airports) are not eligible for re-  
11 imbursements: *Provided further*, That obligation and ex-  
12 penditure of funds are conditional upon full release of the  
13 United States Government for all claims for financial  
14 losses resulting from such actions.

15 REPORT ON NEXTGEN IMPLEMENTATION

16 SEC. 119G. (a) IN GENERAL.—Not later than 1 year  
17 after the date of enactment of this Act, the Administrator  
18 shall submit to Congress a report on the implementation  
19 of NextGen at commercial service airports in the United  
20 States.

21 (b) ELEMENTS.—The report required by subsection  
22 (a) shall include the following:

23 (1) The number and percentage of commercial  
24 service airports in the United States that have fully  
25 implemented NextGen.

1           (2) The percentage completion of NextGen im-  
2           plementation at each commercial service airport in  
3           the United States.

4           (c) DEVELOPMENT OF STANDARD TO DETERMINE  
5 PERCENTAGE IMPLEMENTATION OF NEXTGEN.—

6           (1) IN GENERAL.—The Administrator shall de-  
7           velop a standard for determining under subsection  
8           (b)(2) the percentage completion of NextGen imple-  
9           mentation at commercial service airports in the  
10          United States based on factors that may include an  
11          accounting of efficiency benefits achieved, the degree  
12          of NextGen technology and infrastructure installed,  
13          and the extent of controller training on NextGen.

14          (2) INCLUSION IN REPORT.—The Administrator  
15          shall include in the report submitted under sub-  
16          section (a) the standard developed under paragraph  
17          (1).

18          (d) DEFINITIONS.—In this section:

19               (1) ADMINISTRATOR.—The term “Adminis-  
20               trator” means the Administrator of the Federal  
21               Aviation Administration.

22               (2) NEXTGEN.—The term “NextGen” means  
23               the Next Generation Air Transportation System.

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

5           Not to exceed \$446,444,304, together with advances  
6 and reimbursements received by the Federal Highway Ad-  
7 ministration, shall be obligated for necessary expenses for  
8 administration and operation of the Federal Highway Ad-  
9 ministration. In addition, \$3,248,000 shall be transferred  
10 to the Appalachian Regional Commission in accordance  
11 with section 104(a) of title 23, United States Code.

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

15           Funds available for the implementation or execution  
16 of Federal-aid highway and highway safety construction  
17 programs authorized under titles 23 and 49, United States  
18 Code, and the provisions of the Fixing America's Surface  
19 Transportation Act shall not exceed total obligations of  
20 \$45,268,596,000 for fiscal year 2019: *Provided*, That the  
21 Secretary may collect and spend fees, as authorized by  
22 title 23, United States Code, to cover the costs of services  
23 of expert firms, including counsel, in the field of municipal  
24 and project finance to assist in the underwriting and serv-  
25 icing of Federal credit instruments and all or a portion

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

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (HIGHWAY TRUST FUND)

11 For the payment of obligations incurred in carrying  
12 out Federal-aid highway and highway safety construction  
13 programs authorized under title 23, United States Code,  
14 \$46,007,596,000 derived from the Highway Trust Fund  
15 (other than the Mass Transit Account), to remain avail-  
16 able until expended.

17 HIGHWAY INFRASTRUCTURE PROGRAMS

18 There is hereby appropriated to the Secretary of  
19 Transportation \$3,300,000,000: *Provided*, That the  
20 amounts made available under this heading shall be de-  
21 rived from the general fund, shall be in addition to any  
22 funds provided for fiscal year 2019 in this or any other  
23 Act for “Federal-aid Highways” under chapter 1 of title  
24 23, United States Code, and shall not affect the distribu-  
25 tion or amount of funds provided in any other Act: *Pro-*



1 *vided further*, That section 1101(b) of Public Law 114–  
2 94 shall apply to funds made available under this heading:  
3 *Provided further*, That of the funds made available under  
4 this heading, \$2,389,200,000 shall be set aside for activi-  
5 ties eligible under section 133(b)(1)(A) of title 23, United  
6 States Code, \$15,800,000 shall be set aside for activities  
7 eligible under the Puerto Rico Highway Program as de-  
8 scribed in section 165(b)(2)(C) of such title, \$5,000,000  
9 shall be set aside for activities eligible under the Terri-  
10 torial Highway Program, as described in section 165(e)(6)  
11 of such title, \$90,000,000 shall be set aside for the elimi-  
12 nation of hazards and installation of protective devices at  
13 railway-highway crossings, as described in section  
14 130(e)(1)(A) of such title, and \$800,000,000 shall be set  
15 aside for a bridge replacement and rehabilitation program  
16 for States: *Provided further*, That for purposes of this  
17 heading, the term “State” means any of the 50 States  
18 or the District of Columbia: *Provided further*, That the  
19 funds made available under this heading for activities eli-  
20 gible under section 133(b)(1)(A) of title 23, United States  
21 Code, shall be suballocated in the manner described in sec-  
22 tion 133(d) of such title, except that the set-aside de-  
23 scribed in section 133(h) of such title shall not apply to  
24 funds made available under this heading: *Provided further*,  
25 That the funds made available under this heading for (1)

1 activities eligible under section 133(b)(1)(A) of such title  
2 (2) the elimination of hazards and installation of protec-  
3 tive devices at railway-highway crossings, and (3) a bridge  
4 replacement and rehabilitation program shall be adminis-  
5 tered as if apportioned under chapter 1 of such title and  
6 shall remain available through September 30, 2022: *Pro-*  
7 *vided further*, That the funds made available under this  
8 heading for activities eligible under section 133(b)(1)(A)  
9 of title 23, United States Code, shall be apportioned to  
10 the States in the same ratio as the obligation limitation  
11 for fiscal year 2019 is distributed among the States in  
12 section 120(a)(5) of this Act: *Provided further*, That, ex-  
13 cept as provided in the following proviso, the funds made  
14 available under this heading for activities eligible under  
15 the Puerto Rico Highway Program and activities eligible  
16 under the Territorial Highway Program shall be adminis-  
17 tered as if allocated under sections 165(b) and 165(c), re-  
18 spectively, of such title and shall remain available through  
19 September 30, 2022: *Provided further*, That the funds  
20 made available under this heading for activities eligible  
21 under the Puerto Rico Highway Program shall not be sub-  
22 ject to the requirements of sections 165(b)(2)(A) or  
23 165(b)(2)(B) of such title: *Provided further*, That the  
24 funds made available under this heading for the elimi-  
25 nation of hazards and installation of protective devices at

1 railway-highway crossings shall be apportioned to the  
2 States as described in sections 130(f)(1) and (f)(2) of such  
3 title: *Provided further*, That at least one-half of the funds  
4 made available to a State under this heading for the elimi-  
5 nation of hazards and installation of protective devices at  
6 railway-highway crossings shall be available for the instal-  
7 lation of protective devices at railway-highway crossings:  
8 *Provided further*, That the funds made available under this  
9 heading for the elimination of hazards and installation of  
10 protective devices at railway-highway crossings shall be  
11 subject to the special rule described in section 130(e)(2)  
12 of such title: *Provided further*, That projects carried out  
13 with funds made available under this heading for the  
14 elimination of hazards and installation of protective de-  
15 vices at railway-highway crossings shall be (1) subject to  
16 sections 130(b), (c), and (j) of such title, (2) included in  
17 the annual report described in section 130(g) of such title,  
18 and (3) subject to the Federal share requirement de-  
19 scribed in section 130(f)(3) of such title: *Provided further*,  
20 That the funds made available under this heading for the  
21 elimination of hazards and installation of protective de-  
22 vices at railway-highway crossings shall be (1) available  
23 for matching, as described in section 130(h) of such title,  
24 subject to the requirements of such section, (2) available  
25 for incentive payments, as described in section 130(i) of

1 such title, subject to the requirements of such section, and  
2 (3) subject to the limitation in section 130(k) of such title:  
3 *Provided further*, That the funds made available under this  
4 heading for a bridge replacement and rehabilitation pro-  
5 gram shall be used for highway bridge replacement or re-  
6 habilitation projects on public roads: *Provided further*,  
7 That except as provided in the following proviso the funds  
8 made available under this heading for a bridge replace-  
9 ment and rehabilitation program shall be used in areas  
10 of a State that have a population of 200,000 or fewer indi-  
11 viduals: *Provided further*, That if a State has no bridges  
12 located in areas with a population of 200,000 or fewer  
13 individuals, or if a State has no bridge replacement or re-  
14 habilitation needs in areas of the State with a population  
15 of 200,000 or fewer individuals, the funds made available  
16 under this heading for a bridge replacement and rehabili-  
17 tation program may be used for highway bridge replace-  
18 ment or rehabilitation projects on public roads in any area  
19 of the State: *Provided further*, That the Secretary shall  
20 distribute funds made available under this heading for the  
21 bridge replacement and rehabilitation program to each  
22 State by the proportion that the percentage of total deck  
23 area of bridges classified as in poor condition in each State  
24 bears to the sum of the percentages of total deck area  
25 of bridges classified as in poor condition in all States: *Pro-*

1 *vided further*, That for purposes of this heading for the  
2 bridge replacement and rehabilitation program, the Sec-  
3 retary shall (1) calculate population based on the latest  
4 available data from the decennial census conducted under  
5 section 141(a) of title 13, United States Code, and (2)  
6 calculate the percentages of total deck area of bridges clas-  
7 sified as in poor condition based on the National Bridge  
8 Inventory as of December 31, 2017.

9 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

10 ADMINISTRATION

11 SEC. 120. (a) For fiscal year 2019, the Secretary of  
12 Transportation shall—

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

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

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

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

23 (A) made available from the Highway  
24 Trust Fund (other than the Mass Transit Ac-  
25 count) for Federal-aid highway and highway

1 safety construction programs for previous fiscal  
2 years the funds for which are allocated by the  
3 Secretary (or apportioned by the Secretary  
4 under sections 202 or 204 of title 23, United  
5 States Code); and

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

8 (3) determine the proportion that—

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

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

1           (4) distribute the obligation limitation for Fed-  
2           eral-aid highways, less the aggregate amounts not  
3           distributed under paragraphs (1) and (2), for each  
4           of the programs (other than programs to which  
5           paragraph (1) applies) that are allocated by the Sec-  
6           retary under the Fixing America’s Surface Trans-  
7           portation Act and title 23, United States Code, or  
8           apportioned by the Secretary under sections 202 or  
9           204 of that title, by multiplying—

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

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

15           (5) distribute the obligation limitation for Fed-  
16           eral-aid highways, less the aggregate amounts not  
17           distributed under paragraphs (1) and (2) and the  
18           amounts distributed under paragraph (4), for Fed-  
19           eral-aid highway and highway safety construction  
20           programs that are apportioned by the Secretary  
21           under title 23, United States Code, (other than the  
22           amounts apportioned for the National Highway Per-  
23           formance Program in section 119 of title 23, United  
24           States Code, that are exempt from the limitation  
25           under subsection (b)(12) and the amounts appor-

1 tioned under sections 202 and 204 of that title) in  
2 the proportion that—

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

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

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

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

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

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

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

23 (5) subsections (b) and (e) of section 149 of the  
24 Surface Transportation and Uniform Relocation As-  
25 sistance Act of 1987 (101 Stat. 198);



1           (6) sections 1103 through 1108 of the Inter-  
2 modal Surface Transportation Efficiency Act of  
3 1991 (105 Stat. 2027);

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

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

10          (9) Federal-aid highway programs for which ob-  
11 ligation authority was made available under the  
12 Transportation Equity Act for the 21st Century  
13 (112 Stat. 107) or subsequent Acts for multiple  
14 years or to remain available until expended, but only  
15 to the extent that the obligation authority has not  
16 lapsed or been used;

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

21          (11) section 1603 of SAFETEA-LU (23  
22 U.S.C. 118 note; 119 Stat. 1248), to the extent that  
23 funds obligated in accordance with that section were  
24 not subject to a limitation on obligations at the time

1 at which the funds were initially made available for  
2 obligation; and

3 (12) section 119 of title 23, United States Code  
4 (but, for each of fiscal years 2013 through 2019,  
5 only in an amount equal to \$639,000,000).

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

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

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

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

23 (1) IN GENERAL.—Except as provided in para-  
24 graph (2), the obligation limitation for Federal-aid

1 highways shall apply to contract authority for trans-  
2 portation research programs carried out under—

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

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

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

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

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

15 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED  
16 FUNDS.—

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

23 (A) are authorized to be appropriated for  
24 such fiscal year for Federal-aid highway pro-  
25 grams; and

1 (B) the Secretary determines will not be  
2 allocated to the States (or will not be appor-  
3 tioned to the States under section 204 of title  
4 23, United States Code), and will not be avail-  
5 able for obligation, for such fiscal year because  
6 of the imposition of any obligation limitation for  
7 such fiscal year.

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

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

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

1        SEC. 122. Not less than 15 days prior to waiving,  
2 under his or her statutory authority, any Buy America re-  
3 quirement for Federal-aid highways projects, the Sec-  
4 retary of Transportation shall make an informal public no-  
5 tice and comment opportunity on the intent to issue such  
6 waiver and the reasons therefor: *Provided*, That the Sec-  
7 retary shall provide an annual report to the House and  
8 Senate Committees on Appropriations on any waivers  
9 granted under the Buy America requirements.

10        SEC. 123. None of the funds provided in this Act to  
11 the Department of Transportation may be used to provide  
12 credit assistance unless not less than 3 days before any  
13 application approval to provide credit assistance under  
14 sections 603 and 604 of title 23, United States Code, the  
15 Secretary of Transportation provides notification in writ-  
16 ing to the following committees: the House and Senate  
17 Committees on Appropriations; the Committee on Envi-  
18 ronment and Public Works and the Committee on Bank-  
19 ing, Housing and Urban Affairs of the Senate; and the  
20 Committee on Transportation and Infrastructure of the  
21 House of Representatives: *Provided*, That such notifica-  
22 tion shall include, but not be limited to, the name of the  
23 project sponsor; a description of the project; whether cred-  
24 it assistance will be provided as a direct loan, loan guar-

1 antee, or line of credit; and the amount of credit assist-  
2 ance.

3       SEC. 124. None of the funds in this Act may be used  
4 to make a grant for a project under section 117 of title  
5 23, United States Code, unless the Secretary, at least 60  
6 days before making a grant under that section, provides  
7 written notification to the House and Senate Committees  
8 on Appropriations of the proposed grant, including an  
9 evaluation and justification for the project and the amount  
10 of the proposed grant award: *Provided*, That the written  
11 notification required in the previous proviso shall be made  
12 no later than 180 days after enactment of this Act.

13       SEC. 125. (a) A State or territory, as defined in sec-  
14 tion 165 of title 23, United States Code, may use for any  
15 project eligible under section 133(b) of title 23 or section  
16 165 of title 23 and located within the boundary of the  
17 State or territory any earmarked amount, and any associ-  
18 ated obligation limitation: *Provided*, That the Department  
19 of Transportation for the State or territory for which the  
20 earmarked amount was originally designated or directed  
21 notifies the Secretary of Transportation of its intent to  
22 use its authority under this section and submits a quar-  
23 terly report to the Secretary identifying the projects to  
24 which the funding would be applied. Notwithstanding the  
25 original period of availability of funds to be obligated

1 under this section, such funds and associated obligation  
2 limitation shall remain available for obligation for a period  
3 of 3 fiscal years after the fiscal year in which the Sec-  
4 retary of Transportation is notified. The Federal share of  
5 the cost of a project carried out with funds made available  
6 under this section shall be the same as associated with  
7 the earmark.

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

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

17 (2) a congressional earmark, as defined in rule  
18 XXI of the Rules of the House of Representatives  
19 identified in a prior law, report, or joint explanatory  
20 statement, which was authorized to be appropriated  
21 or appropriated more than 10 fiscal years prior to  
22 the current fiscal year, and administered by the Fed-  
23 eral Highway Administration.

24 (c) The authority under subsection (a) may be exer-  
25 cised only for those projects or activities that have obli-

1 gated less than 10 percent of the amount made available  
2 for obligation as of October 1 of the current fiscal year,  
3 and shall be applied to projects within the same general  
4 geographic area within 50 miles for which the funding was  
5 designated, except that a State or territory may apply  
6 such authority to unexpended balances of funds from  
7 projects or activities the State or territory certifies have  
8 been closed and for which payments have been made under  
9 a final voucher.

10 (d) The Secretary shall submit consolidated reports  
11 of the information provided by the States and territories  
12 each quarter to the House and Senate Committees on Ap-  
13 propriations.

14 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

15 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in the implemen-  
20 tation, execution and administration of motor carrier safe-  
21 ty operations and programs pursuant to section 31110 of  
22 title 49, United States Code, as amended by the Fixing  
23 America's Surface Transportation Act, \$284,000,000, to  
24 be derived from the Highway Trust Fund (other than the  
25 Mass Transit Account), together with advances and reim-



1 bursements received by the Federal Motor Carrier Safety  
2 Administration, the sum of which shall remain available  
3 until expended: *Provided*, That funds available for imple-  
4 mentation, execution or administration of motor carrier  
5 safety operations and programs authorized under title 49,  
6 United States Code, shall not exceed total obligations of  
7 \$284,000,000 for “Motor Carrier Safety Operations and  
8 Programs” for fiscal year 2019, of which \$9,073,000, to  
9 remain available for obligation until September 30, 2021,  
10 is for the research and technology program, and of which  
11 \$34,824,000, to remain available for obligation until Sep-  
12 tember 30, 2021, is for information management.

13 MOTOR CARRIER SAFETY GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (LIMITATION ON OBLIGATIONS)

16 (HIGHWAY TRUST FUND)

17 (INCLUDING TRANSFER OF FUNDS)

18 For payment of obligations incurred in carrying out  
19 sections 31102, 31103, 31104, and 31313 of title 49,  
20 United States Code, as amended by the Fixing America’s  
21 Surface Transportation Act, \$382,800,000, to be derived  
22 from the Highway Trust Fund (other than the Mass Tran-  
23 sit Account) and to remain available until expended: *Pro-*  
24 *vided*, That funds available for the implementation or exe-  
25 cution of motor carrier safety programs shall not exceed

1 total obligations of \$382,800,000 in fiscal year 2019 for  
2 “Motor Carrier Safety Grants”; of which \$304,300,000  
3 shall be available for the motor carrier safety assistance  
4 program, \$32,500,000 shall be available for the commer-  
5 cial driver’s license program implementation program,  
6 \$44,000,000 shall be available for the high priority activi-  
7 ties program, and \$2,000,000 shall be made available for  
8 commercial motor vehicle operators grants, of which  
9 \$1,000,000 is to be made available from prior year unobli-  
10 gated contract authority provided for Motor Carrier Safe-  
11 ty grants in the Transportation Equity Act for the 21st  
12 Century (Public Law 105–178), SAFETEA–LU (Public  
13 Law 109–59), or other appropriations or authorization  
14 acts.

15 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

16 CARRIER SAFETY ADMINISTRATION

17 SEC. 130. Funds appropriated or limited in this Act  
18 shall be subject to the terms and conditions stipulated in  
19 section 350 of Public Law 107–87 and section 6901 of  
20 Public Law 110–28.

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



1 \$152,100,000, of which \$146,700,000 shall be for pro-  
2 grams authorized under 23 U.S.C. 403 and \$5,400,000  
3 shall be for the National Driver Register authorized under  
4 chapter 303 of title 49, United States Code: *Provided fur-*  
5 *ther*, That within the \$152,100,000 obligation limitation  
6 for operations and research, \$20,000,000 shall remain  
7 available until September 30, 2020, and shall be in addi-  
8 tion to the amount of any limitation imposed on obliga-  
9 tions for future years.

10 HIGHWAY TRAFFIC SAFETY GRANTS  
11 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
12 (LIMITATION ON OBLIGATIONS)  
13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred in carrying out  
15 provisions of 23 U.S.C. 402, 404, and 405, and section  
16 4001(a)(6) of the Fixing America's Surface Transpor-  
17 tation Act, to remain available until expended,  
18 \$610,208,000, to be derived from the Highway Trust  
19 Fund (other than the Mass Transit Account): *Provided*,  
20 That none of the funds in this Act shall be available for  
21 the planning or execution of programs the total obligations  
22 for which, in fiscal year 2019, are in excess of  
23 \$610,208,000 for programs authorized under 23 U.S.C.  
24 402, 404, and 405, and section 4001(a)(6) of the Fixing  
25 America's Surface Transportation Act, of which

1 \$270,400,000 shall be for “Highway Safety Programs”  
2 under 23 U.S.C. 402; \$283,000,000 shall be for “National  
3 Priority Safety Programs” under 23 U.S.C. 405;  
4 \$30,200,000 shall be for “High Visibility Enforcement  
5 Program” under 23 U.S.C. 404; and \$26,608,000 shall  
6 be for “Administrative Expenses” under section  
7 4001(a)(6) of the Fixing America’s Surface Transpor-  
8 tation Act: *Provided further*, That none of these funds  
9 shall be used for construction, rehabilitation, or remod-  
10 eling costs, or for office furnishings and fixtures for State,  
11 local or private buildings or structures: *Provided further*,  
12 That not to exceed \$500,000 of the funds made available  
13 for “National Priority Safety Programs” under 23 U.S.C.  
14 405 for “Impaired Driving Countermeasures” (as de-  
15 scribed in subsection (d) of that section) shall be available  
16 for technical assistance to the States: *Provided further*,  
17 That with respect to the “Transfers” provision under 23  
18 U.S.C. 405(a)(8), any amounts transferred to increase the  
19 amounts made available under section 402 shall include  
20 the obligation authority for such amounts: *Provided fur-*  
21 *ther*, That the Administrator shall notify the House and  
22 Senate Committees on Appropriations of any exercise of  
23 the authority granted under the previous proviso or under  
24 23 U.S.C. 405(a)(8) within 5 days.

