

# Calendar No. 248

114TH CONGRESS  
1ST SESSION

# S. 2129

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, Energy and Water Development, and Departments of Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2015

Mr. COCHRAN (for himself, Mr. MORAN, Mr. ALEXANDER, and Ms. COLLINS)  
introduced the following bill; which was read the first time

OCTOBER 6, 2015

Read the second time and placed on the calendar

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## A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, Energy and Water Development, and Departments of Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2016, 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 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as “An Act Making Appropria-  
3 tions to Improve the Nation’s Infrastructure and for Other  
4 Purposes, 2016”.

5 **SEC. 2. TABLE OF CONTENTS.**

6       The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Statement of appropriations.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND  
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-  
TIONS ACT, 2016

DIVISION B—ENERGY AND WATER DEVELOPMENT, AND  
RELATED AGENCIES APPROPRIATIONS ACT, 2016

DIVISION C— DEPARTMENTS OF TRANSPORTATION, AND HOUS-  
ING AND URBAN DEVELOPMENT, AND RELATED AGENCIES AP-  
PROPRIATIONS ACT, 2016

7 **SEC. 3. REFERENCES.**

8       Except as expressly provided otherwise, any reference  
9 to “this Act” contained in any division of this Act shall  
10 be treated as referring only to the provisions of that divi-  
11 sion.

12 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

13       The following sums in this Act are appropriated, out  
14 of any money in the Treasury not otherwise appropriated,  
15 for the fiscal year ending September 30, 2016.

1 **DIVISION A—AGRICULTURE, RURAL DE-**  
 2 **VELOPMENT, FOOD AND DRUG ADMIN-**  
 3 **ISTRATION, AND RELATED AGENCIES**  
 4 **APPROPRIATIONS ACT, 2016**

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PRODUCTION, PROCESSING AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,  
 11 \$46,055,000, of which not to exceed \$5,051,000 shall be  
 12 available for the immediate Office of the Secretary; not  
 13 to exceed \$502,000 shall be available for the Office of  
 14 Tribal Relations; not to exceed \$250,000 shall be available  
 15 for the Military Veterans Agricultural Liaison; not to ex-  
 16 ceed \$1,496,000 shall be available for the Office of Home-  
 17 land Security and Emergency Coordination; not to exceed  
 18 \$1,209,000 shall be available for the Office of Advocacy  
 19 and Outreach; not to exceed \$25,928,000 shall be avail-  
 20 able for the Office of the Assistant Secretary for Adminis-  
 21 tration, of which \$25,124,000 shall be available for De-  
 22 partmental Administration to provide for necessary ex-  
 23 penses for management support services to offices of the  
 24 Department and for general administration, security, re-  
 25 pairs and alterations, and other miscellaneous supplies

1 and expenses not otherwise provided for and necessary for  
2 the practical and efficient work of the Department; not  
3 to exceed \$3,869,000 shall be available for the Office of  
4 Assistant Secretary for Congressional Relations to carry  
5 out the programs funded by this Act, including programs  
6 involving intergovernmental affairs and liaison within the  
7 executive branch; and not to exceed \$7,750,000 shall be  
8 available for the Office of Communications: *Provided*,  
9 That the Secretary of Agriculture is authorized to transfer  
10 funds appropriated for any office of the Office of the Sec-  
11 retary to any other office of the Office of the Secretary:  
12 *Provided further*, That no appropriation for any office  
13 shall be increased or decreased by more than 5 percent:  
14 *Provided further*, That not to exceed \$11,000 of the  
15 amount made available under this paragraph for the im-  
16 mediate Office of the Secretary shall be available for offi-  
17 cial reception and representation expenses, not otherwise  
18 provided for, as determined by the Secretary: *Provided*  
19 *further*, That the amount made available under this head-  
20 ing for Departmental Administration shall be reimbursed  
21 from applicable appropriations in this Act for travel ex-  
22 penses incident to the holding of hearings as required by  
23 5 U.S.C. 551–558: *Provided further*, That funds made  
24 available under this heading for the Office of the Assistant  
25 Secretary for Congressional Relations may be transferred

1 to agencies of the Department of Agriculture funded by  
 2 this Act to maintain personnel at the agency level: *Pro-*  
 3 *vided further*, That no funds made available under this  
 4 heading for the Office of Assistant Secretary for Congres-  
 5 sional Relations may be obligated after 30 days from the  
 6 date of enactment of this Act, unless the Secretary has  
 7 notified the Committees on Appropriations of both Houses  
 8 of Congress on the allocation of these funds by USDA  
 9 agency.

#### 10 EXECUTIVE OPERATIONS

##### 11 OFFICE OF THE CHIEF ECONOMIST

12 For necessary expenses of the Office of the Chief  
 13 Economist, \$16,777,000, of which \$4,000,000 shall be for  
 14 grants or cooperative agreements for policy research under  
 15 7 U.S.C. 3155.

##### 16 NATIONAL APPEALS DIVISION

17 For necessary expenses of the National Appeals Divi-  
 18 sion, \$13,317,000.

##### 19 OFFICE OF BUDGET AND PROGRAM ANALYSIS

20 For necessary expenses of the Office of Budget and  
 21 Program Analysis, \$9,392,000.

##### 22 OFFICE OF THE CHIEF INFORMATION OFFICER

23 For necessary expenses of the Office of the Chief In-  
 24 formation Officer, \$45,045,000, of which not less than

1 \$28,000,000 is for cybersecurity requirements of the De-  
2 partment.

3 OFFICE OF THE CHIEF FINANCIAL OFFICER

4 For necessary expenses of the Office of the Chief Fi-  
5 nancial Officer, \$6,028,000.

6 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

7 RIGHTS

8 For necessary expenses of the Office of the Assistant  
9 Secretary for Civil Rights, \$898,000.

10 OFFICE OF CIVIL RIGHTS

11 For necessary expenses of the Office of Civil Rights,  
12 \$24,070,000.

13 AGRICULTURE BUILDINGS AND FACILITIES

14 (INCLUDING TRANSFERS OF FUNDS)

15 For payment of space rental and related costs pursu-  
16 ant to Public Law 92–313, including authorities pursuant  
17 to the 1984 delegation of authority from the Adminis-  
18 trator of General Services to the Department of Agri-  
19 culture under 40 U.S.C. 121, for programs and activities  
20 of the Department which are included in this Act, and for  
21 alterations and other actions needed for the Department  
22 and its agencies to consolidate unneeded space into con-  
23 figurations suitable for release to the Administrator of  
24 General Services, and for the operation, maintenance, im-  
25 provement, and repair of Agriculture buildings and facili-

1 ties, and for related costs, \$53,618,000, to remain avail-  
 2 able until expended, for buildings operations and mainte-  
 3 nance expenses: *Provided*, That the Secretary may use un-  
 4 obligated prior year balances of an agency or office that  
 5 are no longer available for new obligation to cover short-  
 6 falls incurred in prior or current year rental payments for  
 7 such agency or office.