1 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY  
2 TRAFFIC SAFETY ADMINISTRATION

3 SEC. 140. An additional \$130,000 shall be made  
4 available to the National Highway Traffic Safety Adminis-  
5 tration, out of the amount limited for section 402 of title  
6 23, United States Code, to pay for travel and related ex-  
7 penses for State management reviews and to pay for core  
8 competency development training and related expenses for  
9 highway safety staff.

10 SEC. 141. The limitations on obligations for the pro-  
11 grams of the National Highway Traffic Safety Adminis-  
12 tration set in this Act shall not apply to obligations for  
13 which obligation authority was made available in previous  
14 public laws but only to the extent that the obligation au-  
15 thority has not lapsed or been used.

16 SEC. 142. In addition to the amounts made available  
17 under the heading, “Operations and Research (Liquida-  
18 tion of Contract Authorization) (Limitation on Obliga-  
19 tions) (Highway Trust Fund)” for carrying out the provi-  
20 sions of section 403 of title 23, United States Code,  
21 \$4,000,000 shall be available to continue a high visibility  
22 enforcement paid-media campaign regarding highway-rail  
23 grade crossing safety in collaboration with the Federal  
24 Railroad Administration.

## 1 FEDERAL RAILROAD ADMINISTRATION

## 2 SAFETY AND OPERATIONS

3 For necessary expenses of the Federal Railroad Ad-  
4 ministration, not otherwise provided for, \$221,698,000, of  
5 which \$15,900,000 shall remain available until expended.

## 6 RAILROAD RESEARCH AND DEVELOPMENT

7 For necessary expenses for railroad research and de-  
8 velopment, \$40,600,000, to remain available until ex-  
9 pended.

## 10 RAILROAD REHABILITATION AND IMPROVEMENT

## 11 FINANCING PROGRAM

12 The Secretary of Transportation is authorized to  
13 issue direct loans and loan guarantees pursuant to sec-  
14 tions 501 through 504 of the Railroad Revitalization and  
15 Regulatory Reform Act of 1976 (Public Law 94–210), as  
16 amended, such authority shall exist as long as any such  
17 direct loan or loan guarantee is outstanding.

## 18 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

## 19 REPAIR

20 For necessary expenses related to Federal-State  
21 Partnership for State of Good Repair Grants as author-  
22 ized by section 24911 of title 49, United States Code,  
23 \$300,000,000, to remain available until expended: *Pro-*  
24 *vided*, That the Secretary may withhold up to one percent  
25 of the amount provided under this heading for the costs

1 of award and project management oversight of grants car-  
2 ried out under section 24911 of title 49, United States  
3 Code: *Provided further*, That the Secretary shall issue the  
4 Notice of Funding Opportunity that encompasses funds  
5 provided under this heading in this Act and previously  
6 unawarded funds provided under this heading in fiscal  
7 year 2017 by Public Law 115–31 and fiscal year 2018  
8 by Public Law 115–141, no later than 30 days after enact-  
9 ment of this Act: *Provided further*, That the Secretary  
10 shall announce the selection of projects to receive awards  
11 for the funds in the previous proviso no later than 180  
12 days after enactment of this Act.

13 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY  
14 IMPROVEMENTS

15 For necessary expenses related to Consolidated Rail  
16 Infrastructure and Safety Improvements Grants, as au-  
17 thorized by section 24407 of title 49, United States Code,  
18 \$255,000,000, to remain available until expended: *Pro-*  
19 *vided*, That section 24405(f) of title 49, United States  
20 Code, shall not apply to projects for the implementation  
21 of positive train control systems otherwise eligible under  
22 section 24407(e)(1) of title 49, United States Code: *Pro-*  
23 *vided further*, That amounts available under this heading  
24 for projects selected for commuter rail passenger transpor-  
25 tation may be transferred by the Secretary, after selection,



1 to the appropriate agencies to be administered in accord-  
2 ance with chapter 53 of title 49, United States Code: *Pro-*  
3 *vided further*, That the Secretary shall not limit eligible  
4 projects from consideration for funding for planning, engi-  
5 neering, environmental, construction, and design elements  
6 of the same project in the same application: *Provided fur-*  
7 *ther*, That unobligated balances remaining after 4 years  
8 from the date of enactment may be used for any eligible  
9 project under section 24407(c) of title 49, United States  
10 Code: *Provided further*, That the Secretary may withhold  
11 up to one percent of the amount provided under this head-  
12 ing for the costs of award and project management over-  
13 sight of grants carried out under section 24407 of title  
14 49, United States Code: *Provided further*, That the Sec-  
15 retary shall issue the Notice of Funding Opportunity that  
16 encompasses previously unawarded funds provided under  
17 this heading in fiscal year 2018 by Public Law 115–141  
18 and funds provided under this heading in this Act no later  
19 than 30 days after enactment of this Act: *Provided further*,  
20 That the Secretary shall announce the selection of projects  
21 to receive awards for the funds in the previous proviso no  
22 later than 120 days after enactment of this Act.

23 RESTORATION AND ENHANCEMENT

24 For necessary expenses related to Restoration and  
25 Enhancement Grants, as authorized by section 24408 of

1 title 49, United States Code, \$10,000,000, to remain  
2 available until expended: *Provided*, That the Secretary  
3 may withhold up to one percent of the funds provided  
4 under this heading to fund the costs of award and project  
5 management and oversight: *Provided further*, That the  
6 Secretary shall issue the Notice of Funding Opportunity  
7 for funds provided under this heading no later than 30  
8 days after enactment of this Act: *Provided further*, That  
9 the Secretary shall announce the selection of projects to  
10 receive awards for the funds in the previous proviso no  
11 later than 120 days after enactment of this Act.

12       NORTHEAST CORRIDOR GRANTS TO THE NATIONAL  
13               RAILROAD PASSENGER CORPORATION

14       To enable the Secretary of Transportation to make  
15 grants to the National Railroad Passenger Corporation for  
16 activities associated with the Northeast Corridor as au-  
17 thorized by section 11101(a) of the Fixing America’s Sur-  
18 face Transportation Act (division A of Public Law 114–  
19 94), \$650,000,000, to remain available until expended:  
20 *Provided*, That the Secretary may retain up to one-half  
21 of 1 percent of the funds provided under both this heading  
22 and the “National Network Grants to the National Rail-  
23 road Passenger Corporation” heading to fund the costs  
24 of project management and oversight of activities author-  
25 ized by section 11101(c) of division A of Public Law 114–

1 94: *Provided further*, That in addition to the project man-  
2 agement oversight funds authorized under section  
3 11101(c) of division A of Public Law 114–94, the Sec-  
4 retary may retain up to an additional \$5,000,000 of the  
5 funds provided under this heading to fund expenses associ-  
6 ated with the Northeast Corridor Commission established  
7 under section 24905 of title 49, United States Code: *Pro-*  
8 *vided further*, That of the amounts made available under  
9 this heading and the “National Network Grants to the Na-  
10 tional Railroad Passenger Corporation” heading, not less  
11 than \$50,000,000 shall be made available to bring Am-  
12 trak-served facilities and stations into compliance with the  
13 Americans with Disabilities Act: *Provided further*, That of  
14 the amounts made available under this heading and the  
15 heading “National Network Grants to the National Rail-  
16 road Passenger Corporation”, not more than \$500,000  
17 may be made available to provide a discount of not less  
18 than 15 percent on passenger fares to veterans (as defined  
19 in section 101 of title 38, United States Code).

20 NATIONAL NETWORK GRANTS TO THE NATIONAL  
21 RAILROAD PASSENGER CORPORATION

22 To enable the Secretary of Transportation to make  
23 grants to the National Railroad Passenger Corporation for  
24 activities associated with the National Network as author-  
25 ized by section 11101(b) of the Fixing America’s Surface

1 Transportation Act (division A of Public Law 114–94),  
2 \$1,291,600,000, to remain available until expended: *Pro-*  
3 *vided*, That the Secretary may retain up to an additional  
4 \$2,000,000 of the funds provided under this heading to  
5 fund expenses associated with the State-Supported Route  
6 Committee established under section 24712 of title 49,  
7 United States Code: *Provided further*, That at least  
8 \$50,000,000 of the amount provided under this heading  
9 shall be available for the development, installation and op-  
10 eration of railroad safety technology, including the imple-  
11 mentation of a positive train control system, on State-sup-  
12 ported routes as defined under section 24102(13) of title  
13 49, United States Code, on which positive train control  
14 systems are not required by law or regulation: *Provided*  
15 *further*, That not less than \$50,000,000 of the amount  
16 provided under this heading shall be for capital expenses  
17 related to safety improvements, maintenance, and the non-  
18 Federal match for discretionary Federal grant programs  
19 to enable continued passenger rail operations on long-dis-  
20 tance routes (as defined in section 24102 of title 49,  
21 United States Code) on which Amtrak is the sole tenant  
22 of the host railroad and positive train control systems are  
23 not required by law (including regulations): *Provided fur-*  
24 *ther*, That none of the funds provided under this heading  
25 shall be used by Amtrak to give notice under subsection

1 (a) or (b) of section 24706 of title 49, United States Code,  
2 with respect to long-distance routes (as defined in section  
3 24102 of title 49, United States Code) on which Amtrak  
4 is the sole tenant of the host railroad and positive train  
5 control systems are not required by law (including regula-  
6 tions), or otherwise initiate discontinuance of, reduce the  
7 frequency of, suspend, or substantially alter the schedule  
8 or route of rail service on any portion of such route oper-  
9 ated in fiscal year 2018, including implementation of serv-  
10 ice permitted by section 24305(a)(3)(A) of title 49, United  
11 States Code, in lieu of rail service.

12 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

13 ADMINISTRATION

14 SEC. 150. None of the funds provided to the National  
15 Railroad Passenger Corporation may be used to fund any  
16 overtime costs in excess of \$35,000 for any individual em-  
17 ployee: *Provided*, That the President of Amtrak may waive  
18 the cap set in the previous proviso for specific employees  
19 when the President of Amtrak determines such a cap  
20 poses a risk to the safety and operational efficiency of the  
21 system: *Provided further*, That the President of Amtrak  
22 shall report to the House and Senate Committees on Ap-  
23 propriations within 60 days of enactment of this Act, a  
24 summary of all overtime payments incurred by the Cor-  
25 poration for 2018 and the three prior calendar years: *Pro-*

1 *vided further*, That such summary shall include the total  
2 number of employees that received waivers and the total  
3 overtime payments the Corporation paid to those employ-  
4 ees receiving waivers for each month for 2018 and for the  
5 three prior calendar years.

6 SEC. 151. It is the sense of Congress that—

7 (1) long-distance passenger rail routes provide  
8 much-needed transportation access for 4,700,000  
9 riders in 325 communities in 40 States and are par-  
10 ticularly important in rural areas; and

11 (2) long-distance passenger rail routes and  
12 services should be sustained to ensure connectivity  
13 throughout the National Network (as defined in sec-  
14 tion 24102 of title 49, United States Code).

15 FEDERAL TRANSIT ADMINISTRATION

16 ADMINISTRATIVE EXPENSES

17 For necessary administrative expenses of the Federal  
18 Transit Administration's programs authorized by chapter  
19 53 of title 49, United States Code, \$113,165,000: *Pro-*  
20 *vided*, That none of the funds provided or limited in this  
21 Act may be used to create a permanent office of transit  
22 security under this heading: *Provided further*, That upon  
23 submission to the Congress of the fiscal year 2020 Presi-  
24 dent's budget, the Secretary of Transportation shall trans-

1 mit to Congress the annual report on New Starts, includ-  
2 ing proposed allocations for fiscal year 2020.

3 TRANSIT FORMULA GRANTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in the Federal  
8 Public Transportation Assistance Program in this ac-  
9 count, and for payment of obligations incurred in carrying  
10 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,  
11 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and  
12 5340, as amended by the Fixing America's Surface Trans-  
13 portation Act, section 20005(b) of Public Law 112-141,  
14 and section 3006(b) of the Fixing America's Surface  
15 Transportation Act, \$9,900,000,000, to be derived from  
16 the Mass Transit Account of the Highway Trust Fund  
17 and to remain available until expended: *Provided*, That  
18 funds available for the implementation or execution of pro-  
19 grams authorized under 49 U.S.C. 5305, 5307, 5310,  
20 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,  
21 and 5340, as amended by the Fixing America's Surface  
22 Transportation Act, section 20005(b) of Public Law 112-  
23 141, and section 3006(b) of the Fixing America's Surface  
24 Transportation Act, shall not exceed total obligations of  
25 \$9,939,380,030 in fiscal year 2019: *Provided further*, That

1 the Federal share of the cost of activities carried out under  
2 49 U.S.C. section 5312 shall not exceed 80 percent, except  
3 that if there is substantial public interest or benefit, the  
4 Secretary may approve a greater Federal share.

5 TRANSIT INFRASTRUCTURE GRANTS

6 For an additional amount for buses and bus facilities  
7 grants under section 5339 of title 49, United States Code,  
8 state of good repair grants under section 5337 of such  
9 title, high density state apportionments under section  
10 5340(d) of such title, and the bus testing facilities under  
11 sections 5312 and 5318 of such title, \$800,000,000 to re-  
12 main available until expended: *Provided*, That  
13 \$400,000,000 shall be available for grants as authorized  
14 under section 5339 of such title, of which \$209,104,000  
15 shall be available for the buses and bus facilities formula  
16 grants as authorized under section 5339(a) of such title,  
17 \$161,446,000 shall be available for the buses and bus fa-  
18 cilities competitive grants as authorized under section  
19 5339(b) of such title, and \$29,450,000 shall be available  
20 for the low or no emission grants as authorized under sec-  
21 tion 5339(c) of such title: *Provided further*, That  
22 \$362,000,000 shall be available for the state of good re-  
23 pair grants as authorized under section 5337 of such title:  
24 *Provided further*, That \$30,000,000 shall be available for  
25 the high density state apportionments as authorized under



1 section 5340(d) of such title: *Provided further*, That  
2 \$2,000,000 shall be available for the bus testing facility  
3 as authorized under section 5318 of such title: *Provided*  
4 *further*, That notwithstanding section 5318(a) of such  
5 title, \$6,000,000 shall be available for the operation and  
6 maintenance of bus testing facilities by institutions of  
7 higher education selected pursuant to section 5312(h) of  
8 such title: *Provided further*, That the Secretary shall enter  
9 into a contract or cooperative agreement with, or make  
10 a grant to, each institution of higher education selected  
11 pursuant to section 5312(h) of such title, to operate and  
12 maintain a facility to conduct the testing of low or no  
13 emission vehicle new bus models using the standards es-  
14 tablished pursuant to section 5318(e)(2) of such title: *Pro-*  
15 *vided further*, That the term “low or no emission vehicle”  
16 has the meaning given the term in section 5312(e)(6) of  
17 such title: *Provided further*, That the Secretary shall pay  
18 80 percent of the cost of testing a low or no emission vehi-  
19 cle new bus model at each selected institution of higher  
20 education: *Provided further*, That the entity having the ve-  
21 hicle tested shall pay 20 percent of the cost of testing:  
22 *Provided further*, That a low or no emission vehicle new  
23 bus model tested that receives a passing aggregate test  
24 score in accordance with the standards established under  
25 section 5318(e)(2) of such title, shall be deemed to be in

1 compliance with the requirements of section 5318(e) of  
2 such title: *Provided further*, That amounts made available  
3 by this heading shall be derived from the general fund:  
4 *Provided further*, That the amounts made available under  
5 this heading shall not be subject to any limitation on obli-  
6 gations for transit programs set forth in any Act.

7 TECHNICAL ASSISTANCE AND TRAINING

8 For necessary expenses to carry out 49 U.S.C. 5314,  
9 \$5,000,000, of which up to \$1,500,000 shall be for a coop-  
10 erative agreement through which the Federal Transit Ad-  
11 ministration assists small-urban, rural and tribal public  
12 transit recipients and planning organizations with applied  
13 innovation and capacity-building: *Provided*, That the as-  
14 sistance provided under this heading not duplicate the ac-  
15 tivities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

16 CAPITAL INVESTMENT GRANTS

17 For necessary expenses to carry out fixed guideway  
18 capital investment grants under section 5309 of title 49,  
19 United States Code, and section 3005(b) of the Fixing  
20 America's Surface Transportation Act, \$2,552,687,000, to  
21 remain available until September 30, 2022: *Provided*,  
22 That of the amounts made available under this heading,  
23 \$1,315,670,000 shall be available for projects authorized  
24 under section 5309(d) of title 49, United States Code,  
25 \$543,500,000 shall be available for projects authorized

1 under section 5309(e) of title 49, United States Code,  
2 \$568,000,000 shall be available for projects authorized  
3 under section 5309(h) of title 49, United States Code, and  
4 \$100,000,000 shall be available for projects authorized  
5 under section 3005(b) of the Fixing America's Surface  
6 Transportation Act: *Provided further*, That the Secretary  
7 shall continue to administer the capital investment grants  
8 program in accordance with the procedural and sub-  
9 stantive requirements of section 5309 of title 49, United  
10 States Code, and of section 3005(b) of the Fixing Amer-  
11 ica's Surface Transportation Act.

12 GRANTS TO THE WASHINGTON METROPOLITAN AREA

13 TRANSIT AUTHORITY

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

1 Administration’s 2015 safety management inspection:  
2 *Provided further*, That the Secretary shall determine that  
3 the Washington Metropolitan Area Transit Authority has  
4 placed the highest priority on those investments that will  
5 improve the safety of the system before approving such  
6 grants: *Provided further*, That the Secretary, in order to  
7 ensure safety throughout the rail system, may waive the  
8 requirements of section 601(e)(1) of division B of Public  
9 Law 110–432.

10 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

11 ADMINISTRATION

12 (INCLUDING RESCISSION)

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

18 SEC. 161. Notwithstanding any other provision of  
19 law, any funds appropriated before October 1, 2018, under  
20 any section of chapter 53 of title 49, United States Code,  
21 that remain available for expenditure, may be transferred  
22 to and administered under the most recent appropriation  
23 heading for any such section.

24 SEC. 162. Of the unobligated amounts made available  
25 for fiscal years 2005 or prior fiscal years to “Transit For-

1 mula Grants”, a total of \$46,560,000 is hereby perma-  
2 nently rescinded.

3 SEC. 163. None of the funds made available under  
4 this Act may be used for the implementation or further-  
5 ance of new policies detailed in the “Dear Colleague” let-  
6 ter distributed by the Federal Transit Administration to  
7 capital investment grant program project sponsors on  
8 June 29, 2018.

9 SAINT LAWRENCE SEAWAY DEVELOPMENT

10 CORPORATION

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

20 OPERATIONS AND MAINTENANCE

21 (HARBOR MAINTENANCE TRUST FUND)

22 For necessary expenses to conduct the operations,  
23 maintenance, and capital asset renewal activities on those  
24 portions of the Saint Lawrence Seaway owned, operated,  
25 and maintained by the Saint Lawrence Seaway Develop-

1 ment Corporation, \$36,000,000, to be derived from the  
2 Harbor Maintenance Trust Fund, pursuant to Public Law  
3 99-662: *Provided*, That of the amounts made available  
4 under this heading, not less than \$16,000,000 shall be  
5 used on capital asset renewal activities.

6 MARITIME ADMINISTRATION

7 MARITIME SECURITY PROGRAM

8 For necessary expenses to maintain and preserve a  
9 U.S.-flag merchant fleet to serve the national security  
10 needs of the United States, \$300,000,000, to remain avail-  
11 able until expended.

12 OPERATIONS AND TRAINING

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of operations and training ac-  
15 tivities authorized by law, \$149,442,000, to remain avail-  
16 able until September 30, 2020, of which \$71,000,000 shall  
17 be for the operations of the United States Merchant Ma-  
18 rine Academy, and of which \$18,000,000 shall remain  
19 available until expended for the maintenance and repair,  
20 equipment, and capital improvements at the United States  
21 Merchant Marine Academy: *Provided*, That not later than  
22 January 12, 2020, the Administrator of the Maritime Ad-  
23 ministration shall transmit to the House and Senate Com-  
24 mittees on Appropriations the annual report on sexual as-  
25 sault and sexual harassment at the United States Mer-

1 chant Marine Academy as required pursuant to section  
2 3507 of Public Law 110–417: *Provided further*, That of  
3 the amounts made available under this heading,  
4 \$3,000,000 shall be for the Maritime Environment and  
5 Technology Assistance program authorized under section  
6 50307 of title 46, United States Code: *Provided further*,  
7 That of the amounts made available under this heading,  
8 \$7,000,000, shall remain available until expended for the  
9 Short Sea Transportation Program (America’s Marine  
10 Highways) to make grants for the purposes authorized  
11 under sections 55601(b)(1) and (3) of title 46, United  
12 States Code: *Provided further*, That available balances  
13 under this heading for the Short Sea Transportation Pro-  
14 gram (America’s Marine Highways) from prior year recov-  
15 eries shall be available to carry out activities authorized  
16 under sections 55601(b)(1) and (3) of title 46, United  
17 States Code: *Provided further*, That from funds provided  
18 under the previous two provisos, the Secretary of Trans-  
19 portation shall make grants no later than 180 days after  
20 enactment of this Act in such amounts as the Secretary  
21 determines: *Provided further*, That any unobligated bal-  
22 ances available from previous appropriations for programs  
23 and activities supporting State Maritime Academies shall  
24 be transferred to and merged with the appropriations for  
25 “Maritime Administration, State Maritime Academy Op-

1 erations” and shall be made available for the same pur-  
2 poses.

3 STATE MARITIME ACADEMY OPERATIONS

4 For necessary expenses of operations, support and  
5 training activities for State Maritime Academies,  
6 \$340,200,000, of which \$30,000,000, to remain available  
7 until expended, shall be for maintenance, repair, life exten-  
8 sion, and capacity improvement of National Defense Re-  
9 serve Fleet training ships in support of State Maritime  
10 Academies, as well as other expenses related to training  
11 mariners, as determined by the Secretary, of which  
12 \$300,000,000, to remain available until expended shall be  
13 for the National Security Multi-Mission Vessel Program,  
14 including funds for construction, planning, administration,  
15 and design of school ships, of which \$2,400,000 shall re-  
16 main available through September 30, 2020, for the Stu-  
17 dent Incentive Program, of which \$1,800,000 shall remain  
18 available until expended for training ship fuel assistance,  
19 and of which \$6,000,000 shall remain available until Sep-  
20 tember 30, 2020, for direct payments for State Maritime  
21 Academies.

22 ASSISTANCE TO SMALL SHIPYARDS

23 To make grants to qualified shipyards as authorized  
24 under section 54101 of title 46, United States Code, as



1 amended by Public Law 113–281, \$20,000,000, to remain  
2 available until expended.

3 SHIP DISPOSAL

4 For necessary expenses related to the disposal of ob-  
5 solete vessels in the National Defense Reserve Fleet of the  
6 Maritime Administration, \$5,000,000, to remain available  
7 until expended.

8 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

9 ACCOUNT

10 (INCLUDING TRANSFER OF FUNDS)

11 For administrative expenses to carry out the guaran-  
12 teed loan program, \$3,000,000, which shall be transferred  
13 to and merged with the appropriations for “Operations  
14 and Training”, Maritime Administration.

15 ADMINISTRATIVE PROVISIONS—MARITIME

16 ADMINISTRATION

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

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

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

8 For necessary operational expenses of the Pipeline  
9 and Hazardous Materials Safety Administration,  
10 \$23,710,000: *Provided*, That the Secretary of Transpor-  
11 tation shall issue a final rule to expand the applicability  
12 of comprehensive oil spill response plans within 45 days  
13 of enactment of this Act: *Provided further*, That the  
14 amounts appropriated under this heading shall be reduced  
15 by \$100,000 per day for each day that such rule has not  
16 been issued following the expiration of the period set forth  
17 in the previous proviso.

18 HAZARDOUS MATERIALS SAFETY

19 For expenses necessary to discharge the hazardous  
20 materials safety functions of the Pipeline and Hazardous  
21 Materials Safety Administration, \$58,000,000, of which  
22 \$7,570,000 shall remain available until September 30,  
23 2021: *Provided*, That up to \$800,000 in fees collected  
24 under 49 U.S.C. 5108(g) shall be deposited in the general  
25 fund of the Treasury as offsetting receipts: *Provided fur-*

1 *ther*, That there may be credited to this appropriation, to  
2 remain available until expended, funds received from  
3 States, counties, municipalities, other public authorities,  
4 and private sources for expenses incurred for training, for  
5 reports publication and dissemination, and for travel ex-  
6 penses incurred in the performance of hazardous materials  
7 exemptions and approvals functions.

8 PIPELINE SAFETY  
9 (PIPELINE SAFETY FUND)  
10 (OIL SPILL LIABILITY TRUST FUND)

11 For expenses necessary to conduct the functions of  
12 the pipeline safety program, for grants-in-aid to carry out  
13 a pipeline safety program, as authorized by 49 U.S.C.  
14 60107, and to discharge the pipeline program responsibil-  
15 ities of the Oil Pollution Act of 1990, \$165,000,000, to  
16 remain available until September 30, 2021, of which  
17 \$23,000,000 shall be derived from the Oil Spill Liability  
18 Trust Fund; of which \$134,000,000 shall be derived from  
19 the Pipeline Safety Fund; and of which \$8,000,000 shall  
20 be derived from fees collected under 49 U.S.C. 60302 and  
21 deposited in the Underground Natural Gas Storage Facil-  
22 ity Safety Account for the purpose of carrying out 49  
23 U.S.C. 60141: *Provided*, That not less than \$1,058,000  
24 of the funds provided under this heading shall be for the  
25 one-call state grant program.

## 1 EMERGENCY PREPAREDNESS GRANTS

## 2 (EMERGENCY PREPAREDNESS FUND)

3 Notwithstanding the fiscal year limitation specified in  
4 49 U.S.C. 5116, not more than \$28,318,000 shall remain  
5 available until September 30, 2021, from amounts made  
6 available by 49 U.S.C. 5116(h), 5128(b), and 5128(c):  
7 *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not  
8 more than 4 percent of the amounts made available from  
9 this account shall be available to pay administrative costs:  
10 *Provided further*, That none of the funds made available  
11 by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made  
12 available for obligation by individuals other than the Sec-  
13 retary of Transportation, or his or her designee.

## 14 OFFICE OF INSPECTOR GENERAL

## 15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Inspector  
17 General to carry out the provisions of the Inspector Gen-  
18 eral Act of 1978, as amended, \$92,600,000: *Provided*,  
19 That the Inspector General shall have all necessary au-  
20 thority, in carrying out the duties specified in the Inspec-  
21 tor General Act, as amended (5 U.S.C. App. 3), to inves-  
22 tigate allegations of fraud, including false statements to  
23 the government (18 U.S.C. 1001), by any person or entity  
24 that is subject to regulation by the Department of Trans-  
25 portation: *Provided further*, That the funds made available

1 under this heading may be used to investigate, pursuant  
2 to section 41712 of title 49, United States Code: (1) un-  
3 fair or deceptive practices and unfair methods of competi-  
4 tion by domestic and foreign air carriers and ticket agents;  
5 and (2) the compliance of domestic and foreign air carriers  
6 with respect to item (1) of this proviso.

7           GENERAL PROVISIONS—DEPARTMENT OF  
8                           TRANSPORTATION

9           SEC. 180. (a) During the current fiscal year, applica-  
10 ble appropriations to the Department of Transportation  
11 shall be available for maintenance and operation of air-  
12 craft; hire of passenger motor vehicles and aircraft; pur-  
13 chase of liability insurance for motor vehicles operating  
14 in foreign countries on official department business; and  
15 uniforms or allowances therefor, as authorized by law (5  
16 U.S.C. 5901–5902).

17           (b) During the current fiscal year, applicable appro-  
18 priations to the Department and its operating administra-  
19 tions shall be available for the purchase, maintenance, op-  
20 eration, and deployment of unmanned aircraft systems  
21 that advance the Department’s, or its operating adminis-  
22 trations’, missions.

23           (c) Any unmanned aircraft system purchased or pro-  
24 cured by the Department prior to the enactment of this  
25 Act shall be deemed authorized.

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

6       SEC. 182. (a) No recipient of funds made available  
7 in this Act shall disseminate personal information (as de-  
8 fined in 18 U.S.C. 2725(3)) obtained by a State depart-  
9 ment of motor vehicles in connection with a motor vehicle  
10 record as defined in 18 U.S.C. 2725(1), except as provided  
11 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.  
12 2721.

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

16       SEC. 183. None of the funds in this Act shall be avail-  
17 able for salaries and expenses of more than 110 political  
18 and Presidential appointees in the Department of Trans-  
19 portation: *Provided*, That none of the personnel covered  
20 by this provision may be assigned on temporary detail out-  
21 side the Department of Transportation.

22       SEC. 184. Funds received by the Federal Highway  
23 Administration and Federal Railroad Administration from  
24 States, counties, municipalities, other public authorities,  
25 and private sources for expenses incurred for training may

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

6       SEC. 185. (a) None of the funds provided in this Act  
7 to the Department of Transportation may be used to make  
8 a loan, loan guarantee, line of credit, or discretionary  
9 grant unless the Secretary of Transportation notifies the  
10 House and Senate Committees on Appropriations not less  
11 than 3 full business days before any project competitively  
12 selected to receive any discretionary grant award, letter  
13 of intent, loan commitment, loan guarantee commitment,  
14 line of credit commitment, or full funding grant agreement  
15 is announced by the Department or its modal administra-  
16 tions: *Provided*, That the Secretary gives concurrent noti-  
17 fication to the House and Senate Committees on Appro-  
18 priations for any “quick release” of funds from the emer-  
19 gency relief program: *Provided further*, That no notifica-  
20 tion shall involve funds that are not available for obliga-  
21 tion.

22       (b) In addition to the notification required in sub-  
23 section (a), none of the funds made available in this Act  
24 to the Department of Transportation may be used to make  
25 a loan, loan guarantee, line of credit, cooperative agree-

1 ment or discretionary grant unless the Secretary of Trans-  
2 portation provides the House and Senate Committees on  
3 Appropriations a comprehensive list of all such loans, loan  
4 guarantees, lines of credit, cooperative agreement or dis-  
5 cretionary grants that will be announced not less the 3  
6 full business days before such announcement: *Provided*,  
7 That the requirement to provide a list in this subsection  
8 does not apply to any “quick release” of funds from the  
9 emergency relief program: *Provided further*, That no list  
10 shall involve funds that are not available for obligation.

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

20 SEC. 187. Amounts made available in this or any  
21 prior Act that the Secretary determines represent im-  
22 proper payments by the Department of Transportation to  
23 a third-party contractor under a financial assistance  
24 award, which are recovered pursuant to law, shall be avail-  
25 able—



1           (1) to reimburse the actual expenses incurred  
2           by the Department of Transportation in recovering  
3           improper payments: *Provided*, That amounts made  
4           available in this Act shall be available until ex-  
5           pended; and

6           (2) to pay contractors for services provided in  
7           recovering improper payments or contractor support  
8           in the implementation of the Improper Payments In-  
9           formation Act of 2002: *Provided*, That amounts in  
10          excess of that required for paragraphs (1) and (2)—

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

22           (B) if no such appropriation remains avail-  
23          able, shall be deposited in the Treasury as mis-  
24          cellaneous receipts: *Provided further*, That prior  
25          to the transfer of any such recovery to an ap-

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

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

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

1 the Secretary for the costs related to assessments or reim-  
2 bursable agreements only when such amounts are for the  
3 costs of goods and services that are purchased to provide  
4 a direct benefit to the applicable modal administration or  
5 administrations.

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

12       SEC. 191. The Department of Transportation may  
13 use funds provided by this Act, or any other Act, to assist  
14 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing  
15 geographic, economic, or any other hiring preference not  
16 otherwise authorized by law, or to amend a rule, regula-  
17 tion, policy or other measure that forbids a recipient of  
18 a Federal Highway Administration or Federal Transit Ad-  
19 ministration grant from imposing such hiring preference  
20 on a contract or construction project with which the De-  
21 partment of Transportation is assisting, only if the grant  
22 recipient certifies the following:

23               (1) that except with respect to apprentices or  
24               trainees, a pool of readily available but unemployed  
25               individuals possessing the knowledge, skill, and abil-

1       ity to perform the work that the contract requires  
2       resides in the jurisdiction;

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

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

14      SEC. 192. Not later than 90 days after the date of  
15      enactment of this Act, the Secretary of Transportation  
16      shall submit to the Committees on Appropriations and  
17      Commerce, Science, and Transportation of the Senate and  
18      the Committees on Appropriations and Transportation  
19      and Infrastructure of the House of Representatives a re-  
20      port on efforts by the Department of Transportation to  
21      engage with local communities, metropolitan planning or-  
22      ganizations, and regional transportation commissions on  
23      advancing data and intelligent transportation systems  
24      technologies and other smart cities solutions.

1        SEC. 193. The Secretary of Transportation shall con-  
2 sult with the Assistant Secretary of the Army for Civil  
3 Works to identify any existing authorities and any addi-  
4 tional authorities that may be needed to leverage funds  
5 from Department of Transportation programs for pur-  
6 poses of inland waterway project costs.

7        SEC. 194. (a) Subject to subsections (c) and (d), none  
8 of the funds appropriated or otherwise made available to  
9 the Department of Transportation by this or any other  
10 Act may be obligated or expended to enforce or require  
11 the enforcement of section 127(a) of title 23, United  
12 States Code, with respect to a segment described in para-  
13 graph (1) or (2) of subsection (b) if the segment is des-  
14 ignated as a route of the Interstate System.

15        (b) The segments referred to in subsection (a) are  
16 the following:

17            (1) The William H. Natcher Parkway (to be  
18 designated as a spur of Interstate Route 65) from  
19 Interstate Route 65 in Bowling Green, Kentucky, to  
20 United States Route 60 in Owensboro, Kentucky.

21            (2) The Julian M. Carroll (Purchase) Parkway  
22 (to be designated as Interstate Route 69) in the  
23 State of Kentucky from the Tennessee State line to  
24 the interchange with Interstate Route 24, near Cal-  
25 vert City, Kentucky.

1           (c) Only a vehicle that could operate legally on a seg-  
2 ment described in paragraph (1) or (2) of subsection (b)  
3 before the date of designation of the segment as a route  
4 of the Interstate System may continue to operate on that  
5 segment, subject to the condition that, except as provided  
6 in subsection (d), the gross vehicle weight of such a vehicle  
7 shall not exceed 120,000 pounds.

8           (d) Nothing in this section prohibits a State from  
9 issuing a permit for a nondivisible load or vehicle with a  
10 gross vehicle weight that exceeds 120,000 pounds.

11         SEC. 195. None of the funds appropriated or other-  
12 wise made available to the Department of Transportation  
13 may be obligated or expended to implement, administer,  
14 or enforce the requirements of section 31137 of title 49,  
15 United States Code, or any regulation issued by the Sec-  
16 retary pursuant to such section, with respect to the use  
17 of electronic logging devices by operators of commercial  
18 motor vehicles, as defined in section 31132(1) of such  
19 title, transporting livestock, as defined in section 602 of  
20 the Emergency Livestock Feed Assistance Act of 1988 (7  
21 U.S.C. 1471) or insects.

22         SEC. 196. (a) None of the funds appropriated or oth-  
23 erwise made available to the Federal Transit Administra-  
24 tion under this title to carry out sections 5307, 5311,  
25 5337, and 5339 of title 49, United States Code, may be

1 used in awarding a contract or subcontract to an entity  
2 on or after the date of enactment of this Act for the pro-  
3 curement of rolling stock for use in public transportation  
4 if the manufacturer of the rolling stock is incorporated  
5 in or has manufacturing facilities in the United States and  
6 receives support from the government of a country that—

7           (1) is identified as a nonmarket economy coun-  
8           try (as defined in section 771(18) of the Tariff Act  
9           of 1930 (19 U.S.C. 1677(18))) as of the date of en-  
10          actment of this Act;

11          (2) was identified by the United States Trade  
12          Representative in the most recent report required by  
13          section 182 of the Trade Act of 1974 (19 U.S.C.  
14          2242) as a priority foreign country under subsection  
15          (a)(2) of that section; and

16          (3) is subject to monitoring by the Trade Rep-  
17          resentative under section 306 of the Trade Act of  
18          1974 (19 U.S.C. 2416).

19          (b) This section shall be applied in a manner con-  
20          sistent with the obligations of the United States under  
21          international agreements.

22          (c)(1) This section shall not apply to the award of  
23          a contract or subcontract made by a public transportation  
24          agency with a rail rolling stock manufacturer described in  
25          subsection (a) if the manufacturer produces rail rolling

1 stock for an eligible public transportation agency through  
2 a contract executed prior to the date of enactment of this  
3 Act.

4 (2) A rail rolling stock manufacturer described in  
5 subsection (a) may not use funds provided under a con-  
6 tract or subcontract described in paragraph (1) to expand  
7 the manufacturer’s production of rail rolling stock within  
8 the United States to an amount of rolling stock vehicles  
9 or railcars that is greater than the amount required under  
10 contractual obligations of the manufacturer as of the date  
11 of enactment of this Act including all options for addi-  
12 tional rolling stock.

13 (d) Nothing in this section shall be construed to apply  
14 to funds that are not appropriated or otherwise made  
15 available to the Federal Transit Administration under this  
16 title.

17 This title may be cited as the “Department of Trans-  
18 portation Appropriations Act, 2019”.

## 19 TITLE II

### 20 DEPARTMENT OF HOUSING AND URBAN

#### 21 DEVELOPMENT

#### 22 MANAGEMENT AND ADMINISTRATION

#### 23 EXECUTIVE OFFICES

24 For necessary salaries and expenses for Executive Of-  
25 fices, which shall be comprised of the offices of the Sec-



1 retary, Deputy Secretary, Adjudicatory Services, Congres-  
2 sional and Intergovernmental Relations, Public Affairs,  
3 Small and Disadvantaged Business Utilization, and the  
4 Center for Faith-Based and Neighborhood Partnerships,  
5 \$14,898,000: *Provided*, That not to exceed \$25,000 of the  
6 amount made available under this heading shall be avail-  
7 able to the Secretary for official reception and representa-  
8 tion expenses as the Secretary may determine.

9 ADMINISTRATIVE SUPPORT OFFICES

10 For necessary salaries and expenses for Administra-  
11 tive Support Offices, \$556,000,000, of which \$76,600,000  
12 shall be available for the Office of the Chief Financial Offi-  
13 cer, (and of which \$25,000,000, to remain available until  
14 September 30, 2021, shall be for the financial trans-  
15 formation initiative); \$98,000,000 shall be available for  
16 the Office of the General Counsel, of which not less than  
17 \$15,000,000 shall be for the Departmental Enforcement  
18 Center; \$213,300,000 shall be available for the Office of  
19 Administration; \$40,200,000 shall be available for the Of-  
20 fice of the Chief Human Capital Officer; \$54,000,000  
21 shall be available for the Office of Field Policy and Man-  
22 agement; \$20,000,000 shall be available for the Office of  
23 the Chief Procurement Officer; \$3,600,000 shall be avail-  
24 able for the Office of Departmental Equal Employment  
25 Opportunity; \$4,300,000 shall be available for the Office

1 of Business Transformation; and \$46,00,000 shall be  
2 available for the Office of the Chief Information Officer:  
3 *Provided*, That funds provided under this heading may be  
4 used for necessary administrative and non-administrative  
5 expenses of the Department of Housing and Urban Devel-  
6 opment, not otherwise provided for, including purchase of  
7 uniforms, or allowances therefor, as authorized by 5  
8 U.S.C. 5901–5902; hire of passenger motor vehicles; and  
9 services as authorized by 5 U.S.C. 3109: *Provided further*,  
10 That notwithstanding any other provision of law, funds  
11 appropriated under this heading may be used for adver-  
12 tising and promotional activities that directly support pro-  
13 gram activities funded in this title: *Provided further*, That  
14 the Secretary shall provide the House and Senate Commit-  
15 tees on Appropriations quarterly written notification re-  
16 garding the status of pending congressional reports: *Pro-*  
17 *vided further*, That the Secretary shall provide in elec-  
18 tronic form all signed reports required by Congress: *Pro-*  
19 *vided further*, That not more than 10 percent of the funds  
20 made available under this heading for the Office of Chief  
21 Financial Officer for the financial transformation initia-  
22 tive may be obligated until the Secretary submits to the  
23 House and Senate Committees on Appropriations, for ap-  
24 proval, a plan for expenditure that includes the financial  
25 and internal control capabilities to be delivered and the

1 mission benefits to be realized, key milestones to be met,  
2 and the relationship between the proposed use of funds  
3 made available under this heading and the projected total  
4 cost and scope of the initiative.