## 8 HAZARDOUS MATERIALS MANAGEMENT

### 9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Department of Agri-  
 11 culture, to comply with the Comprehensive Environmental  
 12 Response, Compensation, and Liability Act (42 U.S.C.  
 13 9601 et seq.) and the Resource Conservation and Recovery  
 14 Act (42 U.S.C. 6901 et seq.), \$3,618,000, to remain avail-  
 15 able until expended: *Provided*, That appropriations and  
 16 funds available herein to the Department for Hazardous  
 17 Materials Management may be transferred to any agency  
 18 of the Department for its use in meeting all requirements  
 19 pursuant to the above Acts on Federal and non-Federal  
 20 lands.

## 21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector  
 23 General, including employment pursuant to the Inspector  
 24 General Act of 1978, \$95,294,000, including such sums  
 25 as may be necessary for contracting and other arrange-

1 ments with public agencies and private persons pursuant  
 2 to section 6(a)(9) of the Inspector General Act of 1978,  
 3 and including not to exceed \$125,000 for certain confiden-  
 4 tial operational expenses, including the payment of inform-  
 5 ants, to be expended under the direction of the Inspector  
 6 General pursuant to Public Law 95–452 and section 1337  
 7 of Public Law 97–98.

8 OFFICE OF THE GENERAL COUNSEL

9 For necessary expenses of the Office of the General  
 10 Counsel, \$44,383,000.

11 OFFICE OF ETHICS

12 For necessary expenses of the Office of Ethics,  
 13 \$3,654,000.

14 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,  
 15 EDUCATION, AND ECONOMICS

16 For necessary expenses of the Office of the Under  
 17 Secretary for Research, Education, and Economics,  
 18 \$898,000.

19 ECONOMIC RESEARCH SERVICE

20 For necessary expenses of the Economic Research  
 21 Service, \$85,373,000.

22 NATIONAL AGRICULTURAL STATISTICS SERVICE

23 For necessary expenses of the National Agricultural  
 24 Statistics Service, \$168,108,000, of which up to  
 25 \$41,842,000 shall be available until expended for the Cen-



1 sus of Agriculture: *Provided*, That amounts made available  
 2 for the Census of Agriculture may be used to conduct Cur-  
 3 rent Industrial Report surveys subject to 7 U.S.C.  
 4 2204g(d) and (f).

## 5 AGRICULTURAL RESEARCH SERVICE

### 6 SALARIES AND EXPENSES

7 For necessary expenses of the Agricultural Research  
 8 Service and for acquisition of lands by donation, exchange,  
 9 or purchase at a nominal cost not to exceed \$100, and  
 10 for land exchanges where the lands exchanged shall be of  
 11 equal value or shall be equalized by a payment of money  
 12 to the grantor which shall not exceed 25 percent of the  
 13 total value of the land or interests transferred out of Fed-  
 14 eral ownership, \$1,136,825,000: *Provided*, That appro-  
 15 priations hereunder shall be available for the operation  
 16 and maintenance of aircraft and the purchase of not to  
 17 exceed one for replacement only: *Provided further*, That  
 18 appropriations hereunder shall be available pursuant to 7  
 19 U.S.C. 2250 for the construction, alteration, and repair  
 20 of buildings and improvements, but unless otherwise pro-  
 21 vided, the cost of constructing any one building shall not  
 22 exceed \$375,000, except for headhouses or greenhouses  
 23 which shall each be limited to \$1,200,000, and except for  
 24 10 buildings to be constructed or improved at a cost not  
 25 to exceed \$750,000 each, and the cost of altering any one

1 building during the fiscal year shall not exceed 10 percent  
2 of the current replacement value of the building or  
3 \$375,000, whichever is greater: *Provided further*, That the  
4 limitations on alterations contained in this Act shall not  
5 apply to modernization or replacement of existing facilities  
6 at Beltsville, Maryland: *Provided further*, That appropria-  
7 tions hereunder shall be available for granting easements  
8 at the Beltsville Agricultural Research Center: *Provided*  
9 *further*, That the foregoing limitations shall not apply to  
10 replacement of buildings needed to carry out the Act of  
11 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That  
12 appropriations hereunder shall be available for granting  
13 easements at any Agricultural Research Service location  
14 for the construction of a research facility by a non-Federal  
15 entity for use by, and acceptable to, the Agricultural Re-  
16 search Service and a condition of the easements shall be  
17 that upon completion the facility shall be accepted by the  
18 Secretary, subject to the availability of funds herein, if the  
19 Secretary finds that acceptance of the facility is in the  
20 interest of the United States: *Provided further*, That funds  
21 may be received from any State, other political subdivi-  
22 sion, organization, or individual for the purpose of estab-  
23 lishing or operating any research facility or research  
24 project of the Agricultural Research Service, as authorized  
25 by law.

1       NATIONAL INSTITUTE OF FOOD AND AGRICULTURE  
2               RESEARCH AND EDUCATION ACTIVITIES

3       For payments to agricultural experiment stations, for  
4 cooperative forestry and other research, for facilities, and  
5 for other expenses, \$791,096,000, which shall be for the  
6 purposes, and in the amounts, specified in the table titled  
7 “National Institute of Food and Agriculture, Research  
8 and Education Activities” in the report accompanying this  
9 Act: *Provided*, That funds for research grants for 1994  
10 institutions, education grants for 1890 institutions, capac-  
11 ity building for non-land-grant colleges of agriculture, the  
12 agriculture and food research initiative, veterinary medi-  
13 cine loan repayment, multicultural scholars, graduate fel-  
14 lowship and institution challenge grants, and grants man-  
15 agement systems shall remain available until expended:  
16 *Provided further*, That each institution eligible to receive  
17 funds under the Evans-Allen program receives no less  
18 than \$1,000,000: *Provided further*, That funds for edu-  
19 cation grants for Alaska Native and Native Hawaiian-  
20 serving institutions be made available to individual eligible  
21 institutions or consortia of eligible institutions with funds  
22 awarded equally to each of the States of Alaska and Ha-  
23 waii: *Provided further*, That funds for education grants for  
24 1890 institutions shall be made available to institutions  
25 eligible to receive funds under 7 U.S.C. 3221 and 3222:

1 *Provided further*, That not more than 5 percent of the  
 2 amounts made available by this or any other Act to carry  
 3 out the Agriculture and Food Research Initiative under  
 4 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-  
 5 riculture to pay administrative costs incurred by the Sec-  
 6 retary in carrying out that authority.

7 HISPANIC-SERVING AGRICULTURAL COLLEGES AND  
 8 UNIVERSITIES ENDOWMENT FUND

9 For the Hispanic-Serving Agricultural Colleges and  
 10 Universities Endowment Fund under section 1456(b) (7  
 11 U.S.C. 3243(b)) of the National Agricultural Research,  
 12 Extension, and Teaching Policy Act of 1977, \$10,000,000,  
 13 to remain available until expended.

14 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

15 For the Native American Institutions Endowment  
 16 Fund authorized by Public Law 103–382 (7 U.S.C. 301  
 17 note), \$11,880,000, to remain available until expended.