5 PROGRAM OFFICE SALARIES AND EXPENSES

6 PUBLIC AND INDIAN HOUSING

7 For necessary salaries and expenses of the Office of  
8 Public and Indian Housing, \$222,000,000.

9 COMMUNITY PLANNING AND DEVELOPMENT

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

12 HOUSING

13 For necessary salaries and expenses of the Office of  
14 Housing, \$390,000,000, of which not less than  
15 \$12,500,000 shall be for the Office of Recapitalization.

16 POLICY DEVELOPMENT AND RESEARCH

17 For necessary salaries and expenses of the Office of  
18 Policy Development and Research, \$26,000,000.

19 FAIR HOUSING AND EQUAL OPPORTUNITY

20 For necessary salaries and expenses of the Office of  
21 Fair Housing and Equal Opportunity, \$71,500,000.

22 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

23 HOMES

24 For necessary salaries and expenses of the Office of  
25 Lead Hazard Control and Healthy Homes, \$7,800,000.

## 1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the working capital fund for the Department of  
4 Housing and Urban Development (referred to in this para-  
5 graph as the “Fund”), pursuant, in part, to section 7(f)  
6 of the Department of Housing and Urban Development  
7 Act (42 U.S.C. 3535(f)), amounts transferred, including  
8 reimbursements pursuant to section 7(f), to the Fund  
9 under this heading shall be available for Federal shared  
10 services used by offices and agencies of the Department,  
11 and for such portion of any office or agency’s printing,  
12 records management, space renovation, furniture, or sup-  
13 ply services as the Secretary determines shall be derived  
14 from centralized sources made available by the Depart-  
15 ment to all offices and agencies and funded through the  
16 Fund: *Provided*, That of the amounts made available in  
17 this title for salaries and expenses under the headings  
18 “Executive Offices”, “Administrative Support Offices”,  
19 “Program Office Salaries and Expenses”, and “Govern-  
20 ment National Mortgage Association”, the Secretary shall  
21 transfer to the Fund such amounts, to remain available  
22 until expended, as are necessary to fund services, specified  
23 in the matter preceding the first proviso, for which the  
24 appropriation would otherwise have been available, and  
25 may transfer not to exceed an additional \$5,000,000, in

1 aggregate, from all such appropriations, to be merged with  
2 the Fund and to remain available until expended for any  
3 purpose under this heading: *Provided further*, That  
4 amounts in the Fund shall be the only amounts available  
5 to each office or agency of the Department for the serv-  
6 ices, or portion of services, specified in the matter pre-  
7 ceding the first proviso: *Provided further*, That with re-  
8 spect to the Fund, the authorities and conditions under  
9 this heading shall supplement the authorities and condi-  
10 tions provided under section 7(f).

11 PUBLIC AND INDIAN HOUSING

12 TENANT-BASED RENTAL ASSISTANCE

13 For activities and assistance for the provision of ten-  
14 ant-based rental assistance authorized under the United  
15 States Housing Act of 1937, as amended (42 U.S.C. 1437  
16 et seq.) (“the Act” herein), not otherwise provided for,  
17 \$18,780,987,000, to remain available until expended, shall  
18 be available on October 1, 2018 (in addition to the  
19 \$4,000,000,000 previously appropriated under this head-  
20 ing that shall be available on October 1, 2018), and  
21 \$4,000,000,000, to remain available until expended, shall  
22 be available on October 1, 2019: *Provided*, That the  
23 amounts made available under this heading are provided  
24 as follows:

1           (1) \$20,520,000,000 shall be available for re-  
2           newals of expiring section 8 tenant-based annual  
3           contributions contracts (including renewals of en-  
4           hanced vouchers under any provision of law author-  
5           izing such assistance under section 8(t) of the Act)  
6           and including renewal of other special purpose incre-  
7           mental vouchers: *Provided*, That notwithstanding  
8           any other provision of law, from amounts provided  
9           under this paragraph and any carryover, the Sec-  
10          retary for the calendar year 2019 funding cycle shall  
11          provide renewal funding for each public housing  
12          agency based on validated voucher management sys-  
13          tem (VMS) leasing and cost data for the prior cal-  
14          endar year and by applying an inflation factor as es-  
15          tablished by the Secretary, by notice published in  
16          the Federal Register, and by making any necessary  
17          adjustments for the costs associated with the first-  
18          time renewal of vouchers under this paragraph in-  
19          cluding tenant protection and Choice Neighborhoods  
20          vouchers: *Provided further*, That none of the funds  
21          provided under this paragraph may be used to fund  
22          a total number of unit months under lease which ex-  
23          ceeds a public housing agency's authorized level of  
24          units under contract, except for public housing agen-  
25          cies participating in the MTW demonstration, which

1 are instead governed by the terms and conditions of  
2 their MTW agreements: *Provided further*, That the  
3 Secretary shall, to the extent necessary to stay with-  
4 in the amount specified under this paragraph (ex-  
5 cept as otherwise modified under this paragraph),  
6 prorate each public housing agency's allocation oth-  
7 erwise established pursuant to this paragraph: *Pro-*  
8 *vided further*, That except as provided in the fol-  
9 lowing provisos, the entire amount specified under  
10 this paragraph (except as otherwise modified under  
11 this paragraph) shall be obligated to the public hous-  
12 ing agencies based on the allocation and pro rata  
13 method described above, and the Secretary shall no-  
14 tify public housing agencies of their annual budget  
15 by the latter of 60 days after enactment of this Act  
16 or March 1, 2019: *Provided further*, That the Sec-  
17 retary may extend the notification period with the  
18 prior written approval of the House and Senate  
19 Committees on Appropriations: *Provided further*,  
20 That public housing agencies participating in the  
21 MTW demonstration shall be funded pursuant to  
22 their MTW agreements and shall be subject to the  
23 same pro rata adjustments under the previous pro-  
24 visos: *Provided further*, That the Secretary may off-  
25 set public housing agencies' calendar year 2019 allo-

1 cations based on the excess amounts of public hous-  
2 ing agencies' net restricted assets accounts, includ-  
3 ing HUD-held programmatic reserves (in accordance  
4 with VMS data in calendar year 2018 that is  
5 verifiable and complete), as determined by the Sec-  
6 retary: *Provided further*, That public housing agen-  
7 cies participating in the MTW demonstration shall  
8 also be subject to the offset, as determined by the  
9 Secretary, excluding amounts subject to the single  
10 fund budget authority provisions of their MTW  
11 agreements, from the agencies' calendar year 2019  
12 MTW funding allocation: *Provided further*, That the  
13 Secretary shall use any offset referred to in the pre-  
14 vious two provisos throughout the calendar year to  
15 prevent the termination of rental assistance for fam-  
16 ilies as the result of insufficient funding, as deter-  
17 mined by the Secretary, and to avoid or reduce the  
18 proration of renewal funding allocations: *Provided*  
19 *further*, That up to \$100,000,000 shall be available  
20 only: (1) for adjustments in the allocations for public  
21 housing agencies, after application for an adjust-  
22 ment by a public housing agency that experienced a  
23 significant increase, as determined by the Secretary,  
24 in renewal costs of vouchers resulting from unfore-  
25 seen circumstances or from portability under section



1 8(r) of the Act; (2) for vouchers that were not in use  
2 during the previous 12-month period in order to be  
3 available to meet a commitment pursuant to section  
4 8(o)(13) of the Act; (3) for adjustments for costs as-  
5 sociated with HUD–Veterans Affairs Supportive  
6 Housing (HUD–VASH) vouchers; and (4) for public  
7 housing agencies that despite taking reasonable cost  
8 savings measures, as determined by the Secretary,  
9 would otherwise be required to terminate rental as-  
10 sistance for families as a result of insufficient fund-  
11 ing: *Provided further*, That the Secretary shall allo-  
12 cate amounts under the previous proviso based on  
13 need, as determined by the Secretary;

14 (2) \$85,000,000 shall be for section 8 rental as-  
15 sistance for relocation and replacement of housing  
16 units that are demolished or disposed of pursuant to  
17 section 18 of the Act, conversion of section 23  
18 projects to assistance under section 8, the family  
19 unification program under section 8(x) of the Act,  
20 relocation of witnesses in connection with efforts to  
21 combat crime in public and assisted housing pursu-  
22 ant to a request from a law enforcement or prosecu-  
23 tion agency, enhanced vouchers under any provision  
24 of law authorizing such assistance under section 8(t)  
25 of the Act, Choice Neighborhood vouchers, manda-

1 tory and voluntary conversions, and tenant protec-  
2 tion assistance including replacement and relocation  
3 assistance or for project-based assistance to prevent  
4 the displacement of unassisted elderly tenants cur-  
5 rently residing in section 202 properties financed be-  
6 tween 1959 and 1974 that are refinanced pursuant  
7 to Public Law 106–569, as amended, or under the  
8 authority as provided under this Act: *Provided*, That  
9 when a public housing development is submitted for  
10 demolition or disposition under section 18 of the  
11 Act, the Secretary may provide section 8 rental as-  
12 sistance when the units pose an imminent health  
13 and safety risk to residents: *Provided further*, That  
14 the Secretary may only provide replacement vouch-  
15 ers for units that were occupied within the previous  
16 24 months that cease to be available as assisted  
17 housing, subject only to the availability of funds:  
18 *Provided further*, That of the amounts made avail-  
19 able under this paragraph, \$5,000,000 may be avail-  
20 able to provide tenant protection assistance, not oth-  
21 erwise provided under this paragraph, to residents  
22 residing in low vacancy areas and who may have to  
23 pay rents greater than 30 percent of household in-  
24 come, as the result of: (A) the maturity of a HUD-  
25 insured, HUD-held or section 202 loan that requires

1 the permission of the Secretary prior to loan prepay-  
2 ment; (B) the expiration of a rental assistance con-  
3 tract for which the tenants are not eligible for en-  
4 hanced voucher or tenant protection assistance  
5 under existing law; or (C) the expiration of afford-  
6 ability restrictions accompanying a mortgage or  
7 preservation program administered by the Secretary:  
8 *Provided further*, That such tenant protection assist-  
9 ance made available under the previous proviso may  
10 be provided under the authority of section 8(t) or  
11 section 8(o)(13) of the United States Housing Act  
12 of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That  
13 the Secretary shall issue guidance to implement the  
14 previous provisos, including, but not limited to, re-  
15 quirements for defining eligible at-risk households  
16 within 60 days of the enactment of this Act: *Pro-*  
17 *vided further*, That any tenant protection voucher  
18 made available from amounts under this paragraph  
19 shall not be reissued by any public housing agency,  
20 except the replacement vouchers as defined by the  
21 Secretary by notice, when the initial family that re-  
22 ceived any such voucher no longer receives such  
23 voucher, and the authority for any public housing  
24 agency to issue any such voucher shall cease to exist:  
25 *Provided further*, That the Secretary may provide

1 section 8 rental assistance from amounts made  
2 available under this paragraph for units assisted  
3 under a project-based subsidy contract funded under  
4 the “Project-Based Rental Assistance” heading  
5 under this title where the owner has received a No-  
6 tice of Default and the units pose an imminent  
7 health and safety risk to residents: *Provided further*,  
8 That to the extent that the Secretary determines  
9 that such units are not feasible for continued rental  
10 assistance payments or transfer of the subsidy con-  
11 tract associated with such units to another project  
12 or projects and owner or owners, any remaining  
13 amounts associated with such units under such con-  
14 tract shall be recaptured and used to reimburse  
15 amounts used under this paragraph for rental assist-  
16 ance under the preceding proviso;

17 (3) \$1,956,987,000 shall be for administrative  
18 and other expenses of public housing agencies in ad-  
19 ministering the section 8 tenant-based rental assist-  
20 ance program, of which up to \$30,000,000 shall be  
21 available to the Secretary to allocate to public hous-  
22 ing agencies that need additional funds to admin-  
23 ister their section 8 programs, including fees associ-  
24 ated with section 8 tenant protection rental assist-  
25 ance, the administration of disaster related vouchers,

1 HUD–VASH vouchers, and other special purpose in-  
2 cremental vouchers: *Provided*, That no less than  
3 \$1,926,987,000 of the amount provided in this para-  
4 graph shall be allocated to public housing agencies  
5 for the calendar year 2019 funding cycle based on  
6 section 8(q) of the Act (and related Appropriation  
7 Act provisions) as in effect immediately before the  
8 enactment of the Quality Housing and Work Re-  
9 sponsibility Act of 1998 (Public Law 105–276): *Pro-*  
10 *vided further*, That if the amounts made available  
11 under this paragraph are insufficient to pay the  
12 amounts determined under the previous proviso, the  
13 Secretary may decrease the amounts allocated to  
14 agencies by a uniform percentage applicable to all  
15 agencies receiving funding under this paragraph or  
16 may, to the extent necessary to provide full payment  
17 of amounts determined under the previous proviso,  
18 utilize unobligated balances, including recaptures  
19 and carryovers, remaining from funds appropriated  
20 to the Department of Housing and Urban Develop-  
21 ment under this heading from prior fiscal years, ex-  
22 cluding special purpose vouchers, notwithstanding  
23 the purposes for which such amounts were appro-  
24 priated: *Provided further*, That all public housing  
25 agencies participating in the MTW demonstration

1 shall be funded pursuant to their MTW agreements,  
2 and shall be subject to the same uniform percentage  
3 decrease as under the previous proviso: *Provided fur-*  
4 *ther*, That amounts provided under this paragraph  
5 shall be only for activities related to the provision of  
6 tenant-based rental assistance authorized under sec-  
7 tion 8, including related development activities;

8 (4) \$154,000,000 for the renewal of tenant-  
9 based assistance contracts under section 811 of the  
10 Cranston-Gonzalez National Affordable Housing Act  
11 (42 U.S.C. 8013), including necessary administra-  
12 tive expenses: *Provided*, That administrative and  
13 other expenses of public housing agencies in admin-  
14 istering the special purpose vouchers in this para-  
15 graph shall be funded under the same terms and be  
16 subject to the same pro rata reduction as the per-  
17 cent decrease for administrative and other expenses  
18 to public housing agencies under paragraph (3) of  
19 this heading: *Provided further*, That any amounts  
20 provided under this paragraph in this Act or prior  
21 Acts, remaining available after funding renewals and  
22 administrative expenses under this paragraph, shall  
23 be available for incremental tenant-based assistance  
24 contracts under such section 811, including nec-  
25 essary administrative expenses;

1           (5) \$5,000,000 shall be for rental assistance  
2           and associated administrative fees for Tribal HUD–  
3           VASH to serve Native American veterans that are  
4           homeless or at-risk of homelessness living on or near  
5           a reservation or other Indian areas: *Provided*, That  
6           such amount shall be made available for renewal  
7           grants to recipients that received assistance under  
8           prior Acts under the Tribal HUD–VASH program:  
9           *Provided further*, That the Secretary shall be author-  
10          ized to specify criteria for renewal grants, including  
11          data on the utilization of assistance reported by  
12          grant recipients: *Provided further*, That such assist-  
13          ance shall be administered in accordance with pro-  
14          gram requirements under the Native American  
15          Housing Assistance and Self-Determination Act of  
16          1996 and modeled after the HUD–VASH program:  
17          *Provided further*, That the Secretary shall be author-  
18          ized to waive, or specify alternative requirements for  
19          any provision of any statute or regulation that the  
20          Secretary administers in connection with the use of  
21          funds made available under this paragraph (except  
22          for requirements related to fair housing, non-  
23          discrimination, labor standards, and the environ-  
24          ment), upon a finding by the Secretary that any  
25          such waivers or alternative requirements are nec-

1        essary for the effective delivery and administration  
2        of such assistance: *Provided further*, That grant re-  
3        cipients shall report to the Secretary on utilization  
4        of such rental assistance and other program data, as  
5        prescribed by the Secretary: *Provided further*, That  
6        the Secretary may reallocate, as determined by the  
7        Secretary, amounts returned or recaptured from  
8        awards under prior acts;

9            (6) \$40,000,000 for incremental rental voucher  
10        assistance for use through a supported housing pro-  
11        gram administered in conjunction with the Depart-  
12        ment of Veterans Affairs as authorized under section  
13        8(o)(19) of the United States Housing Act of 1937:  
14        *Provided*, That the Secretary of Housing and Urban  
15        Development shall make such funding available, not-  
16        withstanding section 203 (competition provision) of  
17        this title, to public housing agencies that partner  
18        with eligible VA Medical Centers or other entities as  
19        designated by the Secretary of the Department of  
20        Veterans Affairs, based on geographical need for  
21        such assistance as identified by the Secretary of the  
22        Department of Veterans Affairs, public housing  
23        agency administrative performance, and other fac-  
24        tors as specified by the Secretary of Housing and  
25        Urban Development in consultation with the Sec-



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

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

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

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

11 HOUSING CERTIFICATE FUND

12 (INCLUDING RESCISSIONS)

13 Unobligated balances, including recaptures and car-  
14 ryover, remaining from funds appropriated to the Depart-  
15 ment of Housing and Urban Development under this  
16 heading, the heading “Annual Contributions for Assisted  
17 Housing” and the heading “Project-Based Rental Assist-  
18 ance”, for fiscal year 2019 and prior years may be used  
19 for renewal of or amendments to section 8 project-based  
20 contracts and for performance-based contract administra-  
21 tors, notwithstanding the purposes for which such funds  
22 were appropriated: *Provided*, That any obligated balances  
23 of contract authority from fiscal year 1974 and prior that  
24 have been terminated shall be rescinded: *Provided further*,  
25 That amounts heretofore recaptured, or recaptured during

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

8 PUBLIC HOUSING CAPITAL FUND

9 For the Public Housing Capital Fund Program to  
10 carry out capital and management activities for public  
11 housing agencies, as authorized under section 9 of the  
12 United States Housing Act of 1937 (42 U.S.C. 1437g)  
13 (the “Act”) \$2,775,000,000, to remain available until  
14 September 30, 2022: *Provided*, That notwithstanding any  
15 other provision of law or regulation, during fiscal year  
16 2019, the Secretary of Housing and Urban Development  
17 may not delegate to any Department official other than  
18 the Deputy Secretary and the Assistant Secretary for  
19 Public and Indian Housing any authority under paragraph  
20 (2) of section 9(j) regarding the extension of the time peri-  
21 ods under such section: *Provided further*, That for pur-  
22 poses of such section 9(j), the term “obligate” means, with  
23 respect to amounts, that the amounts are subject to a  
24 binding agreement that will result in outlays, immediately  
25 or in the future: *Provided further*, That up to \$14,000,000

1 shall be to support ongoing public housing financial and  
2 physical assessment activities: *Provided further*, That up  
3 to \$1,000,000 shall be to support the costs of administra-  
4 tive and judicial receiverships: *Provided further*, That of  
5 the total amount provided under this heading, not to ex-  
6 ceed \$25,000,000 shall be available for the Secretary to  
7 make grants, notwithstanding section 203 of this Act, to  
8 public housing agencies for emergency capital needs in-  
9 cluding safety and security measures necessary to address  
10 crime and drug-related activity as well as needs resulting  
11 from unforeseen or unpreventable emergencies and nat-  
12 ural disasters excluding Presidentially declared emer-  
13 gencies and natural disasters under the Robert T. Stafford  
14 Disaster Relief and Emergency Act (42 U.S.C. 5121 et  
15 seq.) occurring in fiscal year 2019: *Provided further*, That  
16 of the amount made available under the previous proviso,  
17 not less than \$5,000,000 shall be for safety and security  
18 measures: *Provided further*, That in addition to the  
19 amount in the previous proviso for such safety and secu-  
20 rity measures, any amounts that remain available, after  
21 all applications received on or before September 30, 2020,  
22 for emergency capital needs have been processed, shall be  
23 allocated to public housing agencies for such safety and  
24 security measures: *Provided further*, That of the total  
25 amount provided under this heading, up to \$35,000,000

1 shall be for supportive services, service coordinators and  
2 congregate services as authorized by section 34 of the Act  
3 (42 U.S.C. 1437z-6) and the Native American Housing  
4 Assistance and Self-Determination Act of 1996 (25 U.S.C.  
5 4101 et seq.): *Provided further*, That of the total amount  
6 made available under this heading, \$15,000,000 shall be  
7 for a Jobs-Plus initiative modeled after the Jobs-Plus  
8 demonstration: *Provided further*, That funding provided  
9 under the previous proviso shall be available for competi-  
10 tive grants to partnerships between public housing au-  
11 thorities, local workforce investment boards established  
12 under section 107 of the Workforce Innovation and Oppor-  
13 tunity Act of 2014 (29 U.S.C. 3122), and other agencies  
14 and organizations that provide support to help public  
15 housing residents obtain employment and increase earn-  
16 ings: *Provided further*, That applicants must demonstrate  
17 the ability to provide services to residents, partner with  
18 workforce investment boards, and leverage service dollars:  
19 *Provided further*, That the Secretary may allow public  
20 housing agencies to request exemptions from rent and in-  
21 come limitation requirements under sections 3 and 6 of  
22 the United States Housing Act of 1937 (42 U.S.C. 1437a  
23 and 1437d), as necessary to implement the Jobs-Plus pro-  
24 gram, on such terms and conditions as the Secretary may  
25 approve upon a finding by the Secretary that any such

1 waivers or alternative requirements are necessary for the  
2 effective implementation of the Jobs-Plus initiative as a  
3 voluntary program for residents: *Provided further*, That  
4 the Secretary shall publish by notice in the Federal Reg-  
5 ister any waivers or alternative requirements pursuant to  
6 the preceding proviso no later than 10 days before the ef-  
7 fective date of such notice: *Provided further*, That for  
8 funds provided under this heading, the limitation in sec-  
9 tion 9(g)(1) of the Act shall be 25 percent: *Provided fur-*  
10 *ther*, That the Secretary may waive the limitation in the  
11 previous proviso to allow public housing agencies to fund  
12 activities authorized under section 9(e)(1)(C) of the Act:  
13 *Provided further*, That the Secretary shall notify public  
14 housing agencies requesting waivers under the previous  
15 proviso if the request is approved or denied within 14 days  
16 of submitting the request: *Provided further*, That from the  
17 funds made available under this heading, the Secretary  
18 shall provide bonus awards in fiscal year 2019 to public  
19 housing agencies that are designated high performers:  
20 *Provided further*, That the Department shall notify public  
21 housing agencies of their formula allocation within 60  
22 days of enactment of this Act: *Provided further*, That of  
23 the total amount provided under this heading,  
24 \$25,000,000 shall be available for competitive grants to  
25 public housing agencies to evaluate and reduce lead-based

1 paint hazards in public housing by carrying out the activi-  
2 ties of risk assessments, abatement, and interim controls  
3 (as those terms are defined in section 1004 of the Residen-  
4 tial Lead-Based Paint Hazard Reduction Act of 1992 (42  
5 U.S.C. 4851b)): *Provided further*, That for purposes of en-  
6 vironmental review, a grant under the previous proviso  
7 shall be considered funds for projects or activities under  
8 title I of the United States Housing Act of 1937 (42  
9 U.S.C. 1437 et seq.) for purposes of section 26 of such  
10 Act (42 U.S.C. 1437x) and shall be subject to the regula-  
11 tions implementing such section.