18 EXTENSION ACTIVITIES

19 For payments to States, the District of Columbia,  
 20 Puerto Rico, Guam, the Virgin Islands, Micronesia, the  
 21 Northern Marianas, and American Samoa, \$488,891,000,  
 22 which shall be for the purposes, and in the amounts, speci-  
 23 fied in the table titled “National Institute of Food and  
 24 Agriculture, Extension Activities” in the report accom-  
 25 panying this Act: *Provided*, That funds for facility im-

1   provements at 1890 institutions shall remain available  
 2   until expended: *Provided further*, That institutions eligible  
 3   to receive funds under 7 U.S.C. 3221 for cooperative ex-  
 4   tension receive no less than \$1,000,000: *Provided further*,  
 5   That funds for cooperative extension under sections 3(b)  
 6   and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))  
 7   and section 208(c) of Public Law 93–471 shall be avail-  
 8   able for retirement and employees’ compensation costs for  
 9   extension agents.

#### 10                   INTEGRATED ACTIVITIES

11       For the integrated research, education, and extension  
 12   grants programs, including necessary administrative ex-  
 13   penses, \$13,700,000, which shall be for the purposes, and  
 14   in the amounts, specified in the table titled “National In-  
 15   stitute of Food and Agriculture, Integrated Activities” in  
 16   the report accompanying this Act: *Provided*, That funds  
 17   for the Food and Agriculture Defense Initiative shall re-  
 18   main available until September 30, 2017.

#### 19       OFFICE OF THE UNDER SECRETARY FOR MARKETING 20                   AND REGULATORY PROGRAMS

21       For necessary expenses of the Office of the Under  
 22   Secretary for Marketing and Regulatory Programs,  
 23   \$898,000.

1     ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
2                     SALARIES AND EXPENSES  
3                     (INCLUDING TRANSFERS OF FUNDS)

4     For necessary expenses of the Animal and Plant  
5 Health Inspection Service, including up to \$30,000 for  
6 representation allowances and for expenses pursuant to  
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),  
8 \$876,465,000, of which \$470,000, to remain available  
9 until expended, shall be available for the control of out-  
10 breaks of insects, plant diseases, animal diseases and for  
11 control of pest animals and birds (“contingency fund”) to  
12 the extent necessary to meet emergency conditions; of  
13 which \$11,520,000, to remain available until expended,  
14 shall be used for the cotton pests program for cost share  
15 purposes or for debt retirement for active eradication  
16 zones; of which \$35,339,000, to remain available until ex-  
17 pended, shall be for Animal Health Technical Services; of  
18 which \$697,000 shall be for activities under the authority  
19 of the Horse Protection Act of 1970, as amended (15  
20 U.S.C. 1831); of which \$52,340,000, to remain available  
21 until expended, shall be used to support avian health; of  
22 which \$4,251,000, to remain available until expended,  
23 shall be for information technology infrastructure; of  
24 which \$156,000,000, to remain available until expended,  
25 shall be for specialty crop pests; of which, \$8,826,000, to

1 remain available until expended, shall be for field crop and  
2 rangeland ecosystem pests; of which \$54,000,000, to re-  
3 main available until expended, shall be for tree and wood  
4 pests; of which \$3,973,000, to remain available until ex-  
5 pended, shall be for the National Veterinary Stockpile; of  
6 which up to \$1,500,000, to remain available until ex-  
7 pended, shall be for the scrapie program for indemnities;  
8 of which \$1,500,000, to remain available until expended,  
9 shall be for the wildlife damage management program for  
10 aviation safety: *Provided*, That of amounts available under  
11 this heading for wildlife services methods development,  
12 \$1,000,000 shall remain available until expended: *Pro-*  
13 *vided further*, That of amounts available under this head-  
14 ing for the screwworm program, \$4,990,000 shall remain  
15 available until expended: *Provided further*, That no funds  
16 shall be used to formulate or administer a brucellosis  
17 eradication program for the current fiscal year that does  
18 not require minimum matching by the States of at least  
19 40 percent: *Provided further*, That this appropriation shall  
20 be available for the operation and maintenance of aircraft  
21 and the purchase of not to exceed four, of which two shall  
22 be for replacement only: *Provided further*, That in addi-  
23 tion, in emergencies which threaten any segment of the  
24 agricultural production industry of this country, the Sec-  
25 retary may transfer from other appropriations or funds

1 available to the agencies or corporations of the Depart-  
2 ment such sums as may be deemed necessary, to be avail-  
3 able only in such emergencies for the arrest and eradi-  
4 cation of contagious or infectious disease or pests of ani-  
5 mals, poultry, or plants, and for expenses in accordance  
6 with sections 10411 and 10417 of the Animal Health Pro-  
7 tection Act (7 U.S.C. 8310 and 8316) and sections 431  
8 and 442 of the Plant Protection Act (7 U.S.C. 7751 and  
9 7772), and any unexpended balances of funds transferred  
10 for such emergency purposes in the preceding fiscal year  
11 shall be merged with such transferred amounts: *Provided*  
12 *further*, That appropriations hereunder shall be available  
13 pursuant to law (7 U.S.C. 2250) for the repair and alter-  
14 ation of leased buildings and improvements, but unless  
15 otherwise provided the cost of altering any one building  
16 during the fiscal year shall not exceed 10 percent of the  
17 current replacement value of the building.

18       In fiscal year 2016, the agency is authorized to collect  
19 fees to cover the total costs of providing technical assist-  
20 ance, goods, or services requested by States, other political  
21 subdivisions, domestic and international organizations,  
22 foreign governments, or individuals, provided that such  
23 fees are structured such that any entity's liability for such  
24 fees is reasonably based on the technical assistance, goods,  
25 or services provided to the entity by the agency, and such



1 fees shall be reimbursed to this account, to remain avail-  
 2 able until expended, without further appropriation, for  
 3 providing such assistance, goods, or services.

#### 4 BUILDINGS AND FACILITIES

5 For plans, construction, repair, preventive mainte-  
 6 nance, environmental support, improvement, extension, al-  
 7 teration, and purchase of fixed equipment or facilities, as  
 8 authorized by 7 U.S.C. 2250, and acquisition of land as  
 9 authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-  
 10 able until expended.

#### 11 AGRICULTURAL MARKETING SERVICE

##### 12 MARKETING SERVICES

13 For necessary expenses of the Agricultural Marketing  
 14 Service, \$81,192,000: *Provided*, That this appropriation  
 15 shall be available pursuant to law (7 U.S.C. 2250) for the  
 16 alteration and repair of buildings and improvements, but  
 17 the cost of altering any one building during the fiscal year  
 18 shall not exceed 10 percent of the current replacement  
 19 value of the building.

20 Fees may be collected for the cost of standardization  
 21 activities, as established by regulation pursuant to law (31  
 22 U.S.C. 9701).

#### 23 LIMITATION ON ADMINISTRATIVE EXPENSES

24 Not to exceed \$60,982,000 (from fees collected) shall  
 25 be obligated during the current fiscal year for administra-

1 tive expenses: *Provided*, That if crop size is understated  
 2 and/or other uncontrollable events occur, the agency may  
 3 exceed this limitation by up to 10 percent with notification  
 4 to the Committees on Appropriations of both Houses of  
 5 Congress.