12 PUBLIC HOUSING OPERATING FUND

13 For 2019 payments to public housing agencies for the  
14 operation and management of public housing, as author-  
15 ized by section 9(e) of the United States Housing Act of  
16 1937 (42 U.S.C. 1437g(e)), \$4,756,000,000, to remain  
17 available until September 30, 2020.

18 CHOICE NEIGHBORHOODS INITIATIVE

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

1 borhoods with appropriate services, schools, public assets,  
2 transportation and access to jobs, \$100,000,000, to re-  
3 main available until September 30, 2021: *Provided*, That  
4 grant funds may be used for resident and community serv-  
5 ices, community development, and affordable housing  
6 needs in the community, and for conversion of vacant or  
7 foreclosed properties to affordable housing: *Provided fur-*  
8 *ther*, That the use of funds made available under this  
9 heading shall not be deemed to be public housing notwith-  
10 standing section 3(b)(1) of such Act: *Provided further*,  
11 That grantees shall commit to an additional period of af-  
12 fordability determined by the Secretary of not fewer than  
13 20 years: *Provided further*, That grantees shall provide a  
14 match in State, local, other Federal or private funds: *Pro-*  
15 *vided further*, That grantees may include local govern-  
16 ments, tribal entities, public housing authorities, and non-  
17 profits: *Provided further*, That for-profit developers may  
18 apply jointly with a public entity: *Provided further*, That  
19 for purposes of environmental review, a grantee shall be  
20 treated as a public housing agency under section 26 of  
21 the United States Housing Act of 1937 (42 U.S.C.  
22 1437x), and grants under this heading shall be subject  
23 to the regulations issued by the Secretary to implement  
24 such section: *Provided further*, That of the amount pro-  
25 vided, not less than \$50,000,000 shall be awarded to pub-



1 lic housing agencies: *Provided further*, That such grantees  
2 shall create partnerships with other local organizations in-  
3 cluding assisted housing owners, service agencies, and  
4 resident organizations: *Provided further*, That the Sec-  
5 retary shall consult with the Secretaries of Education,  
6 Labor, Transportation, Health and Human Services, Agri-  
7 culture, and Commerce, the Attorney General, and the Ad-  
8 ministrator of the Environmental Protection Agency to co-  
9 ordinate and leverage other appropriate Federal resources:  
10 *Provided further*, That no more than \$5,000,000 of funds  
11 made available under this heading may be provided as  
12 grants to undertake comprehensive local planning with  
13 input from residents and the community: *Provided further*,  
14 That unobligated balances, including recaptures, remain-  
15 ing from funds appropriated under the heading “Revital-  
16 ization of Severely Distressed Public Housing (HOPE  
17 VI)” in fiscal year 2011 and prior fiscal years may be used  
18 for purposes under this heading, notwithstanding the pur-  
19 poses for which such amounts were appropriated: *Provided*  
20 *further*, That the Secretary shall issue the Notice of Fund-  
21 ing Availability for funds made available under this head-  
22 ing no later than 60 days after enactment of this Act: *Pro-*  
23 *vided further*, That the Secretary shall make grant awards  
24 no later than one year from the date of enactment of this  
25 Act in such amounts that the Secretary determines: *Pro-*

1 *vided further*, That notwithstanding section 24(o) of the  
2 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),  
3 the Secretary may, until September 30, 2019, obligate any  
4 available unobligated balances made available under this  
5 heading in this, or any prior Act.

6 FAMILY SELF-SUFFICIENCY

7 For the Family Self-Sufficiency program to support  
8 family self-sufficiency coordinators under section 23 of the  
9 United States Housing Act of 1937, to promote the devel-  
10 opment of local strategies to coordinate the use of assist-  
11 ance under sections 8(o) and 9 of such Act with public  
12 and private resources, and enable eligible families to  
13 achieve economic independence and self-sufficiency,  
14 \$80,000,000, to remain available until September 30,  
15 2020: *Provided*, That the Secretary may, by Federal Reg-  
16 ister notice, waive or specify alternative requirements  
17 under subsections b(3), b(4), b(5), or c(1) of section 23  
18 of such Act in order to facilitate the operation of a unified  
19 self-sufficiency program for individuals receiving assist-  
20 ance under different provisions of the Act, as determined  
21 by the Secretary: *Provided further*, That owners of a pri-  
22 vately owned multifamily property with a section 8 con-  
23 tract may voluntarily make a Family Self-Sufficiency pro-  
24 gram available to the assisted tenants of such property  
25 in accordance with procedures established by the Sec-

1 retary: *Provided further*, That such procedures established  
2 pursuant to the previous proviso shall permit participating  
3 tenants to accrue escrow funds in accordance with section  
4 23(d)(2) and shall allow owners to use funding from resid-  
5 ual receipt accounts to hire coordinators for their own  
6 Family Self-Sufficiency program.

7 NATIVE AMERICAN HOUSING BLOCK GRANTS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the Native American Housing Block Grants pro-  
10 gram, as authorized under title I of the Native American  
11 Housing Assistance and Self-Determination Act of 1996  
12 (NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to  
13 remain available until September 30, 2023: *Provided*,  
14 That, notwithstanding NAHASDA, to determine the  
15 amount of the allocation under title I of such Act for each  
16 Indian tribe, the Secretary shall apply the formula under  
17 section 302 of such Act with the need component based  
18 on single-race census data and with the need component  
19 based on multi-race census data, and the amount of the  
20 allocation for each Indian tribe shall be the greater of the  
21 two resulting allocation amounts: *Provided further*, That  
22 of the amounts made available under this heading,  
23 \$7,000,000 shall be for providing training and technical  
24 assistance to Indian housing authorities and tribally des-  
25 ignated housing entities, to support the inspection of In-

1 dian housing units, contract expertise, and for training  
2 and technical assistance related to funding provided under  
3 this heading and other headings under this Act for the  
4 needs of Native American families and Indian country:  
5 *Provided further*, That amounts made available under the  
6 previous proviso may be used, contracted, or competed as  
7 determined by the Secretary: *Provided further*, That of the  
8 amount provided under this heading, \$2,000,000 shall be  
9 made available for the cost of guaranteed notes and other  
10 obligations, as authorized by title VI of NAHASDA: *Pro-*  
11 *vided further*, That such costs, including the costs of modi-  
12 fying such notes and other obligations, shall be as defined  
13 in section 502 of the Congressional Budget Act of 1974,  
14 as amended: *Provided further*, That these funds are avail-  
15 able to subsidize the total principal amount of any notes  
16 and other obligations, any part of which is to be guaran-  
17 teed, not to exceed \$17,761,989: *Provided further*, That  
18 the Department will notify grantees of their formula allo-  
19 cation within 60 days of the date of enactment of this Act:  
20 *Provided further*, That for an additional amount for the  
21 Native American Housing Block Grants program, as au-  
22 thorized under title I of NAHASDA, \$100,000,000 to re-  
23 main available until September 30, 2023: *Provided further*,  
24 That the Secretary shall obligate this additional amount  
25 for competitive grants to eligible recipients authorized

1 under NAHASDA that apply for funds: *Provided further*,  
2 That in awarding this additional amount, the Secretary  
3 shall consider need and administrative capacity, and shall  
4 give priority to projects that will spur construction and  
5 rehabilitation: *Provided further*, That up to 1 percent of  
6 this additional amount may be transferred, in aggregate,  
7 to “Program Office Salaries and Expenses—Public and  
8 Indian Housing” for necessary costs of administering and  
9 overseeing the obligation and expenditure of this addi-  
10 tional amount: *Provided further*, That any funds trans-  
11 ferred pursuant to the previous proviso shall remain avail-  
12 able until September 30, 2024.

13 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM  
14 ACCOUNT

15 For the cost of guaranteed loans, as authorized by  
16 section 184 of the Housing and Community Development  
17 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-  
18 main available until expended: *Provided*, That such costs,  
19 including the costs of modifying such loans, shall be as  
20 defined in section 502 of the Congressional Budget Act  
21 of 1974: *Provided further*, That these funds are available  
22 to subsidize total loan principal, any part of which is to  
23 be guaranteed, up to \$553,846,154, to remain available  
24 until expended: *Provided further*, That up to \$750,000 of  
25 this amount may be for administrative contract expenses

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

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-  
5 gram, as authorized under title VIII of the Native Amer-  
6 ican Housing Assistance and Self-Determination Act of  
7 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain  
8 available until September 30, 2023: *Provided*, That not-  
9 withstanding section 812(b) of such Act, the Department  
10 of Hawaiian Home Lands may not invest grant amounts  
11 provided under this heading in investment securities and  
12 other obligations: *Provided further*, That amounts made  
13 available under this heading in this and prior fiscal years  
14 may be used to provide rental assistance to eligible Native  
15 Hawaiian families both on and off the Hawaiian Home  
16 Lands, notwithstanding any other provision of law.

17 COMMUNITY PLANNING AND DEVELOPMENT

18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

19 For carrying out the Housing Opportunities for Per-  
20 sons with AIDS program, as authorized by the AIDS  
21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
22 \$375,000,000, to remain available until September 30,  
23 2020, except that amounts allocated pursuant to section  
24 854(c)(5) of such Act shall remain available until Sep-  
25 tember 30, 2021: *Provided*, That the Secretary shall renew

1 all expiring contracts for permanent supportive housing  
2 that initially were funded under section 854(c)(5) of such  
3 Act from funds made available under this heading in fiscal  
4 year 2010 and prior fiscal years that meet all program  
5 requirements before awarding funds for new contracts  
6 under such section: *Provided further*, That the Depart-  
7 ment shall notify grantees of their formula allocation with-  
8 in 60 days of enactment of this Act.

9                                   COMMUNITY DEVELOPMENT FUND

10       For assistance to units of State and local govern-  
11 ment, and to other entities, for economic and community  
12 development activities, and for other purposes,  
13 \$3,365,000,000, to remain available until September 30,  
14 2021, unless otherwise specified: *Provided*, That of the  
15 total amount provided, \$3,300,000,000 is for carrying out  
16 the community development block grant program under  
17 title I of the Housing and Community Development Act  
18 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301  
19 et seq.): *Provided further*, That unless explicitly provided  
20 for under this heading, not to exceed 20 percent of any  
21 grant made with funds appropriated under this heading  
22 shall be expended for planning and management develop-  
23 ment and administration: *Provided further*, That a metro-  
24 politan city, urban county, unit of general local govern-  
25 ment, Indian tribe, or insular area that directly or indi-

1 rectly receives funds under this heading may not sell,  
2 trade, or otherwise transfer all or any portion of such  
3 funds to another such entity in exchange for any other  
4 funds, credits or non-Federal considerations, but must use  
5 such funds for activities eligible under title I of the Act:  
6 *Provided further*, That notwithstanding section 105(e)(1)  
7 of the Act, no funds provided under this heading may be  
8 provided to a for-profit entity for an economic develop-  
9 ment project under section 105(a)(17) unless such project  
10 has been evaluated and selected in accordance with guide-  
11 lines required under subsection (e)(2): *Provided further*,  
12 That the Department shall notify grantees of their for-  
13 mula allocation within 60 days of enactment of this Act:  
14 *Provided further*, That of the total amount provided under  
15 this heading, \$65,000,000 shall be for grants to Indian  
16 tribes notwithstanding section 106(a)(1) of such Act, of  
17 which, notwithstanding any other provision of law (includ-  
18 ing section 203 of this Act), up to \$4,000,000 may be  
19 used for emergencies that constitute imminent threats to  
20 health and safety.

21           COMMUNITY DEVELOPMENT LOAN GUARANTEES

22                           PROGRAM ACCOUNT

23           Subject to section 502 of the Congressional Budget  
24 Act of 1974, during fiscal year 2019, commitments to  
25 guarantee loans under section 108 of the Housing and



1 Community Development Act of 1974 (42 U.S.C. 5308),  
2 any part of which is guaranteed, shall not exceed a total  
3 principal amount of \$300,000,000, notwithstanding any  
4 aggregate limitation on outstanding obligations guaran-  
5 teed in subsection (k) of such section 108: *Provided*, That  
6 the Secretary shall collect fees from borrowers, notwith-  
7 standing subsection (m) of such section 108, to result in  
8 a credit subsidy cost of zero for guaranteeing such loans,  
9 and any such fees shall be collected in accordance with  
10 section 502(7) of the Congressional Budget Act of 1974.

11 HOME INVESTMENT PARTNERSHIPS PROGRAM

12 For the HOME Investment Partnerships program, as  
13 authorized under title II of the Cranston-Gonzalez Na-  
14 tional Affordable Housing Act, as amended,  
15 \$1,362,000,000, to remain available until September 30,  
16 2022: *Provided*, That notwithstanding the amount made  
17 available under this heading, the threshold reduction re-  
18 quirements in sections 216(10) and 217(b)(4) of such Act  
19 shall not apply to allocations of such amount: *Provided*  
20 *further*, That the Department shall notify grantees of their  
21 formula allocation within 60 days of enactment of this Act.

22 SELF-HELP AND ASSISTED HOMEOWNERSHIP

23 OPPORTUNITY PROGRAM

24 For the Self-Help and Assisted Homeownership Op-  
25 portunity Program, as authorized under section 11 of the

1 Housing Opportunity Program Extension Act of 1996, as  
2 amended, \$54,000,000, to remain available until Sep-  
3 tember 30, 2021: *Provided*, That of the total amount pro-  
4 vided under this heading, \$10,000,000 shall be made  
5 available to the Self-Help Homeownership Opportunity  
6 Program as authorized under section 11 of the Housing  
7 Opportunity Program Extension Act of 1996, as amended:  
8 *Provided further*, That of the total amount provided under  
9 this heading, \$35,000,000 shall be made available for the  
10 second, third, and fourth capacity building activities au-  
11 thorized under section 4(a) of the HUD Demonstration  
12 Act of 1993 (42 U.S.C. 9816 note), of which not less than  
13 \$5,000,000 shall be made available for rural capacity  
14 building activities: *Provided further*, That of the total  
15 amount provided under this heading, \$5,000,000 shall be  
16 made available for capacity building by national rural  
17 housing organizations with experience assessing national  
18 rural conditions and providing financing, training, tech-  
19 nical assistance, information, and research to local non-  
20 profits, local governments, and Indian Tribes serving high  
21 need rural communities: *Provided further*, That of the  
22 total amount provided under this heading, \$4,000,000,  
23 shall be made available for a program to rehabilitate and  
24 modify the homes of disabled or low-income veterans, as  
25 authorized under section 1079 of Public Law 113–291:

1 *Provided further*, That funds provided under the previous  
2 proviso shall be awarded within 180 days of enactment  
3 of this Act: *Provided further*, That funds provided for such  
4 program in fiscal years 2016, 2017, and 2018 shall be  
5 awarded within 60 days of enactment of this Act.

6 HOMELESS ASSISTANCE GRANTS

7 For the Emergency Solutions Grants program as au-  
8 thorized under subtitle B of title IV of the McKinney-  
9 Vento Homeless Assistance Act, as amended; the Con-  
10 tinuum of Care program as authorized under subtitle C  
11 of title IV of such Act; and the Rural Housing Stability  
12 Assistance program as authorized under subtitle D of title  
13 IV of such Act, \$2,612,000,000, to remain available until  
14 September 30, 2021: *Provided*, That any rental assistance  
15 amounts that are recaptured under such Continuum of  
16 Care program shall remain available until expended: *Pro-*  
17 *vided further*, That not less than \$270,000,000 of the  
18 funds appropriated under this heading shall be available  
19 for such Emergency Solutions Grants program: *Provided*  
20 *further*, That not less than \$2,205,000,000 of the funds  
21 appropriated under this heading shall be available for such  
22 Continuum of Care and Rural Housing Stability Assist-  
23 ance programs: *Provided further*, That of the amounts  
24 made available under this heading, up to \$50,000,000  
25 shall be made available for grants for rapid re-housing

1 projects and supportive service projects providing coordi-  
2 nated entry, and for eligible activities the Secretary deter-  
3 mines to be critical in order to assist survivors of domestic  
4 violence, dating violence, and stalking: *Provided further,*  
5 That such projects shall be eligible for renewal under the  
6 continuum of care program subject to the same terms and  
7 conditions as other renewal applicants: *Provided further,*  
8 That up to \$7,000,000 of the funds appropriated under  
9 this heading shall be available for the national homeless  
10 data analysis project: *Provided further,* That all funds  
11 awarded for supportive services under the Continuum of  
12 Care program and the Rural Housing Stability Assistance  
13 program shall be matched by not less than 25 percent in  
14 cash or in kind by each grantee: *Provided further,* That  
15 for all match requirements applicable to funds made avail-  
16 able under this heading for this fiscal year and prior fiscal  
17 years, a grantee may use (or could have used) as a source  
18 of match funds other funds administered by the Secretary  
19 and other Federal agencies unless there is (or was) a spe-  
20 cific statutory prohibition on any such use of any such  
21 funds: *Provided further,* That the Secretary shall collect  
22 system performance measures for each continuum of care,  
23 and that relative to fiscal year 2015, under the Continuum  
24 of Care competition with respect to funds made available  
25 under this heading, the Secretary shall base an increasing

1 share of the score on performance criteria: *Provided fur-*  
2 *ther*, That none of the funds provided under this heading  
3 shall be available to provide funding for new projects, ex-  
4 cept for projects created through reallocation, unless the  
5 Secretary determines that the continuum of care has dem-  
6 onstrated that projects are evaluated and ranked based  
7 on the degree to which they improve the continuum of  
8 care's system performance: *Provided further*, That the  
9 Secretary shall prioritize funding under the Continuum of  
10 Care program to continuums of care that have dem-  
11 onstrated a capacity to reallocate funding from lower per-  
12 forming projects to higher performing projects: *Provided*  
13 *further*, That all awards of assistance under this heading  
14 shall be required to coordinate and integrate homeless pro-  
15 grams with other mainstream health, social services, and  
16 employment programs for which homeless populations  
17 may be eligible: *Provided further*, That any unobligated  
18 amounts remaining from funds appropriated under this  
19 heading in fiscal year 2012 and prior years for project-  
20 based rental assistance for rehabilitation projects with 10-  
21 year grant terms may be used for purposes under this  
22 heading, notwithstanding the purposes for which such  
23 funds were appropriated: *Provided further*, That all bal-  
24 ances for Shelter Plus Care renewals previously funded  
25 from the Shelter Plus Care Renewal account and trans-

1 ferred to this account shall be available, if recaptured, for  
2 Continuum of Care renewals in fiscal year 2019: *Provided*  
3 *further*, That the Department shall notify grantees of their  
4 formula allocation from amounts allocated (which may  
5 represent initial or final amounts allocated) for the Emer-  
6 gency Solutions Grant program within 60 days of enact-  
7 ment of this Act: *Provided further*, That up to  
8 \$80,000,000 of the funds appropriated under this heading  
9 shall be to implement projects to demonstrate how a com-  
10 prehensive approach to serving homeless youth, age 24  
11 and under, in up to 25 communities, including at least  
12 five communities with substantial rural populations, can  
13 dramatically reduce youth homelessness: *Provided further*,  
14 That of the amount made available under the previous  
15 proviso, up to \$5,000,000 shall be available to provide  
16 technical assistance on youth homelessness, and collection,  
17 analysis, and reporting of data and performance measures  
18 under the comprehensive approaches to serve homeless  
19 youth, in addition to and in coordination with other tech-  
20 nical assistance funds provided under this title: *Provided*  
21 *further*, That such projects shall be eligible for renewal  
22 under the continuum of care program subject to the same  
23 terms and conditions as other renewal applicants: *Pro-*  
24 *vided further*, That youth aged 24 and under seeking as-  
25 sistance under this heading shall not be required to pro-

1 vide third party documentation to establish their eligibility  
2 under 42 U.S.C. 11302(a) or (b) to receive services: *Pro-*  
3 *vided further*, That unaccompanied youth aged 24 and  
4 under or families headed by youth aged 24 and under who  
5 are living in unsafe situations may be served by youth-  
6 serving providers funded under this heading.