6 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND  
 7 SUPPLY (SECTION 32)

8 (INCLUDING TRANSFERS OF FUNDS)

9 Funds available under section 32 of the Act of Au-  
 10 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-  
 11 modity program expenses as authorized therein, and other  
 12 related operating expenses, except for: (1) transfers to the  
 13 Department of Commerce as authorized by the Fish and  
 14 Wildlife Act of August 8, 1956; (2) transfers otherwise  
 15 provided in this Act; and (3) not more than \$20,489,000  
 16 for formulation and administration of marketing agree-  
 17 ments and orders pursuant to the Agricultural Marketing  
 18 Agreement Act of 1937 and the Agricultural Act of 1961.

19 PAYMENTS TO STATES AND POSSESSIONS

20 For payments to departments of agriculture, bureaus  
 21 and departments of markets, and similar agencies for  
 22 marketing activities under section 204(b) of the Agricul-  
 23 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),  
 24 \$1,235,000.

## 1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

## 2 ADMINISTRATION

## 3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,  
5 Packers and Stockyards Administration, \$43,048,000:  
6 *Provided*, That this appropriation shall be available pursu-  
7 ant to law (7 U.S.C. 2250) for the alteration and repair  
8 of buildings and improvements, but the cost of altering  
9 any one building during the fiscal year shall not exceed  
10 10 percent of the current replacement value of the build-  
11 ing.

## 12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

## 13 EXPENSES

14 Not to exceed \$55,000,000 (from fees collected) shall  
15 be obligated during the current fiscal year for inspection  
16 and weighing services: *Provided*, That if grain export ac-  
17 tivities require additional supervision and oversight, or  
18 other uncontrollable factors occur, this limitation may be  
19 exceeded by up to 10 percent with notification to the Com-  
20 mittees on Appropriations of both Houses of Congress.

## 21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under  
23 Secretary for Food Safety, \$816,000.

## 1           FOOD SAFETY AND INSPECTION SERVICE

2           For necessary expenses to carry out services author-  
3 ized by the Federal Meat Inspection Act, the Poultry  
4 Products Inspection Act, and the Egg Products Inspection  
5 Act, including not to exceed \$50,000 for representation  
6 allowances and for expenses pursuant to section 8 of the  
7 Act approved August 3, 1956 (7 U.S.C. 1766),  
8 \$1,013,621,000; and in addition, \$1,000,000 may be cred-  
9 ited to this account from fees collected for the cost of lab-  
10 oratory accreditation as authorized by section 1327 of the  
11 Food, Agriculture, Conservation and Trade Act of 1990  
12 (7 U.S.C. 138f): *Provided*, That funds provided for the  
13 Public Health Data Communication Infrastructure system  
14 shall remain available until expended: *Provided further*,  
15 That no fewer than 148 full-time equivalent positions shall  
16 be employed during fiscal year 2016 for purposes dedi-  
17 cated solely to inspections and enforcement related to the  
18 Humane Methods of Slaughter Act: *Provided further*, That  
19 the Food Safety and Inspection Service shall continue im-  
20 plementation of section 11016 of Public Law 110–246 as  
21 further clarified by the amendments made in section  
22 12106 of Public Law 113–79: *Provided further*, That this  
23 appropriation shall be available pursuant to law (7 U.S.C.  
24 2250) for the alteration and repair of buildings and im-  
25 provements, but the cost of altering any one building dur-

1 ing the fiscal year shall not exceed 10 percent of the cur-  
 2 rent replacement value of the building.

3 OFFICE OF THE UNDER SECRETARY FOR FARM AND  
 4 FOREIGN AGRICULTURAL SERVICES

5 For necessary expenses of the Office of the Under  
 6 Secretary for Farm and Foreign Agricultural Services,  
 7 \$898,000.

8 FARM SERVICE AGENCY

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Farm Service Agency,  
 12 \$1,180,391,000: *Provided*, That not more than 50 percent  
 13 of the \$112,575,000 made available under this heading  
 14 for information technology related to farm program deliv-  
 15 ery, including the Modernize and Innovate the Delivery of  
 16 Agricultural Systems (MIDAS) and other farm program  
 17 delivery systems, may be obligated until the Secretary sub-  
 18 mits to the Committees on Appropriations a plan for ex-  
 19 penditure that (1) identifies for each project/investment  
 20 over \$25,000 (a) the functional and performance capabili-  
 21 ties to be delivered and the mission benefits to be realized,  
 22 (b) the estimated lifecycle cost, including estimates for de-  
 23 velopment as well as maintenance and operations, and (c)  
 24 key milestones to be met; (2) demonstrates that each  
 25 project/investment is, (a) consistent with the Farm Service

1 Agency Information Technology Roadmap, (b) being man-  
2 aged in accordance with applicable lifecycle management  
3 policies and guidance, and (c) subject to the applicable De-  
4 partment's capital planning and investment control re-  
5 quirements; and (3) has been submitted to the Govern-  
6 ment Accountability Office: *Provided further*, That the  
7 agency shall submit a report by the end of the fourth quar-  
8 ter of fiscal year 2016 to the Committees on Appropria-  
9 tions and the Government Accountability Office, that iden-  
10 tifies for each project/investment that is operational (a)  
11 current performance against key indicators of customer  
12 satisfaction, (b) current performance of service level agree-  
13 ments or other technical metrics, (c) current performance  
14 against a pre-established cost baseline, (d) a detailed  
15 breakdown of current and planned spending on oper-  
16 ational enhancements or upgrades, and (e) an assessment  
17 of whether the investment continues to meet business  
18 needs as intended as well as alternatives to the investment:  
19 *Provided further*, That the Secretary is authorized to use  
20 the services, facilities, and authorities (but not the funds)  
21 of the Commodity Credit Corporation to make program  
22 payments for all programs administered by the Agency:  
23 *Provided further*, That other funds made available to the  
24 Agency for authorized activities may be advanced to and  
25 merged with this account: *Provided further*, That funds

1 made available to county committees shall remain avail-  
 2 able until expended: *Provided further*, That none of the  
 3 funds available to the Farm Service Agency shall be used  
 4 to close Farm Service Agency county offices: *Provided fur-*  
 5 *ther*, That none of the funds available to the Farm Service  
 6 Agency shall be used to permanently relocate county based  
 7 employees that would result in an office with two or fewer  
 8 employees without prior notification and approval of the  
 9 Committees on Appropriations.

#### 10 STATE MEDIATION GRANTS

11 For grants pursuant to section 502(b) of the Agricul-  
 12 tural Credit Act of 1987, as amended (7 U.S.C. 5101–  
 13 5106), \$3,404,000.

#### 14 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

15 For necessary expenses to carry out wellhead or  
 16 groundwater protection activities under section 1240O of  
 17 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),  
 18 \$6,000,000, to remain available until expended.

#### 19 DAIRY INDEMNITY PROGRAM

#### 20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses involved in making indemnity  
 22 payments to dairy farmers and manufacturers of dairy  
 23 products under a dairy indemnity program, such sums as  
 24 may be necessary, to remain available until expended: *Pro-*  
 25 *vided*, That such program is carried out by the Secretary

1 in the same manner as the dairy indemnity program de-  
 2 scribed in the Agriculture, Rural Development, Food and  
 3 Drug Administration, and Related Agencies Appropria-  
 4 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–  
 5 12).

6 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For gross obligations for the principal amount of di-  
 10 rect and guaranteed farm ownership (7 U.S.C. 1922 et  
 11 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-  
 12 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-  
 13 quisition loans (25 U.S.C. 488), boll weevil loans (7  
 14 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.  
 15 1924 et seq.), and Indian highly fractionated land loans  
 16 (25 U.S.C. 488) to be available from funds in the Agricul-  
 17 tural Credit Insurance Fund, as follows: \$2,000,000,000  
 18 for guaranteed farm ownership loans and \$1,500,000,000  
 19 for farm ownership direct loans; \$1,393,443,000 for un-  
 20 subsidized guaranteed operating loans and  
 21 \$1,252,004,000 for direct operating loans; emergency  
 22 loans, \$34,667,000; Indian tribe land acquisition loans,  
 23 \$2,000,000; guaranteed conservation loans,  
 24 \$150,000,000; Indian highly fractionated land loans,  
 25 \$10,000,000; and for boll weevil eradication program



1 loans, \$60,000,000: *Provided*, That the Secretary shall  
2 deem the pink bollworm to be a boll weevil for the purpose  
3 of boll weevil eradication program loans.

4 For the cost of direct and guaranteed loans and  
5 grants, including the cost of modifying loans as defined  
6 in section 502 of the Congressional Budget Act of 1974,  
7 as follows: farm operating loans, \$53,961,000 for direct  
8 operating loans, \$14,352,000 for unsubsidized guaranteed  
9 operating loans, and emergency loans, \$1,262,000, to re-  
10 main available until expended.

11 In addition, for administrative expenses necessary to  
12 carry out the direct and guaranteed loan programs,  
13 \$314,918,000, of which \$306,998,000 shall be transferred  
14 to and merged with the appropriation for “Farm Service  
15 Agency, Salaries and Expenses”.

16 Funds appropriated by this Act to the Agricultural  
17 Credit Insurance Program Account for farm ownership,  
18 operating and conservation direct loans and guaranteed  
19 loans may be transferred among these programs: *Pro-*  
20 *vided*, That the Committees on Appropriations of both  
21 Houses of Congress are notified at least 15 days in ad-  
22 vance of any transfer.

## 1 RISK MANAGEMENT AGENCY

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Risk Management  
4 Agency, \$74,829,000: *Provided*, That not to exceed  
5 \$1,000 shall be available for official reception and rep-  
6 resentation expenses, as authorized by 7 U.S.C. 1506(i).

## 7 CORPORATIONS

8 The following corporations and agencies are hereby  
9 authorized to make expenditures, within the limits of  
10 funds and borrowing authority available to each such cor-  
11 poration or agency and in accord with law, and to make  
12 contracts and commitments without regard to fiscal year  
13 limitations as provided by section 104 of the Government  
14 Corporation Control Act as may be necessary in carrying  
15 out the programs set forth in the budget for the current  
16 fiscal year for such corporation or agency, except as here-  
17 inafter provided.

## 18 FEDERAL CROP INSURANCE CORPORATION FUND

19 For payments as authorized by section 516 of the  
20 Federal Crop Insurance Act (7 U.S.C. 1516), such sums  
21 as may be necessary, to remain available until expended.

1 COMMODITY CREDIT CORPORATION FUND  
2 REIMBURSEMENT FOR NET REALIZED LOSSES  
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the current fiscal year, such sums as may be nec-  
5 essary to reimburse the Commodity Credit Corporation for  
6 net realized losses sustained, but not previously reim-  
7 bursed, pursuant to section 2 of the Act of August 17,  
8 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
9 available to the Commodity Credit Corporation under sec-  
10 tion 11 of the Commodity Credit Corporation Charter Act  
11 (15 U.S.C. 714i) for the conduct of its business with the  
12 Foreign Agricultural Service, up to \$5,000,000 may be  
13 transferred to and used by the Foreign Agricultural Serv-  
14 ice for information resource management activities of the  
15 Foreign Agricultural Service that are not related to Com-  
16 modity Credit Corporation business.

17 HAZARDOUS WASTE MANAGEMENT  
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit  
20 Corporation shall not expend more than \$5,000,000 for  
21 site investigation and cleanup expenses, and operations  
22 and maintenance expenses to comply with the requirement  
23 of section 107(g) of the Comprehensive Environmental  
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Resource Conservation  
 2 and Recovery Act (42 U.S.C. 6961).

## 3 TITLE II

### 4 CONSERVATION PROGRAMS

#### 5 OFFICE OF THE UNDER SECRETARY FOR NATURAL 6 RESOURCES AND ENVIRONMENT

7 For necessary expenses of the Office of the Under  
 8 Secretary for Natural Resources and Environment,  
 9 \$898,000.

#### 10 NATURAL RESOURCES CONSERVATION SERVICE

##### 11 CONSERVATION OPERATIONS

12 For necessary expenses for carrying out the provi-  
 13 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),  
 14 including preparation of conservation plans and establish-  
 15 ment of measures to conserve soil and water (including  
 16 farm irrigation and land drainage and such special meas-  
 17 ures for soil and water management as may be necessary  
 18 to prevent floods and the siltation of reservoirs and to con-  
 19 trol agricultural related pollutants); operation of conserva-  
 20 tion plant materials centers; classification and mapping of  
 21 soil; dissemination of information; acquisition of lands,  
 22 water, and interests therein for use in the plant materials  
 23 program by donation, exchange, or purchase at a nominal  
 24 cost not to exceed \$100 pursuant to the Act of August  
 25 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-

1 ation or improvement of permanent and temporary build-  
2 ings; and operation and maintenance of aircraft,  
3 \$855,209,000, to remain available until September 30,  
4 2017: *Provided*, That appropriations hereunder shall be  
5 available pursuant to 7 U.S.C. 2250 for construction and  
6 improvement of buildings and public improvements at  
7 plant materials centers, except that the cost of alterations  
8 and improvements to other buildings and other public im-  
9 provements shall not exceed \$250,000: *Provided further*,  
10 That when buildings or other structures are erected on  
11 non-Federal land, that the right to use such land is ob-  
12 tained as provided in 7 U.S.C. 2250a: *Provided further*,  
13 That of the amounts made available under this heading,  
14 \$5,600,000, shall remain available until expended for the  
15 authorities under 16 U.S.C. 1001–1005 and 1007–1009  
16 for authorized ongoing watershed projects with a primary  
17 purpose of providing water to rural communities: *Provided*  
18 *further*, That of the amounts made available under this  
19 heading, \$5,000,000 shall remain available until expended  
20 for the authorities under section 13 of the Flood Control  
21 Act of December 22, 1944 (Public Law 78–534) for au-  
22 thorized ongoing projects with a primary purpose of water-  
23 shed protection by stabilizing stream channels, tributaries,  
24 and banks to reduce erosion and sediment transport.