## 7 HOUSING PROGRAMS

### 8 PROJECT-BASED RENTAL ASSISTANCE

9 For activities and assistance for the provision of  
10 project-based subsidy contracts under the United States  
11 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the  
12 Act”), not otherwise provided for, \$11,347,000,000, to re-  
13 main available until expended, shall be available on Octo-  
14 ber 1, 2018 (in addition to the \$400,000,000 previously  
15 appropriated under this heading that became available Oc-  
16 tober 1, 2018), and \$400,000,000, to remain available  
17 until expended, shall be available on October 1, 2019: *Pro-*  
18 *vided*, That the amounts made available under this head-  
19 ing shall be available for expiring or terminating section  
20 8 project-based subsidy contracts (including section 8  
21 moderate rehabilitation contracts), for amendments to sec-  
22 tion 8 project-based subsidy contracts (including section  
23 8 moderate rehabilitation contracts), for contracts entered  
24 into pursuant to section 441 of the McKinney-Vento  
25 Homeless Assistance Act (42 U.S.C. 11401), for renewal

1 of section 8 contracts for units in projects that are subject  
2 to approved plans of action under the Emergency Low In-  
3 come Housing Preservation Act of 1987 or the Low-In-  
4 come Housing Preservation and Resident Homeownership  
5 Act of 1990, and for administrative and other expenses  
6 associated with project-based activities and assistance  
7 funded under this paragraph: *Provided further*, That of  
8 the total amounts provided under this heading, not to ex-  
9 ceed \$245,000,000 shall be available for performance-  
10 based contract administrators for section 8 project-based  
11 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*  
12 *further*, That the Secretary may also use such amounts  
13 in the previous proviso for performance-based contract ad-  
14 ministrators for the administration of: interest reduction  
15 payments pursuant to section 236(a) of the National  
16 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement  
17 payments pursuant to section 101 of the Housing and  
18 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-  
19 tion 236(f)(2) rental assistance payments (12 U.S.C.  
20 1715z-1(f)(2)); project rental assistance contracts for the  
21 elderly under section 202(c)(2) of the Housing Act of  
22 1959 (12 U.S.C. 1701q); project rental assistance con-  
23 tracts for supportive housing for persons with disabilities  
24 under section 811(d)(2) of the Cranston-Gonzalez Na-  
25 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));



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

## HOUSING FOR THE ELDERLY

1  
2 For capital advances, including amendments to cap-  
3 ital advance contracts, for housing for the elderly, as au-  
4 thorized by section 202 of the Housing Act of 1959, as  
5 amended, for project rental assistance for the elderly  
6 under section 202(c)(2) of such Act, including amend-  
7 ments to contracts for such assistance and renewal of ex-  
8 piring contracts for such assistance for up to a 1-year  
9 term, for senior preservation rental assistance contracts,  
10 including renewals, as authorized by section 811(e) of the  
11 American Housing and Economic Opportunity Act of  
12 2000, as amended, and for supportive services associated  
13 with the housing, \$678,000,000, to remain available until  
14 September 30, 2022: *Provided*, That of the amount pro-  
15 vided under this heading, up to \$90,000,000 shall be for  
16 service coordinators and the continuation of existing con-  
17 gregate service grants for residents of assisted housing  
18 projects: *Provided further*, That amounts under this head-  
19 ing shall be available for Real Estate Assessment Center  
20 inspections and inspection-related activities associated  
21 with section 202 projects: *Provided further*, That the Sec-  
22 retary may waive the provisions of section 202 governing  
23 the terms and conditions of project rental assistance, ex-  
24 cept that the initial contract term for such assistance shall  
25 not exceed 5 years in duration: *Provided further*, That

1 upon request of the Secretary, project funds which are  
2 held in residual receipts accounts for any project subject  
3 to a section 202 project rental assistance contract and,  
4 upon termination of such contract, are in excess of an  
5 amount to be determined by the Secretary shall be remit-  
6 ted to the Department and deposited in this account, to  
7 remain available until September 30, 2022: *Provided fur-*  
8 *ther*, That amounts deposited in this account pursuant to  
9 the previous proviso shall be available, in addition to the  
10 amounts otherwise provided by this heading, for amend-  
11 ments and renewals: *Provided further*, That unobligated  
12 balances, including recaptures and carryover, remaining  
13 from funds transferred to or appropriated under this  
14 heading shall be available for amendments and renewals  
15 notwithstanding the purposes for which such funds origi-  
16 nally were appropriated: *Provided further*, That of the  
17 total amount provided under this heading, \$10,000,000,  
18 shall be for a program to be established by the Secretary  
19 to make grants to experienced non-profit organizations,  
20 States, local governments, or public housing agencies for  
21 safety and functional home modification repairs to meet  
22 the needs of low-income elderly persons to enable them  
23 to remain in their primary residence: *Provided further*,  
24 That of the total amount made available under the pre-  
25 vious proviso, no less than \$5,000,000 shall be available

1 to meet such needs in communities with substantial rural  
2 populations.

3 HOUSING FOR PERSONS WITH DISABILITIES

4 For amendments to capital advance contracts, for  
5 supportive housing for persons with disabilities, as author-  
6 ized by section 811 of the Cranston-Gonzalez National Af-  
7 fordable Housing Act (42 U.S.C. 8013), as amended, for  
8 project rental assistance for supportive housing for per-  
9 sons with disabilities under section 811(d)(2) of such Act,  
10 for project assistance contracts pursuant to section 202(h)  
11 of the Housing Act of 1959 (Public Law 86–372; 73 Stat.  
12 667), including amendments to contracts for such assist-  
13 ance and renewal of expiring contracts for such assistance  
14 for up to a 1-year term, for project rental assistance to  
15 State housing finance agencies and other appropriate enti-  
16 ties as authorized under section 811(b)(3) of the Cran-  
17 ston-Gonzalez National Housing Act, and for supportive  
18 services associated with the housing for persons with dis-  
19 abilities as authorized by section 811(b)(1) of such Act,  
20 \$154,000,000, to remain available until September 30,  
21 2022: *Provided*, That amounts made available under this  
22 heading shall be available for Real Estate Assessment  
23 Center inspections and inspection-related activities associ-  
24 ated with section 811 projects: *Provided further*, That,  
25 upon the request of the Secretary, project funds which are

1 held in residual receipts accounts for any project subject  
2 to a section 811 project rental assistance contract and,  
3 upon termination of such contract, are in excess of an  
4 amount to be determined by the Secretary shall be remit-  
5 ted to the Department and deposited in this account, to  
6 remain available until September 30, 2022: *Provided fur-*  
7 *ther*, That amounts deposited in this account pursuant to  
8 the previous proviso shall be available in addition to the  
9 amounts otherwise provided by this heading for amend-  
10 ments and renewals: *Provided further*, That unobligated  
11 balances, including recaptures and carryover, remaining  
12 from funds transferred to or appropriated under this  
13 heading shall be used for amendments and renewals not-  
14 withstanding the purposes for which such funds originally  
15 were appropriated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance excluding  
18 loans, as authorized under section 106 of the Housing and  
19 Urban Development Act of 1968, as amended,  
20 \$45,000,000, to remain available until September 30,  
21 2020, including up to \$4,500,000 for administrative con-  
22 tract services: *Provided*, That grants made available from  
23 amounts provided under this heading shall be awarded  
24 within 180 days of enactment of this Act: *Provided further*,  
25 That funds shall be used for providing counseling and ad-

1 vice to tenants and homeowners, both current and pro-  
2 spective, with respect to property maintenance, financial  
3 management or literacy, and such other matters as may  
4 be appropriate to assist them in improving their housing  
5 conditions, meeting their financial needs, and fulfilling the  
6 responsibilities of tenancy or homeownership; for program  
7 administration; and for housing counselor training: *Pro-*  
8 *vided further*, That for purposes of providing such grants  
9 from amounts provided under this heading, the Secretary  
10 may enter into multiyear agreements, as appropriate, sub-  
11 ject to the availability of annual appropriations.

12 RENTAL HOUSING ASSISTANCE

13 For amendments to contracts under section 101 of  
14 the Housing and Urban Development Act of 1965 (12  
15 U.S.C. 1701s) and section 236(f)(2) of the National  
16 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-  
17 insured rental housing projects, \$5,000,000, to remain  
18 available until expended: *Provided*, That such amount, to-  
19 gether with unobligated balances from recaptured  
20 amounts appropriated prior to fiscal year 2006 from ter-  
21 minated contracts under such sections of law, and any un-  
22 obligated balances, including recaptures and carryover, re-  
23 maining from funds appropriated under this heading after  
24 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 Stand-  
7 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to  
8 \$12,000,000, to remain available until expended, of which  
9 \$12,000,000 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 2019 so as to result in a final fiscal  
19 year 2019 appropriation from the general fund estimated  
20 at zero, and fees pursuant to section 620 of such Act shall  
21 be modified as necessary to ensure such a final fiscal year  
22 2019 appropriation: *Provided further*, That for the dispute  
23 resolution and installation programs, the Secretary may  
24 assess and collect fees from any program participant: *Pro-*  
25 *vided further*, That such collections shall be deposited into

1 the Fund, and the Secretary, as provided herein, may use  
2 such collections, as well as fees collected under section 620  
3 of such Act, for necessary expenses of such Act: *Provided*  
4 *further*, That, notwithstanding the requirements of section  
5 620 of such Act, the Secretary may carry out responsibil-  
6 ities of the Secretary under such Act through the use of  
7 approved service providers that are paid directly by the  
8 recipients of their services.

9 FEDERAL HOUSING ADMINISTRATION

10 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

11 New commitments to guarantee single family loans  
12 insured under the Mutual Mortgage Insurance Fund shall  
13 not exceed \$400,000,000,000, to remain available until  
14 September 30, 2020: *Provided*, That during fiscal year  
15 2019, obligations to make direct loans to carry out the  
16 purposes of section 204(g) of the National Housing Act,  
17 as amended, shall not exceed \$1,000,000: *Provided fur-*  
18 *ther*, That the foregoing amount in the previous proviso  
19 shall be for loans to nonprofit and governmental entities  
20 in connection with sales of single family real properties  
21 owned by the Secretary and formerly insured under the  
22 Mutual Mortgage Insurance Fund: *Provided further*, That  
23 for administrative contract expenses of the Federal Hous-  
24 ing Administration, \$130,000,000, to remain available  
25 until September 30, 2020: *Provided further*, That to the



1 extent guaranteed loan commitments exceed  
2 \$200,000,000,000 on or before April 1, 2019, an addi-  
3 tional \$1,400 for administrative contract expenses shall be  
4 available for each \$1,000,000 in additional guaranteed  
5 loan commitments (including a pro rata amount for any  
6 amount below \$1,000,000), but in no case shall funds  
7 made available by this proviso exceed \$30,000,000: *Pro-*  
8 *vided further*, That notwithstanding the limitation in the  
9 first sentence of section 255(g) of the National Housing  
10 Act (12 U.S.C. 1715z–20(g)), during fiscal year 2019 the  
11 Secretary may insure and enter into new commitments to  
12 insure mortgages under section 255 of the National Hous-  
13 ing Act only to the extent that the net credit subsidy cost  
14 for such insurance does not exceed zero: *Provided further*,  
15 That for fiscal year 2019, the Secretary shall not take any  
16 action against a lender solely on the basis of compare ra-  
17 tios that have been adversely affected by defaults on mort-  
18 gages secured by properties in areas where a major dis-  
19 aster was declared in 2017 or 2018 pursuant to the Rob-  
20 ert T. Stafford Disaster Relief and Emergency Assistance  
21 Act (42 U.S.C. 5121 et seq.).

22 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

23 New commitments to guarantee loans insured under  
24 the General and Special Risk Insurance Funds, as author-  
25 ized by sections 238 and 519 of the National Housing Act

1 (12 U.S.C. 1715z-3 and 1735c), shall not exceed  
2 \$30,000,000,000 in total loan principal, any part of which  
3 is to be guaranteed, to remain available until September  
4 30, 2020: *Provided*, That during fiscal year 2019, gross  
5 obligations for the principal amount of direct loans, as au-  
6 thorized by sections 204(g), 207(l), 238, and 519(a) of  
7 the National Housing Act, shall not exceed \$1,000,000,  
8 which shall be for loans to nonprofit and governmental en-  
9 tities in connection with the sale of single family real prop-  
10 erties owned by the Secretary and formerly insured under  
11 such Act.

12 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION  
13 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN  
14 GUARANTEE PROGRAM ACCOUNT

15 New commitments to issue guarantees to carry out  
16 the purposes of section 306 of the National Housing Act,  
17 as amended (12 U.S.C. 1721(g)), shall not exceed  
18 \$550,000,000,000, to remain available until September  
19 30, 2020: *Provided*, That \$27,000,000 shall be available  
20 for necessary salaries and expenses of the Office of Gov-  
21 ernment National Mortgage Association: *Provided further*,  
22 That to the extent that guaranteed loan commitments ex-  
23 ceed \$155,000,000,000 on or before April 1, 2019, an ad-  
24 ditional \$100 for necessary salaries and expenses shall be  
25 available until expended for each \$1,000,000 in additional

1 guaranteed loan commitments (including a pro rata  
2 amount for any amount below \$1,000,000), but in no case  
3 shall funds made available by this proviso exceed  
4 \$3,000,000: *Provided further*, That receipts from Commit-  
5 ment and Multiclass fees collected pursuant to title III of  
6 the National Housing Act, as amended, shall be credited  
7 as offsetting collections to this account.

8 POLICY DEVELOPMENT AND RESEARCH

9 RESEARCH AND TECHNOLOGY

10 For contracts, grants, and necessary expenses of pro-  
11 grams of research and studies relating to housing and  
12 urban problems, not otherwise provided for, as authorized  
13 by title V of the Housing and Urban Development Act  
14 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
15 out the functions of the Secretary of Housing and Urban  
16 Development under section 1(a)(1)(i) of Reorganization  
17 Plan No. 2 of 1968, and for technical assistance,  
18 \$100,000,000, to remain available until September 30,  
19 2020: *Provided*, That with respect to amounts made avail-  
20 able under this heading, notwithstanding section 203 of  
21 this title, the Secretary may enter into cooperative agree-  
22 ments with philanthropic entities, other Federal agencies,  
23 State or local governments and their agencies, or colleges  
24 or universities for research projects: *Provided further*,  
25 That with respect to the previous proviso, such partners

1 to the cooperative agreements must contribute at least a  
2 50 percent match toward the cost of the project: *Provided*  
3 *further*, That for non-competitive agreements entered into  
4 in accordance with the previous two provisos, the Sec-  
5 retary of Housing and Urban Development shall comply  
6 with section 2(b) of the Federal Funding Accountability  
7 and Transparency Act of 2006 (Public Law 109–282, 31  
8 U.S.C. note) in lieu of compliance with section  
9 102(a)(4)(C) with respect to documentation of award deci-  
10 sions: *Provided further*, That prior to obligation of tech-  
11 nical assistance funding, the Secretary shall submit a  
12 plan, for approval, to the House and Senate Committees  
13 on Appropriations on how it will allocate funding for this  
14 activity: *Provided further*, That none of the funds provided  
15 under this heading may be available for the doctoral dis-  
16 sertation research grant program.

17           FAIR HOUSING AND EQUAL OPPORTUNITY

18                           FAIR HOUSING ACTIVITIES

19           For contracts, grants, and other assistance, not oth-  
20 erwise provided for, as authorized by title VIII of the Civil  
21 Rights Act of 1968, as amended by the Fair Housing  
22 Amendments Act of 1988, and section 561 of the Housing  
23 and Community Development Act of 1987, as amended,  
24 \$65,300,000, to remain available until September 30,  
25 2020: *Provided*, That notwithstanding 31 U.S.C. 3302,

1 the Secretary may assess and collect fees to cover the costs  
2 of the Fair Housing Training Academy, and may use such  
3 funds to provide such training: *Provided further*, That no  
4 funds made available under this heading shall be used to  
5 lobby the executive or legislative branches of the Federal  
6 Government in connection with a specific contract, grant,  
7 or loan: *Provided further*, That of the funds made available  
8 under this heading, \$300,000 shall be available to the Sec-  
9 retary of Housing and Urban Development for the cre-  
10 ation and promotion of translated materials and other pro-  
11 grams that support the assistance of persons with limited  
12 English proficiency in utilizing the services provided by  
13 the Department of Housing and Urban Development.

14 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

15 HOMES

16 LEAD HAZARD REDUCTION

17 For the Lead Hazard Reduction Program, as author-  
18 ized by section 1011 of the Residential Lead-Based Paint  
19 Hazard Reduction Act of 1992, \$260,000,000, to remain  
20 available until September 30, 2020, of which \$45,000,000  
21 shall be for the Healthy Homes Initiative, pursuant to sec-  
22 tions 501 and 502 of the Housing and Urban Develop-  
23 ment Act of 1970, which shall include research, studies,  
24 testing, and demonstration efforts, including education  
25 and outreach concerning lead-based paint poisoning and

1 other housing-related diseases and hazards: *Provided*,  
2 That for purposes of environmental review, pursuant to  
3 the National Environmental Policy Act of 1969 (42 U.S.C.  
4 4321 et seq.) and other provisions of law that further the  
5 purposes of such Act, a grant under the Healthy Homes  
6 Initiative, or the Lead Technical Studies program under  
7 this heading or under prior appropriations Acts for such  
8 purposes under this heading, shall be considered to be  
9 funds for a special project for purposes of section 305(c)  
10 of the Multifamily Housing Property Disposition Reform  
11 Act of 1994: *Provided further*, That not less than  
12 \$95,000,000 of the amounts made available under this  
13 heading for the award of grants pursuant to section 1011  
14 of the Residential Lead-Based Paint Hazard Reduction  
15 Act of 1992 shall be provided to areas with the highest  
16 lead-based paint abatement needs: *Provided further*, That  
17 \$45,000,000 of the funds appropriated under this heading  
18 shall be for the implementation of projects to demonstrate  
19 how intensive, extended multi-year interventions can dra-  
20 matically reduce the presence of lead-based paint hazards  
21 in communities containing high concentrations of both  
22 pre-1940 housing and low-income families by achieving  
23 economies of scale that substantially reduce the cost of  
24 lead-based paint remediation activities and administrative  
25 costs for grantees: *Provided further*, That such projects

1 in each of five communities shall be for five years and  
2 serve no more than four contiguous census tracts in which  
3 there are high concentrations of housing stock built before  
4 1940, in which low-income families with children make up  
5 a significantly higher proportion of the population as com-  
6 pared to the State average, and that are located in juris-  
7 dictions in which instances of elevated blood lead levels  
8 reported to the State are significantly higher than the  
9 State average: *Provided further*, That funding awarded for  
10 such projects shall be made available for draw down con-  
11 tingent upon the grantee meeting cost-savings, produc-  
12 tivity, and grant compliance benchmarks established by  
13 the Secretary: *Provided further*, That each recipient of  
14 funds for such projects shall contribute an amount not less  
15 than 10 percent of the total award, and that the Secretary  
16 shall give priority to applicants that secure commitments  
17 for additional contributions from public and private  
18 sources: *Provided further*, That grantees currently receiv-  
19 ing grants made under this heading shall be eligible to  
20 apply for such projects, provided that they are deemed to  
21 be in compliance with program requirements established  
22 by the Secretary: *Provided further*, That each applicant  
23 shall certify adequate capacity that is acceptable to the  
24 Secretary to carry out the proposed use of funds pursuant  
25 to a notice of funding availability: *Provided further*, That

1 amounts made available under this heading in this or prior  
2 appropriations Acts, still remaining available, may be used  
3 for any purpose under this heading notwithstanding the  
4 purpose for which such amounts were appropriated if a  
5 program competition is undersubscribed and there are  
6 other program competitions under this heading that are  
7 oversubscribed.