1 TITLE III  
2 RURAL DEVELOPMENT PROGRAMS  
3 OFFICE OF THE UNDER SECRETARY FOR RURAL  
4 DEVELOPMENT

5 For necessary expenses of the Office of the Under  
6 Secretary for Rural Development, \$898,000.

7 RURAL DEVELOPMENT SALARIES AND EXPENSES  
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses for carrying out the adminis-  
10 tration and implementation of programs in the Rural De-  
11 velopment mission area, including activities with institu-  
12 tions concerning the development and operation of agricul-  
13 tural cooperatives; and for cooperative agreements;  
14 \$228,701,000: *Provided*, That no less than \$19,500,000  
15 shall be for the Comprehensive Loan Accounting System:  
16 *Provided further*, That notwithstanding any other provi-  
17 sion of law, funds appropriated under this heading may  
18 be used for advertising and promotional activities that  
19 support the Rural Development mission area: *Provided*  
20 *further*, That any balances available from prior years for  
21 the Rural Utilities Service, Rural Housing Service, and  
22 the Rural Business–Cooperative Service salaries and ex-  
23 penses accounts shall be transferred to and merged with  
24 this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$900,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$26,278,000 for section 504 housing repair loans; \$28,398,000 for section 515 rental housing; \$200,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$60,750,000 shall be for direct loans; section 504 housing repair loans, \$3,424,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$8,414,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guaran-

tees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2016.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$15,053,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$415,100,000 shall be transferred to and merged with the



1 appropriation for “Rural Development, Salaries and Ex-  
 2 penses”.

### 3 RENTAL ASSISTANCE PROGRAM

4 For rental assistance agreements entered into or re-  
 5 newed pursuant to the authority under section 521(a)(2)  
 6 or agreements entered into in lieu of debt forgiveness or  
 7 payments for eligible households as authorized by section  
 8 502(c)(5)(D) of the Housing Act of 1949,  
 9 \$1,167,000,000; and, in addition, such sums as may be  
 10 necessary, as authorized by section 521(c) of the Act, to  
 11 liquidate debt incurred prior to fiscal year 1992 to carry  
 12 out the rental assistance program under section 521(a)(2)  
 13 of the Act: *Provided*, That rental assistance agreements  
 14 entered into or renewed during the current fiscal year  
 15 shall be funded for a 1-year period: *Provided further*, That  
 16 rental assistance contracts will not be renewed within the  
 17 12-month contract period: *Provided further*, That any un-  
 18 expended balances remaining at the end of such 1-year  
 19 agreements may be transferred and used for the purposes  
 20 of any debt reduction; maintenance, repair, or rehabilita-  
 21 tion of any existing projects; preservation; and rental as-  
 22 sistance activities authorized under title V of the Act: *Pro-*  
 23 *vided further*, That rental assistance provided under agree-  
 24 ments entered into prior to fiscal year 2016 for a farm  
 25 labor multi-family housing project financed under section

1 514 or 516 of the Act may not be recaptured for use in  
 2 another project until such assistance has remained unused  
 3 for a period of 12 consecutive months, if such project has  
 4 a waiting list of tenants seeking such assistance or the  
 5 project has rental assistance eligible tenants who are not  
 6 receiving such assistance: *Provided further*, That such re-  
 7 captured rental assistance shall, to the extent practicable,  
 8 be applied to another farm labor multi-family housing  
 9 project financed under section 514 or 516 of the Act.

10 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

11 ACCOUNT

12 For the rural housing voucher program as authorized  
 13 under section 542 of the Housing Act of 1949, but not-  
 14 withstanding subsection (b) of such section, and for addi-  
 15 tional costs to conduct a demonstration program for the  
 16 preservation and revitalization of multi-family rental hous-  
 17 ing properties described in this paragraph, \$24,000,000,  
 18 to remain available until expended: *Provided*, That of the  
 19 funds made available under this heading, \$7,000,000,  
 20 shall be available for rural housing vouchers to any low-  
 21 income household (including those not receiving rental as-  
 22 sistance) residing in a property financed with a section  
 23 515 loan which has been prepaid after September 30,  
 24 2005: *Provided further*, That the amount of such voucher  
 25 shall be the difference between comparable market rent

1 for the section 515 unit and the tenant paid rent for such  
2 unit: *Provided further*, That funds made available for such  
3 vouchers shall be subject to the availability of annual ap-  
4 propriations: *Provided further*, That the Secretary shall,  
5 to the maximum extent practicable, administer such  
6 vouchers with current regulations and administrative guid-  
7 ance applicable to section 8 housing vouchers administered  
8 by the Secretary of the Department of Housing and Urban  
9 Development: *Provided further*, That if the Secretary de-  
10 termines that the amount made available for vouchers in  
11 this or any other Act is not needed for vouchers, the Sec-  
12 retary may use such funds for the demonstration program  
13 for the preservation and revitalization of multi-family  
14 rental housing properties described in this paragraph: *Pro-*  
15 *vided further*, That of the funds made available under this  
16 heading, \$17,000,000 shall be available for a demonstra-  
17 tion program for the preservation and revitalization of the  
18 sections 514, 515, and 516 multi-family rental housing  
19 properties to restructure existing USDA multi-family  
20 housing loans, as the Secretary deems appropriate, ex-  
21 pressly for the purposes of ensuring the project has suffi-  
22 cient resources to preserve the project for the purpose of  
23 providing safe and affordable housing for low-income resi-  
24 dents and farm laborers including reducing or eliminating  
25 interest; deferring loan payments, subordinating, reducing

1 or reamortizing loan debt; and other financial assistance  
2 including advances, payments and incentives (including  
3 the ability of owners to obtain reasonable returns on in-  
4 vestment) required by the Secretary: *Provided further,*  
5 That the Secretary shall as part of the preservation and  
6 revitalization agreement obtain a restrictive use agreement  
7 consistent with the terms of the restructuring: *Provided*  
8 *further,* That if the Secretary determines that additional  
9 funds for vouchers described in this paragraph are needed,  
10 funds for the preservation and revitalization demonstra-  
11 tion program may be used for such vouchers: *Provided fur-*  
12 *ther,* That if Congress enacts legislation to permanently  
13 authorize a multi-family rental housing loan restructuring  
14 program similar to the demonstration program described  
15 herein, the Secretary may use funds made available for  
16 the demonstration program under this heading to carry  
17 out such legislation with the prior approval of the Commit-  
18 tees on Appropriations of both Houses of Congress: *Pro-*  
19 *vided further,* That in addition to any other available  
20 funds, the Secretary may expend not more than  
21 \$1,000,000 total, from the program funds made available  
22 under this heading, for administrative expenses for activi-  
23 ties funded under this heading.

1           MUTUAL AND SELF-HELP HOUSING GRANTS

2           For grants and contracts pursuant to section  
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
4 1490c), \$27,500,000, to remain available until expended.

5           RURAL HOUSING ASSISTANCE GRANTS

6           For grants for very low-income housing repair and  
7 rural housing preservation made by the Rural Housing  
8 Service, as authorized by 42 U.S.C. 1474, and 1490m,  
9 \$32,239,000, to remain available until expended.

10          RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

11                   (INCLUDING TRANSFERS OF FUNDS)

12          For gross obligations for the principal amount of di-  
13 rect and guaranteed loans as authorized by section 306  
14 and described in section 381E(d)(1) of the Consolidated  
15 Farm and Rural Development Act, \$2,200,000,000 for di-  
16 rect loans and \$84,746,000 for guaranteed loans.