8                   INFORMATION TECHNOLOGY FUND

9       For the development, modernization, and enhance-  
10 ment of, modifications to, and infrastructure for Depart-  
11 ment-wide and program-specific information technology  
12 systems, for the continuing operation and maintenance of  
13 both Department-wide and program-specific information  
14 systems, and for program-related maintenance activities,  
15 \$280,000,000, of which \$260,000,000 shall remain avail-  
16 able until September 30, 2020, and of which \$20,000,000  
17 shall remain available until September 30, 2021: *Provided*,  
18 That any amounts transferred to this Fund under this Act  
19 shall remain available until expended: *Provided further*,  
20 That any amounts transferred to this Fund from amounts  
21 appropriated by previously enacted appropriations Acts  
22 may be used for the purposes specified under this Fund,  
23 in addition to any other information technology purposes  
24 for which such amounts were appropriated: *Provided fur-*  
25 *ther*, That not more than 10 percent of the funds made



1 available under this heading for development, moderniza-  
2 tion and enhancement may be obligated until the Sec-  
3 retary submits to the House and Senate Committees on  
4 Appropriations, for approval, a plan for expenditure  
5 that—(A) identifies for each modernization project: (i) the  
6 functional and performance capabilities to be delivered  
7 and the mission benefits to be realized, (ii) the estimated  
8 life-cycle cost, and (iii) key milestones to be met; and (B)  
9 demonstrates that each modernization project is: (i) com-  
10 pliant with the Department’s enterprise architecture, (ii)  
11 being managed in accordance with applicable life-cycle  
12 management policies and guidance, (iii) subject to the De-  
13 partment’s capital planning and investment control re-  
14 quirements, and (iv) supported by an adequately staffed  
15 project office.

16 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSION)

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

23 SEC. 202. None of the amounts made available under  
24 this Act may be used during fiscal year 2019 to investigate  
25 or prosecute under the Fair Housing Act any otherwise

1 lawful activity engaged in by one or more persons, includ-  
2 ing the filing or maintaining of a nonfrivolous legal action,  
3 that is engaged in solely for the purpose of achieving or  
4 preventing action by a Government official or entity, or  
5 a court of competent jurisdiction.

6       SEC. 203. Except as explicitly provided in law, any  
7 grant, cooperative agreement or other assistance made  
8 pursuant to title II of this Act shall be made on a competi-  
9 tive basis and in accordance with section 102 of the De-  
10 partment of Housing and Urban Development Reform Act  
11 of 1989 (42 U.S.C. 3545).

12       SEC. 204. Funds of the Department of Housing and  
13 Urban Development subject to the Government Corpora-  
14 tion Control Act or section 402 of the Housing Act of  
15 1950 shall be available, without regard to the limitations  
16 on administrative expenses, for legal services on a contract  
17 or fee basis, and for utilizing and making payment for  
18 services and facilities of the Federal National Mortgage  
19 Association, Government National Mortgage Association,  
20 Federal Home Loan Mortgage Corporation, Federal Fi-  
21 nancing Bank, Federal Reserve banks or any member  
22 thereof, Federal Home Loan banks, and any insured bank  
23 within the meaning of the Federal Deposit Insurance Cor-  
24 poration Act, as amended (12 U.S.C. 1811-1).

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

7       SEC. 206. Corporations and agencies of the Depart-  
8 ment of Housing and Urban Development which are sub-  
9 ject to the Government Corporation Control Act are here-  
10 by authorized to make such expenditures, within the limits  
11 of funds and borrowing authority available to each such  
12 corporation or agency and in accordance with law, and to  
13 make such contracts and commitments without regard to  
14 fiscal year limitations as provided by section 104 of such  
15 Act as may be necessary in carrying out the programs set  
16 forth in the budget for 2019 for such corporation or agen-  
17 cy except as hereinafter provided: *Provided*, That collec-  
18 tions of these corporations and agencies may be used for  
19 new loan or mortgage purchase commitments only to the  
20 extent expressly provided for in this Act (unless such loans  
21 are in support of other forms of assistance provided for  
22 in this or prior appropriations Acts), except that this pro-  
23 viso shall not apply to the mortgage insurance or guaranty  
24 operations of these corporations, or where loans or mort-

1 gage purchases are necessary to protect the financial in-  
2 terest of the United States Government.

3       SEC. 207. The Secretary of Housing and Urban De-  
4 velopment shall provide quarterly reports to the House  
5 and Senate Committees on Appropriations regarding all  
6 uncommitted, unobligated, recaptured and excess funds in  
7 each program and activity within the jurisdiction of the  
8 Department and shall submit additional, updated budget  
9 information to these Committees upon request.

10       SEC. 208. The President's formal budget request for  
11 fiscal year 2020, as well as the Department of Housing  
12 and Urban Development's congressional budget justifica-  
13 tions to be submitted to the Committees on Appropriations  
14 of the House of Representatives and the Senate, shall use  
15 the identical account and sub-account structure provided  
16 under this Act.

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

21       SEC. 210. (a) Notwithstanding any other provision  
22 of law, subject to the conditions listed under this section,  
23 for fiscal years 2019 and 2020, the Secretary of Housing  
24 and Urban Development may authorize the transfer of  
25 some or all project-based assistance, debt held or insured

1 by the Secretary and statutorily required low-income and  
2 very low-income use restrictions if any, associated with one  
3 or more multifamily housing project or projects to another  
4 multifamily housing project or projects.

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

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

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

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

24 (B) For unoccupied units in the transfer-  
25 ring project: The Secretary may authorize a re-

1           duction in the number of dwelling units in the  
2           receiving project or projects to allow for a re-  
3           configuration of bedroom sizes to meet current  
4           market demands, as determined by the Sec-  
5           retary and provided there is no increase in the  
6           project-based assistance budget authority.

7           (2) The transferring project shall, as deter-  
8           mined by the Secretary, be either physically obsolete  
9           or economically nonviable.

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

13          (4) The owner or mortgagor of the transferring  
14          project shall notify and consult with the tenants re-  
15          siding in the transferring project and provide a cer-  
16          tification of approval by all appropriate local govern-  
17          mental officials.

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

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

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

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

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



1 (d) For purposes of this section—

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

6 (2) the term “multifamily housing project”  
7 means housing that meets one of the following con-  
8 ditions—

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

11 (B) housing that has project-based assist-  
12 ance attached to the structure including  
13 projects undergoing mark to market debt re-  
14 structuring under the Multifamily Assisted  
15 Housing Reform and Affordability Housing Act;

16 (C) housing that is assisted under section  
17 202 of the Housing Act of 1959, as amended  
18 by section 801 of the Cranston-Gonzales Na-  
19 tional Affordable Housing Act;

20 (D) housing that is assisted under section  
21 202 of the Housing Act of 1959, as such sec-  
22 tion existed before the enactment of the Cran-  
23 ston-Gonzales National Affordable Housing Act;

1 (E) housing that is assisted under section  
2 811 of the Cranston-Gonzales National Afford-  
3 able Housing Act; or

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

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

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

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

15 (C) rent supplement payments under sec-  
16 tion 101 of the Housing and Urban Develop-  
17 ment Act of 1965;

18 (D) interest reduction payments under sec-  
19 tion 236 and/or additional assistance payments  
20 under section 236(f)(2) of the National Hous-  
21 ing Act;

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

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

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

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

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

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

23 SEC. 211. (a) No assistance shall be provided under  
24 section 8 of the United States Housing Act of 1937 (42  
25 U.S.C. 1437f) to any individual who—

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

5           (2) is under 24 years of age;

6           (3) is not a veteran;

7           (4) is unmarried;

8           (5) does not have a dependent child;

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

14           (7) is not a youth who left foster care at age  
15 14 or older and is at risk of becoming homeless; and

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

20       (b) For purposes of determining the eligibility of a  
21 person to receive assistance under section 8 of the United  
22 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-  
23 cial assistance (in excess of amounts received for tuition  
24 and any other required fees and charges) that an indi-  
25 vidual receives under the Higher Education Act of 1965

1 (20 U.S.C. 1001 et seq.), from private sources, or an insti-  
2 tution of higher education (as defined under the Higher  
3 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-  
4 ered income to that individual, except for a person over  
5 the age of 23 with dependent children.

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

11       SEC. 213. Notwithstanding any other provision of  
12 law, in fiscal year 2019, in managing and disposing of any  
13 multifamily property that is owned or has a mortgage held  
14 by the Secretary of Housing and Urban Development, and  
15 during the process of foreclosure on any property with a  
16 contract for rental assistance payments under section 8  
17 of the United States Housing Act of 1937 or other Fed-  
18 eral programs, the Secretary shall maintain any rental as-  
19 sistance payments under section 8 of the United States  
20 Housing Act of 1937 and other programs that are at-  
21 tached to any dwelling units in the property. To the extent  
22 the Secretary determines, in consultation with the tenants  
23 and the local government, that such a multifamily prop-  
24 erty owned or held by the Secretary is not feasible for con-  
25 tinued rental assistance payments under such section 8

1 or other programs, based on consideration of (1) the costs  
2 of rehabilitating and operating the property and all avail-  
3 able Federal, State, and local resources, including rent ad-  
4 justments under section 524 of the Multifamily Assisted  
5 Housing Reform and Affordability Act of 1997  
6 (“MAHRAA”) and (2) environmental conditions that can-  
7 not be remedied in a cost-effective fashion, the Secretary  
8 may, in consultation with the tenants of that property,  
9 contract for project-based rental assistance payments with  
10 an owner or owners of other existing housing properties,  
11 or provide other rental assistance. The Secretary shall also  
12 take appropriate steps to ensure that project-based con-  
13 tracts remain in effect prior to foreclosure, subject to the  
14 exercise of contractual abatement remedies to assist relo-  
15 cation of tenants for imminent major threats to health and  
16 safety after written notice to and informed consent of the  
17 affected tenants and use of other available remedies, such  
18 as partial abatements or receivership. After disposition of  
19 any multifamily property described under this section, the  
20 contract and allowable rent levels on such properties shall  
21 be subject to the requirements under section 524 of  
22 MAHRAA.

23       SEC. 214. The commitment authority funded by fees  
24 as provided under the heading “Community Development  
25 Loan Guarantees Program Account” may be used to guar-

1 antee, or make commitments to guarantee, notes, or other  
2 obligations issued by any State on behalf of non-entitle-  
3 ment communities in the State in accordance with the re-  
4 quirements of section 108 of the Housing and Community  
5 Development Act of 1974: *Provided*, That any State re-  
6 ceiving such a guarantee or commitment shall distribute  
7 all funds subject to such guarantee to the units of general  
8 local government in non-entitlement areas that received  
9 the commitment.

10       SEC. 215. Public housing agencies that own and oper-  
11 ate 400 or fewer public housing units may elect to be ex-  
12 empt from any asset management requirement imposed by  
13 the Secretary of Housing and Urban Development in con-  
14 nection with the operating fund rule: *Provided*, That an  
15 agency seeking a discontinuance of a reduction of subsidy  
16 under the operating fund formula shall not be exempt  
17 from asset management requirements.

18       SEC. 216. With respect to the use of amounts pro-  
19 vided in this Act and in future Acts for the operation, cap-  
20 ital improvement and management of public housing as  
21 authorized by sections 9(d) and 9(e) of the United States  
22 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the  
23 Secretary shall not impose any requirement or guideline  
24 relating to asset management that restricts or limits in  
25 any way the use of capital funds for central office costs

1 pursuant to section 9(g)(1) or 9(g)(2) of the United States  
2 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*  
3 *vided*, That a public housing agency may not use capital  
4 funds authorized under section 9(d) for activities that are  
5 eligible under section 9(e) for assistance with amounts  
6 from the operating fund in excess of the amounts per-  
7 mitted under section 9(g)(1) or 9(g)(2).

8       SEC. 217. No official or employee of the Department  
9 of Housing and Urban Development shall be designated  
10 as an allotment holder unless the Office of the Chief Fi-  
11 nancial Officer has determined that such allotment holder  
12 has implemented an adequate system of funds control and  
13 has received training in funds control procedures and di-  
14 rectives. The Chief Financial Officer shall ensure that  
15 there is a trained allotment holder for each HUD appro-  
16 priation under the accounts “Executive Offices” and “Ad-  
17 ministrative Support Offices,” as well as each account re-  
18 ceiving appropriations under the general heading “Pro-  
19 gram Office Salaries and Expenses”, “Government Na-  
20 tional Mortgage Association—Guarantees of Mortgage-  
21 Backed Securities Loan Guarantee Program Account”,  
22 and “Office of Inspector General” within the Department  
23 of Housing and Urban Development.

24       SEC. 218. The Secretary of the Department of Hous-  
25 ing and Urban Development shall, for fiscal year 2019,



1 notify the public through the Federal Register and other  
2 means, as determined appropriate, of the issuance of a no-  
3 tice of the availability of assistance or notice of funding  
4 availability (NOFA) for any program or discretionary  
5 fund administered by the Secretary that is to be competi-  
6 tively awarded. Notwithstanding any other provision of  
7 law, for fiscal year 2019, the Secretary may make the  
8 NOFA available only on the Internet at the appropriate  
9 Government web site or through other electronic media,  
10 as determined by the Secretary.

11       SEC. 219. Payment of attorney fees in program-re-  
12 lated litigation shall be paid from the individual program  
13 office and Office of General Counsel salaries and expenses  
14 appropriations. The annual budget submission for the pro-  
15 gram offices and the Office of General Counsel shall in-  
16 clude any such projected litigation costs for attorney fees  
17 as a separate line item request. No funds provided in this  
18 title may be used to pay any such litigation costs for attor-  
19 ney fees until the Department submits for review a spend-  
20 ing plan for such costs to the House and Senate Commit-  
21 tees on Appropriations.

22       SEC. 220. The Secretary is authorized to transfer up  
23 to 10 percent or \$5,000,000, whichever is less, of funds  
24 appropriated for any office under the heading “Adminis-  
25 trative Support Offices” or for any account under the gen-

1 eral heading “Program Office Salaries and Expenses” to  
2 any other such office or account: *Provided*, That no appro-  
3 priation for any such office or account shall be increased  
4 or decreased by more than 10 percent or \$5,000,000,  
5 whichever is less, without prior written approval of the  
6 House and Senate Committees on Appropriations: *Pro-*  
7 *vided further*, That the Secretary shall provide notification  
8 to such Committees three business days in advance of any  
9 such transfers under this section up to 10 percent or  
10 \$5,000,000, whichever is less.

11 SEC. 221. (a) Any entity receiving housing assistance  
12 payments shall maintain decent, safe, and sanitary condi-  
13 tions, as determined by the Secretary of Housing and  
14 Urban Development (in this section referred to as the  
15 “Secretary”), and comply with any standards under appli-  
16 cable State or local laws, rules, ordinances, or regulations  
17 relating to the physical condition of any property covered  
18 under a housing assistance payment contract.

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

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

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

1        deficiencies identified by the inspector at the project  
2        have been corrected.

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

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

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

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

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

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

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

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

16          (F) pursue exclusionary sanctions, including  
17          suspensions or debarments from Federal programs;

18          (G) seek judicial appointment of a receiver to  
19          manage the property and cure all project deficiencies  
20          or seek a judicial order of specific performance re-  
21          quiring the owner to cure all project deficiencies;

22          (H) work with the owner, lender, or other re-  
23          lated party to stabilize the property in an attempt  
24          to preserve the property through compliance, trans-

1       fer of ownership, or an infusion of capital provided  
2       by a third-party that requires time to effectuate; or

3               (I) take any other regulatory or contractual  
4       remedies available as deemed necessary and appro-  
5       priate by the Secretary.

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

16              (1) the costs of rehabilitating and operating the  
17      property and all available Federal, State, and local  
18      resources, including rent adjustments under section  
19      524 of the Multifamily Assisted Housing Reform  
20      and Affordability Act of 1997 (“MAHRAA”); and

21              (2) environmental conditions that cannot be  
22      remedied in a cost-effective fashion, the Secretary  
23      may contract for project-based rental assistance pay-  
24      ments with an owner or owners of other existing

1 housing properties, or provide other rental assist-  
2 ance.

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

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

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

17 (3) any administrative or legislative rec-  
18 ommendations to further improve the living condi-  
19 tions at properties covered under a housing assist-  
20 ance payment contract.

21 This report shall be due to the Senate and House Commit-  
22 tees on Appropriations no later than 30 days after the  
23 enactment of this Act, and on the first business day of  
24 each Federal fiscal year quarter thereafter while this sec-  
25 tion remains in effect.

1       SEC. 222. None of the funds made available by this  
2 Act, or any other Act, for purposes authorized under sec-  
3 tion 8 (only with respect to the tenant-based rental assist-  
4 ance program) and section 9 of the United States Housing  
5 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by  
6 any public housing agency for any amount of salary, in-  
7 cluding bonuses, for the chief executive officer of which,  
8 or any other official or employee of which, that exceeds  
9 the annual rate of basic pay payable for a position at level  
10 IV of the Executive Schedule at any time during any pub-  
11 lic housing agency fiscal year 2019.

12       SEC. 223. None of the funds in this Act provided to  
13 the Department of Housing and Urban Development may  
14 be used to make a grant award unless the Secretary noti-  
15 fies the House and Senate Committees on Appropriations  
16 not less than 3 full business days before any project,  
17 State, locality, housing authority, tribe, nonprofit organi-  
18 zation, or other entity selected to receive a grant award  
19 is announced by the Department or its offices.

20       SEC. 224. None of the funds made available by this  
21 Act may be used to require or enforce the Physical Needs  
22 Assessment (PNA).

23       SEC. 225. None of the funds made available in this  
24 Act shall be used by the Federal Housing Administration,  
25 the Government National Mortgage Administration, or the

1 Department of Housing and Urban Development to in-  
2 sure, securitize, or establish a Federal guarantee of any  
3 mortgage or mortgage backed security that refinances or  
4 otherwise replaces a mortgage that has been subject to  
5 eminent domain condemnation or seizure, by a State, mu-  
6 nicipality, or any other political subdivision of a State.

7       SEC. 226. None of the funds made available by this  
8 Act may be used to terminate the status of a unit of gen-  
9 eral local government as a metropolitan city (as defined  
10 in section 102 of the Housing and Community Develop-  
11 ment Act of 1974 (42 U.S.C. 5302)) with respect to  
12 grants under section 106 of such Act (42 U.S.C. 5306).

13       SEC. 227. Amounts made available under this Act  
14 which are either appropriated, allocated, advanced on a  
15 reimbursable basis, or transferred to the Office of Policy  
16 Development and Research in the Department of Housing  
17 and Urban Development and functions thereof, for re-  
18 search, evaluation, or statistical purposes, and which are  
19 unexpended at the time of completion of a contract, grant,  
20 or cooperative agreement, may be deobligated and shall  
21 immediately become available and may be reobligated in  
22 that fiscal year or the subsequent fiscal year for the re-  
23 search, evaluation, or statistical purposes for which the  
24 amounts are made available to that Office subject to re-  
25 programming requirements in section 405 of this Act.



1        SEC. 228. None of the funds provided in this Act or  
2 any other act may be used for awards, including perform-  
3 ance, special act, or spot, for any employee of the Depart-  
4 ment of Housing and Urban Development who has been  
5 subject to administrative discipline in fiscal years 2018 or  
6 2019, including suspension from work.

7        SEC. 229. Funds made available in this title under  
8 the heading “Homeless Assistance Grants” may be used  
9 by the Secretary to participate in Performance Partner-  
10 ship Pilots authorized under section 526 of division H of  
11 Public Law 113–76, section 524 of division G of Public  
12 Law 113–235, section 525 of division H of Public Law  
13 114–113, and such authorities as are enacted for Perform-  
14 ance Partnership Pilots in an appropriations Act for fiscal  
15 year 2019: *Provided*, That such participation shall be lim-  
16 ited to no more than 10 continuums of care and housing  
17 activities to improve outcomes for disconnected youth.

18        SEC. 230. With respect to grant amounts awarded  
19 under the heading “Homeless Assistance Grants” for fis-  
20 cal years 2015, 2016, 2017, 2018 and 2019 for the con-  
21 tinuum of care (CoC) program as authorized under sub-  
22 title C of title IV of the McKinney-Vento Homeless Assist-  
23 ance Act, costs paid by program income of grant recipients  
24 may count toward meeting the recipient’s matching re-

1 requirements, provided the costs are eligible CoC costs that  
2 supplement the recipient's CoC program.

3       SEC. 231. (a) From amounts made available under  
4 this title under the heading "Homeless Assistance  
5 Grants", the Secretary may award 1-year transition  
6 grants to recipients of funds for activities under subtitle  
7 C of the McKinney-Vento Homeless Assistance Act (42  
8 U.S.C. 11381 et seq.) to transition from one Continuum  
9 of Care program component to another.

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

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

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

20       SEC. 232. None of the funds made available by this  
21 Act may be used by the Department of Housing and  
22 Urban Development to direct a grantee to undertake spe-  
23 cific changes to existing zoning laws as part of carrying  
24 out the final rule entitled "Affirmatively Furthering Fair  
25 Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the

1 notice entitled “Affirmatively Furthering Fair Housing  
2 Assessment Tool” (79 Fed. Reg. 57949 (September 26,  
3 2014)).

4 SEC. 233. Section 218(g) of the Cranston-Gonzalez  
5 National Affordable Housing Act (42 U.S.C. 12748(g))  
6 shall not apply with respect to the right of a jurisdiction  
7 to draw funds from its HOME Investment Trust Fund  
8 that otherwise expired or would expire in 2016, 2017,  
9 2018, 2019, 2020 or 2021 under that section.

10 SEC. 234. The Promise Zone designations and Prom-  
11 ise Zone Designation Agreements entered into pursuant  
12 to such designations, made by the Secretary of Housing  
13 and Urban Development in prior fiscal years, shall remain  
14 in effect in accordance with the terms and conditions of  
15 such agreements.

16 SEC. 235. The Secretary shall initiate a comprehen-  
17 sive review of existing public housing and tenant-based  
18 rental assistance regulations and related notices and other  
19 guidance documents to identify opportunities to streamline  
20 the administration of such programs while also ensuring  
21 compliance with Federal financial and internal control re-  
22 quirements. The Secretary shall establish a regulatory ad-  
23 visory committee, composed of program and research ex-  
24 perts from the Department, a fair representation of public  
25 housing agencies, and independent subject matter experts

1 in housing policy, property management, and Federal  
2 grant management, which shall advise the Secretary with  
3 respect to specific policy proposals to reduce administra-  
4 tive burden. The Secretary, in consultation with the advi-  
5 sory committee, shall submit a report on the results of  
6 such regulatory review to the House and Senate Commit-  
7 tees on Appropriations no later than one year after the  
8 date of enactment of this Act.

9       SEC. 236. None of the funds made available by this  
10 Act may be used to establish and apply a ranking factor  
11 in the selection and award of any funds made available  
12 and requiring competitive selection under this Act, includ-  
13 ing preference or bonus points or other incentives for par-  
14 ticipation in or coordination with EnVision Centers.

15       SEC. 237. (a) The Secretary of Housing and Urban  
16 Development shall continue to engage in efforts authorized  
17 by the Violence Against Women Reauthorization Act of  
18 2013 (Public Law 113–4; 127 Stat. 54) to ensure that  
19 survivors of domestic violence and sexual assault are not  
20 unlawfully evicted or denied housing by certain landlords  
21 based on their experience as survivors.

22       (b) Not later than 180 days after the date of enact-  
23 ment of this Act, the Secretary of Housing and Urban  
24 Development shall submit to Congress a report on the ef-  
25 forts described in subsection (a).

1       SEC. 238. None of the funds made available under  
2 this Act may be used to provide housing assistance bene-  
3 fits for an individual who is convicted of—

4           (1) aggravated sexual abuse under section 2241  
5 of title 18, United States Code;

6           (2) murder under section 1111 of title 18,  
7 United States Code; or

8           (3) any other Federal or State offense involv-  
9 ing—

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

15           (B) child pornography, as defined in sec-  
16 tion 2256 of title 18, United States Code.

17       This title may be cited as the “Department of Hous-  
18 ing and Urban Development Appropriations Act, 2019”.

### 19                                   TITLE III

#### 20                                   RELATED AGENCIES

##### 21                                   ACCESS BOARD

##### 22                                   SALARIES AND EXPENSES

23       For expenses necessary for the Access Board, as au-  
24 thorized by section 502 of the Rehabilitation Act of 1973,  
25 as amended, \$8,400,000: *Provided*, That, notwithstanding

1 any other provision of law, there may be credited to this  
2 appropriation funds received for publications and training  
3 expenses.

4 FEDERAL MARITIME COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Maritime  
7 Commission as authorized by section 201(d) of the Mer-  
8 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-  
9 cluding services as authorized by 5 U.S.C. 3109; hire of  
10 passenger motor vehicles as authorized by 31 U.S.C.  
11 1343(b); and uniforms or allowances therefore, as author-  
12 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That  
13 not to exceed \$2,000 shall be available for official recep-  
14 tion and representation expenses.

15 NATIONAL RAILROAD PASSENGER CORPORATION

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector  
19 General for the National Railroad Passenger Corporation  
20 to carry out the provisions of the Inspector General Act  
21 of 1978, as amended, \$23,274,000: *Provided*, That the In-  
22 spector General shall have all necessary authority, in car-  
23 rying out the duties specified in the Inspector General Act,  
24 as amended (5 U.S.C. App. 3), to investigate allegations  
25 of fraud, including false statements to the government (18

1 U.S.C. 1001), by any person or entity that is subject to  
2 regulation by the National Railroad Passenger Corpora-  
3 tion: *Provided further*, That the Inspector General may  
4 enter into contracts and other arrangements for audits,  
5 studies, analyses, and other services with public agencies  
6 and with private persons, subject to the applicable laws  
7 and regulations that govern the obtaining of such services  
8 within the National Railroad Passenger Corporation: *Pro-*  
9 *vided further*, That the Inspector General may select, ap-  
10 point, and employ such officers and employees as may be  
11 necessary for carrying out the functions, powers, and du-  
12 ties of the Office of Inspector General, subject to the appli-  
13 cable laws and regulations that govern such selections, ap-  
14 pointments, and employment within the Corporation: *Pro-*  
15 *vided further*, That concurrent with the President’s budget  
16 request for fiscal year 2020, the Inspector General shall  
17 submit to the House and Senate Committees on Appro-  
18 priations a budget request for fiscal year 2020 in similar  
19 format and substance to those submitted by executive  
20 agencies of the Federal Government: *Provided further*,  
21 That not later than 240 days after the date of enactment  
22 of this Act, the Inspector General shall update the report  
23 entitled “Effects of Amtrak’s Poor On-Time Perform-  
24 ance”, numbered CR–2008–047, and dated March 28,  
25 2008, and make the updated report publicly available.

1 NATIONAL TRANSPORTATION SAFETY BOARD  
2 SALARIES AND EXPENSES

3 For necessary expenses of the National Transpor-  
4 tation Safety Board, including hire of passenger motor ve-  
5 hicles and aircraft; services as authorized by 5 U.S.C.  
6 3109, but at rates for individuals not to exceed the per  
7 diem rate equivalent to the rate for a GS-15; uniforms,  
8 or allowances therefor, as authorized by law (5 U.S.C.  
9 5901-5902), \$110,400,000, of which not to exceed \$2,000  
10 may be used for official reception and representation ex-  
11 penses. The amounts made available to the National  
12 Transportation Safety Board in this Act include amounts  
13 necessary to make lease payments on an obligation in-  
14 curred in fiscal year 2001 for a capital lease.

15 NEIGHBORHOOD REINVESTMENT CORPORATION  
16 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
17 CORPORATION

18 For payment to the Neighborhood Reinvestment Cor-  
19 poration for use in neighborhood reinvestment activities,  
20 as authorized by the Neighborhood Reinvestment Corpora-  
21 tion Act (42 U.S.C. 8101-8107), \$145,000,000, of which  
22 \$5,000,000 shall be for a multi-family rental housing pro-  
23 gram: *Provided*, That an additional \$2,000,000, to remain  
24 available until September 30, 2023, shall be for the pro-  
25 motion and development of shared equity housing models.



1 SURFACE TRANSPORTATION BOARD  
2 SALARIES AND EXPENSES

3 For necessary expenses of the Surface Transpor-  
4 tation Board, including services authorized by 5 U.S.C.  
5 3109, \$37,100,000: *Provided*, That notwithstanding any  
6 other provision of law, not to exceed \$1,250,000 from fees  
7 established by the Chairman of the Surface Transpor-  
8 tation Board shall be credited to this appropriation as off-  
9 setting collections and used for necessary and authorized  
10 expenses under this heading: *Provided further*, That the  
11 sum herein appropriated from the general fund shall be  
12 reduced on a dollar-for-dollar basis as such offsetting col-  
13 lections are received during fiscal year 2019, to result in  
14 a final appropriation from the general fund estimated at  
15 no more than \$35,850,000.

16 UNITED STATES INTERAGENCY COUNCIL ON  
17 HOMELESSNESS  
18 OPERATING EXPENSES

19 For necessary expenses (including payment of sala-  
20 ries, authorized travel, hire of passenger motor vehicles,  
21 the rental of conference rooms, and the employment of ex-  
22 perts and consultants under section 3109 of title 5, United  
23 States Code) of the United States Interagency Council on  
24 Homelessness in carrying out the functions pursuant to  
25 title II of the McKinney-Vento Homeless Assistance Act,

1 as amended, \$3,600,000: *Provided*, That the first proviso  
2 in Public Law 115–141 under the heading “United States  
3 Interagency Council on Homelessness—Operating Ex-  
4 penses” is amended by striking “2020” and inserting  
5 “2021”.

#### 6 TITLE IV

#### 7 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

18          (5) is offensive to, or designed to change, par-  
19 ticipants’ personal values or lifestyle outside the  
20 workplace.

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

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

1 vious appropriations Acts to the agencies or entities fund-  
2 ed in this Act that remain available for obligation or ex-  
3 penditure in fiscal year 2019, or provided from any ac-  
4 counts in the Treasury derived by the collection of fees  
5 and available to the agencies funded by this Act, shall be  
6 available for obligation or expenditure through a re-  
7 programming of funds that—

8 (1) creates a new program;

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

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

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

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

19 (6) reduces existing programs, projects, or ac-  
20 tivities by \$5,000,000 or 10 percent, whichever is  
21 less; or

22 (7) creates, reorganizes, or restructures a  
23 branch, division, office, bureau, board, commission,  
24 agency, administration, or department different from  
25 the budget justifications submitted to the Commit-

1       tees on Appropriations or the tables in the explana-  
2       tory statement described in section 421 of this Act,  
3       whichever is more detailed, unless prior approval is  
4       received from the House and Senate Committees on  
5       Appropriations: *Provided*, That not later than 60  
6       days after the date of enactment of this Act, each  
7       agency funded by this Act shall submit a report to  
8       the Committees on Appropriations of the Senate and  
9       of the House of Representatives to establish the  
10      baseline for application of reprogramming and trans-  
11      fer authorities for the current fiscal year: *Provided*  
12      *further*, That the report shall include—

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

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

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

1        SEC. 406. Except as otherwise specifically provided  
2 by law, not to exceed 50 percent of unobligated balances  
3 remaining available at the end of fiscal year 2019 from  
4 appropriations made available for salaries and expenses  
5 for fiscal year 2019 in this Act, shall remain available  
6 through September 30, 2020, for each such account for  
7 the purposes authorized: *Provided*, That a request shall  
8 be submitted to the House and Senate Committees on Ap-  
9 propriations for approval prior to the expenditure of such  
10 funds: *Provided further*, That these requests shall be made  
11 in compliance with reprogramming guidelines under sec-  
12 tion 405 of this Act.

13        SEC. 407. No funds in this Act may be used to sup-  
14 port any Federal, State, or local projects that seek to use  
15 the power of eminent domain, unless eminent domain is  
16 employed only for a public use: *Provided*, That for pur-  
17 poses of this section, public use shall not be construed to  
18 include economic development that primarily benefits pri-  
19 vate entities: *Provided further*, That any use of funds for  
20 mass transit, railroad, airport, seaport or highway  
21 projects, as well as utility projects which benefit or serve  
22 the general public (including energy-related, communica-  
23 tion-related, water-related and wastewater-related infra-  
24 structure), other structures designated for use by the gen-  
25 eral public or which have other common-carrier or public-

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

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

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

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

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

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

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



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

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

21 SEC. 415. None of the funds appropriated or other-  
22 wise made available under this Act may be used by the  
23 Surface Transportation Board to charge or collect any fil-  
24 ing fee for rate or practice complaints filed with the Board  
25 in an amount in excess of the amount authorized for dis-

1 triet court civil suit filing fees under section 1914 of title  
2 28, United States Code.

3       SEC. 416. None of the funds made available by this  
4 Act may be used by the Department of Transportation,  
5 the Department of Housing and Urban Development, or  
6 any other Federal agency to lease or purchase new light  
7 duty vehicles for any executive fleet, or for an agency's  
8 fleet inventory, except in accordance with Presidential  
9 Memorandum—Federal Fleet Performance, dated May  
10 24, 2011.

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

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

19       SEC. 418. (a) None of the funds made available in  
20 this Act may be used to deny an Inspector General funded  
21 under this Act timely access to any records, documents,  
22 or other materials available to the department or agency  
23 over which that Inspector General has responsibilities  
24 under the Inspector General Act of 1978 (5 U.S.C. App.),  
25 or to prevent or impede that Inspector General's access

1 to such records, documents, or other materials, under any  
2 provision of law, except a provision of law that expressly  
3 refers to the Inspector General and expressly limits the  
4 Inspector General's right of access.

5 (b) A department or agency covered by this section  
6 shall provide its Inspector General with access to all such  
7 records, documents, and other materials in a timely man-  
8 ner.

9 (c) Each Inspector General shall ensure compliance  
10 with statutory limitations on disclosure relevant to the in-  
11 formation provided by the establishment over which that  
12 Inspector General has responsibilities under the Inspector  
13 General Act of 1978 (5 U.S.C. App.).

14 (d) Each Inspector General covered by this section  
15 shall report to the Committees on Appropriations of the  
16 House of Representatives and the Senate within 5 cal-  
17 endar days any failures to comply with this requirement.

18 SEC. 419. None of the funds appropriated or other-  
19 wise made available by this Act may be used to pay award  
20 or incentive fees for contractors whose performance has  
21 been judged to be below satisfactory, behind schedule, over  
22 budget, or has failed to meet the basic requirements of  
23 a contract, unless the Agency determines that any such  
24 deviations are due to unforeseeable events, government-  
25 driven scope changes, or are not significant within the

1 overall scope of the project and/or program unless such  
2 awards or incentive fees are consistent with 16.401(e)(2)  
3 of the FAR.

4       SEC. 420. (a) Section 420 (a) None of the funds ap-  
5 propriated or otherwise made available under this Act may  
6 be used to acquire telecommunications equipment pro-  
7 duced by Huawei Technologies Company, ZTE Corpora-  
8 tion or a high-impact or moderate-impact information sys-  
9 tem, as defined for security categorization in the National  
10 Institute of Standards and Technology’s (NIST) Federal  
11 Information Processing Standard Publication 199,  
12 “Standards for Security Categorization of Federal Infor-  
13 mation and Information Systems” unless the agency  
14 has—

15           (1) reviewed the supply chain risk for the infor-  
16 mation systems against criteria developed by NIST  
17 to inform acquisition decisions for high-impact and  
18 moderate-impact information systems within the  
19 Federal Government;

20           (2) reviewed the supply chain risk from the pre-  
21 sumptive awardee against available and relevant  
22 threat information provided by the Federal Bureau  
23 of Investigation and other appropriate agencies; and

24           (3) in consultation with the Federal Bureau of  
25 Investigation or other appropriate Federal entity,

1 conducted an assessment of any risk of cyber-espio-  
2 nage or sabotage associated with the acquisition of  
3 such system, including any risk associated with such  
4 system being produced, manufactured, or assembled  
5 by one or more entities identified by the United  
6 States Government as posing a cyber threat, includ-  
7 ing but not limited to, those that may be owned, di-  
8 rected, or subsidized by the People’s Republic of  
9 China, the Islamic Republic of Iran, the Democratic  
10 People’s Republic of Korea, or the Russian Federa-  
11 tion.

12 (b) None of the funds appropriated or otherwise  
13 made available under this Act may be used to acquire a  
14 high-impact or moderate impact information system re-  
15 viewed and assessed under subsection (a) unless the head  
16 of the assessing entity described in subsection (a) has—

17 (1) developed, in consultation with NIST and  
18 supply chain risk management experts, a mitigation  
19 strategy for any identified risks;

20 (2) determined, in consultation with NIST and  
21 the Federal Bureau of Investigation, that the acqui-  
22 sition of such system is in the vital national security  
23 interest of the United States; and

24 (3) reported that determination to the Commit-  
25 tees on Appropriations of the House of Representa-

1       tives and the Senate in a manner that identifies the  
2       system intended for acquisition and a detailed de-  
3       scription of the mitigation strategies identified in  
4       (1), provided that such report may include a classi-  
5       fied annex as necessary.

6       SEC. 421. The explanatory statement regarding divi-  
7       sion D of H.R. 21, printed in the Congressional Record  
8       on January 3, 2019, and submitted by the Chair of the  
9       Committee on Appropriations, shall have the same effect  
10      with respect to allocation of funds and implementation of  
11      this Act as if it were a joint explanatory statement of a  
12      committee of conference.

13      SEC. 422. (a) Employees furloughed as a result of  
14      any lapse in appropriations beginning on or about Decem-  
15      ber 22, 2018 and ending on the date of enactment of this  
16      Act shall be compensated at their standard rate of com-  
17      pensation, for the period of such lapse in appropriations,  
18      as soon as practicable after such lapse in appropriations  
19      ends.

20      (b) For purposes of this section, “employees” means  
21      any Federal employees whose salaries and expenses are  
22      provided in this Act.

23      (c) All obligations incurred in anticipation of the ap-  
24      propriations made and authority granted by this Act for  
25      the purposes of maintaining the essential level of activity

1 to protect life and property and bringing about orderly ter-  
2 mination of Government functions, and for purposes as  
3 otherwise authorized by law, are hereby ratified and ap-  
4 proved if otherwise in accord with the provisions of this  
5 Act.

6       SEC. 423. (a) If a State (or another Federal grantee)  
7 used State funds (or the grantee's non-Federal funds) to  
8 continue carrying out a Federal program or furloughed  
9 State employees (or the grantee's employees) whose com-  
10 pensation is advanced or reimbursed in whole or in part  
11 by the Federal Government—

12           (1) such furloughed employees shall be com-  
13 pensated at their standard rate of compensation for  
14 such period;

15           (2) the State (or such other grantee) shall be  
16 reimbursed for expenses that would have been paid  
17 by the Federal Government during such period had  
18 appropriations been available, including the cost of  
19 compensating such furloughed employees, together  
20 with interest thereon calculated under section  
21 6503(d) of title 31, United States Code; and

22           (3) the State (or such other grantee) may use  
23 funds available to the State (or the grantee) under  
24 such Federal program to reimburse such State (or  
25 the grantee), together with interest thereon cal-

1       culated under section 6503(d) of title 31, United  
2       States Code.

3       (b) For purposes of this section, the term “State”  
4       and the term “grantee,” including United States terri-  
5       tories and possessions, shall have the meaning given such  
6       terms under the applicable Federal program under sub-  
7       section (a). In addition, “to continue carrying out a Fed-  
8       eral program” means the continued performance by a  
9       State or other Federal grantee, during the period of a  
10      lapse in appropriations, of a Federal program that the  
11      State or such other grantee had been carrying out prior  
12      to the period of the lapse in appropriations.

13      (c) The authority under this section applies with re-  
14      spect to any period in fiscal year 2019 (not limited to peri-  
15      ods beginning or ending after the date of the enactment  
16      of this Act) during which there occurs a lapse in appro-  
17      priations with respect to any department or agency of the  
18      Federal Government receiving funding in this Act which,  
19      but for such lapse in appropriations, would have paid, or  
20      made reimbursement relating to, any of the expenses re-  
21      ferred to in this section with respect to the program in-  
22      volved. Payments and reimbursements under this author-  
23      ity shall be made only to the extent and in amounts pro-  
24      vided in advance in appropriations Acts.



1        This Act may be cited as the “Transportation, Hous-  
2 ing and Urban Development, and Related Agencies Appro-  
3 priations Act, 2019”.

        Passed the House of Representatives January 10,  
2019.

Attest:

KAREN L. HAAS,

*Clerk.*