17          For the cost of guaranteed loans, including the cost  
18 of modifying loans, as defined in section 502 of the Con-  
19 gressional Budget Act of 1974, \$2,000,000, to remain  
20 available until expended.

21          For the cost of grants for rural community facilities  
22 programs as authorized by section 306 and described in  
23 section 381E(d)(1) of the Consolidated Farm and Rural  
24 Development Act, \$26,778,000, to remain available until  
25 expended: *Provided*, That \$4,000,000 of the amount ap-

1 appropriated under this heading shall be available for a  
 2 Rural Community Development Initiative: *Provided fur-*  
 3 *ther*, That such funds shall be used solely to develop the  
 4 capacity and ability of private, nonprofit community-based  
 5 housing and community development organizations, low-  
 6 income rural communities, and Federally Recognized Na-  
 7 tive American Tribes to undertake projects to improve  
 8 housing, community facilities, community and economic  
 9 development projects in rural areas: *Provided further*,  
 10 That such funds shall be made available to qualified pri-  
 11 vate, nonprofit and public intermediary organizations pro-  
 12 posing to carry out a program of financial and technical  
 13 assistance: *Provided further*, That such intermediary orga-  
 14 nizations shall provide matching funds from other sources,  
 15 including Federal funds for related activities, in an  
 16 amount not less than funds provided: *Provided further*,  
 17 That \$5,778,000 of the amount appropriated under this  
 18 heading shall be to provide grants for facilities in rural  
 19 communities with extreme unemployment and severe eco-  
 20 nomic depression (Public Law 106–387), with up to 5 per-  
 21 cent for administration and capacity building in the State  
 22 rural development offices: *Provided further*, That  
 23 \$4,000,000 of the amount appropriated under this head-  
 24 ing shall be available for community facilities grants to  
 25 tribal colleges, as authorized by section 306(a)(19) of such

1 Act: *Provided further*, That sections 381E–H and 381N  
 2 of the Consolidated Farm and Rural Development Act are  
 3 not applicable to the funds made available under this  
 4 heading.

5 RURAL BUSINESS—COOPERATIVE SERVICE

6 RURAL BUSINESS PROGRAM ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For the cost of loan guarantees and grants, for the  
 9 rural business development programs authorized by sec-  
 10 tion 310B and described in subsections (a), (c), (f) and  
 11 (g) of section 310B of the Consolidated Farm and Rural  
 12 Development Act, \$62,687,000, to remain available until  
 13 expended: *Provided*, That of the amount appropriated  
 14 under this heading, not to exceed \$500,000 shall be made  
 15 available for one grant to a qualified national organization  
 16 to provide technical assistance for rural transportation in  
 17 order to promote economic development and \$3,000,000  
 18 shall be for grants to the Delta Regional Authority (7  
 19 U.S.C. 2009aa et seq.) for any Rural Community Ad-  
 20 vancement Program purpose as described in section  
 21 381E(d) of the Consolidated Farm and Rural Develop-  
 22 ment Act, of which not more than 5 percent may be used  
 23 for administrative expenses: *Provided further*, That  
 24 \$4,000,000 of the amount appropriated under this head-  
 25 ing shall be for business grants to benefit Federally Recog-

1 nized Native American Tribes, including \$250,000 for a  
 2 grant to a qualified national organization to provide tech-  
 3 nical assistance for rural transportation in order to pro-  
 4 mote economic development: *Provided further*, That for  
 5 purposes of determining eligibility or level of program as-  
 6 sistance the Secretary shall not include incarcerated pris-  
 7 on populations: *Provided further*, That sections 381E–H  
 8 and 381N of the Consolidated Farm and Rural Develop-  
 9 ment Act are not applicable to funds made available under  
 10 this heading.

11 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT  
 12 (INCLUDING TRANSFER OF FUNDS)

13 For the principal amount of direct loans, as author-  
 14 ized by the Intermediary Relending Program Fund Ac-  
 15 count (7 U.S.C. 1936b), \$18,889,000.

16 For the cost of direct loans, \$5,217,000, as author-  
 17 ized by the Intermediary Relending Program Fund Ac-  
 18 count (7 U.S.C. 1936b), of which \$531,000 shall be avail-  
 19 able through June 30, 2016, for Federally Recognized Na-  
 20 tive American Tribes; and of which \$1,021,000 shall be  
 21 available through June 30, 2016, for Mississippi Delta Re-  
 22 gion counties (as determined in accordance with Public  
 23 Law 100–460): *Provided*, That such costs, including the  
 24 cost of modifying such loans, shall be as defined in section  
 25 502 of the Congressional Budget Act of 1974.



6 ACCOUNT

8       For the principal amount of direct loans, as author-  
9       ized under section 313 of the Rural Electrification Act,  
10      for the purpose of promoting rural economic development,  
11      energy efficiency, and job creation projects, \$48,013,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$182,000,000 shall not be obligated and \$182,000,000 are rescinded.

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$22,050,000, of which \$2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed \$3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of di-

1 rectors or governing boards of which are comprised of in-  
 2 dividuals who are members of socially disadvantaged  
 3 groups; and of which \$10,750,000, to remain available  
 4 until expended, shall be for value-added agricultural prod-  
 5 uct market development grants, as authorized by section  
 6 231 of the Agricultural Risk Protection Act of 2000 (7  
 7 U.S.C. 1632a).

8                   RURAL ENERGY FOR AMERICA PROGRAM

9           For the cost of a program of loan guarantees, under  
 10 the same terms and conditions as authorized by section  
 11 9007 of the Farm Security and Rural Investment Act of  
 12 2002 (7 U.S.C. 8107), \$500,000: *Provided*, That the cost  
 13 of loan guarantees, including the cost of modifying such  
 14 loans, shall be as defined in section 502 of the Congres-  
 15 sional Budget Act of 1974.

16                   RURAL UTILITIES SERVICE

17   RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT  
 18                   (INCLUDING TRANSFERS OF FUNDS)

19           For the cost of direct loans, loan guarantees, and  
 20 grants for the rural water, waste water, waste disposal,  
 21 and solid waste management programs authorized by sec-  
 22 tions 306, 306A, 306C, 306D, 306E, and 310B and de-  
 23 scribed in sections 306C(a)(2), 306D, 306E, and  
 24 381E(d)(2) of the Consolidated Farm and Rural Develop-  
 25 ment Act, \$496,738,000, to remain available until ex-

1    pending, of which not to exceed \$1,000,000 shall be avail-  
 2    able for the rural utilities program described in section  
 3    306(a)(2)(B) of such Act, and of which not to exceed  
 4    \$993,000 shall be available for the rural utilities program  
 5    described in section 306E of such Act: *Provided*, That  
 6    \$66,500,000 of the amount appropriated under this head-  
 7    ing shall be for loans and grants including water and  
 8    waste disposal systems grants authorized by  
 9    306C(a)(2)(B) and 306D of the Consolidated Farm and  
 10   Rural Development Act, Federally Recognized Native  
 11   American Tribes authorized by 306C(a)(1), and the De-  
 12   partment of Hawaiian Home Lands (of the State of Ha-  
 13   waii): *Provided further*, That funding provided for section  
 14   306D of the Consolidated Farm and Rural Development  
 15   Act may be provided to a consortium formed pursuant to  
 16   section 325 of Public Law 105–83: *Provided further*, That  
 17   not more than 2 percent of the funding provided for sec-  
 18   tion 306D of the Consolidated Farm and Rural Develop-  
 19   ment Act may be used by the State of Alaska for training  
 20   and technical assistance programs and not more than 2  
 21   percent of the funding provided for section 306D of the  
 22   Consolidated Farm and Rural Development Act may be  
 23   used by a consortium formed pursuant to section 325 of  
 24   Public Law 105–83 for training and technical assistance  
 25   programs: *Provided further*, That not to exceed

1 \$19,000,000 of the amount appropriated under this head-  
2 ing shall be for technical assistance grants for rural water  
3 and waste systems pursuant to section 306(a)(14) of such  
4 Act, unless the Secretary makes a determination of ex-  
5 treme need, of which \$6,000,000 shall be made available  
6 for a grant to a qualified nonprofit multi-State regional  
7 technical assistance organization, with experience in work-  
8 ing with small communities on water and waste water  
9 problems, the principal purpose of such grant shall be to  
10 assist rural communities with populations of 3,300 or less,  
11 in improving the planning, financing, development, oper-  
12 ation, and management of water and waste water systems,  
13 and of which not less than \$800,000 shall be for a quali-  
14 fied national Native American organization to provide  
15 technical assistance for rural water systems for tribal com-  
16 munities: *Provided further*, That not to exceed  
17 \$16,500,000 of the amount appropriated under this head-  
18 ing shall be for contracting with qualified national organi-  
19 zations for a circuit rider program to provide technical as-  
20 sistance for rural water systems: *Provided further*, That  
21 not to exceed \$4,000,000 shall be for solid waste manage-  
22 ment grants: *Provided further*, That \$10,000,000 of the  
23 amount appropriated under this heading shall be trans-  
24 ferred to, and merged with, the Rural Utilities Service,  
25 High Energy Cost Grants Account to provide grants au-

1 thorized under section 19 of the Rural Electrification Act  
 2 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior  
 3 year balances for high-energy cost grants authorized by  
 4 section 19 of the Rural Electrification Act of 1936 (7  
 5 U.S.C. 918a) shall be transferred to and merged with the  
 6 Rural Utilities Service, High Energy Cost Grants Ac-  
 7 count: *Provided further*, That sections 381E–H and 381N  
 8 of the Consolidated Farm and Rural Development Act are  
 9 not applicable to the funds made available under this  
 10 heading.

11 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

12 LOANS PROGRAM ACCOUNT

13 (INCLUDING TRANSFER OF FUNDS)

14 The principal amount of direct and guaranteed loans  
 15 as authorized by sections 305 and 306 of the Rural Elec-  
 16 trification Act of 1936 (7 U.S.C. 935 and 936) shall be  
 17 made as follows: loans made pursuant to section 306 of  
 18 that Act, rural electric, \$6,000,000,000; guaranteed un-  
 19 derwriting loans pursuant to section 313A, \$750,000,000;  
 20 5 percent rural telecommunications loans, cost of money  
 21 rural telecommunications loans, and for loans made pursu-  
 22 ant to section 306 of that Act, rural telecommunications  
 23 loans, \$690,000,000: *Provided*, That up to  
 24 \$2,000,000,000 shall be used for the construction, acquisi-  
 25 tion, or improvement of fossil-fueled electric generating

1 plants (whether new or existing) that utilize carbon se-  
 2 questration systems.

3 For the cost of direct loans as authorized by section  
 4 305 of the Rural Electrification Act of 1936 (7 U.S.C.  
 5 935), including the cost of modifying loans, as defined in  
 6 section 502 of the Congressional Budget Act of 1974, cost  
 7 of money rural telecommunications loans, \$104,000.

8 In addition, for administrative expenses necessary to  
 9 carry out the direct and guaranteed loan programs,  
 10 \$34,478,000, which shall be transferred to and merged  
 11 with the appropriation for “Rural Development, Salaries  
 12 and Expenses”.

13 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
 14 PROGRAM

15 For the principal amount of broadband telecommuni-  
 16 cation loans, \$20,576,000.

17 For grants for telemedicine and distance learning  
 18 services in rural areas, as authorized by 7 U.S.C. 950aaa  
 19 et seq., \$22,000,000, to remain available until expended:  
 20 *Provided*, That \$3,000,000 shall be made available for  
 21 grants authorized by 379G of the Consolidated Farm and  
 22 Rural Development Act: *Provided further*, That funding  
 23 provided under this heading for grants under 379G of the  
 24 Consolidated Farm and Rural Development Act may only

1 be provided to entities that meet all of the eligibility cri-  
 2 teria for a consortium as established by this section.

3 For the cost of broadband loans, as authorized by  
 4 section 601 of the Rural Electrification Act, \$4,500,000,  
 5 to remain available until expended: *Provided*, That the  
 6 cost of direct loans shall be as defined in section 502 of  
 7 the Congressional Budget Act of 1974.

8 In addition, \$10,372,000, to remain available until  
 9 expended, for a grant program to finance broadband  
 10 transmission in rural areas eligible for Distance Learning  
 11 and Telemedicine Program benefits authorized by 7  
 12 U.S.C. 950aaa.

#### 13 TITLE IV

#### 14 DOMESTIC FOOD PROGRAMS

#### 15 OFFICE OF THE UNDER SECRETARY FOR FOOD,

#### 16 NUTRITION, AND CONSUMER SERVICES

17 For necessary expenses of the Office of the Under  
 18 Secretary for Food, Nutrition, and Consumer Services,  
 19 \$816,000.

#### 20 FOOD AND NUTRITION SERVICE

#### 21 CHILD NUTRITION PROGRAMS

#### 22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses to carry out the Richard B.  
 24 Russell National School Lunch Act (42 U.S.C. 1751 et  
 25 seq.), except section 21, and the Child Nutrition Act of

1 1966 (42 U.S.C. 1771 et seq.), except sections 17 and  
 2 21; \$21,524,377,000 to remain available through Sep-  
 3 tember 30, 2017, of which such sums as are made avail-  
 4 able under section 14222(b)(1) of the Food, Conservation,  
 5 and Energy Act of 2008 (Public Law 110–246), as  
 6 amended by this Act, shall be merged with and available  
 7 for the same time period and purposes as provided herein:  
 8 *Provided*, That of the total amount available, \$17,004,000  
 9 shall be available to carry out section 19 of the Child Nu-  
 10 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*  
 11 *further*, That of the total amount available, \$25,000,000  
 12 shall be available to provide competitive grants to State  
 13 agencies for subgrants to local educational agencies and  
 14 schools to purchase the equipment needed to serve  
 15 healthier meals, improve food safety, and to help support  
 16 the establishment, maintenance, or expansion of the school  
 17 breakfast program: *Provided further*, That of the total  
 18 amount available, \$16,000,000 shall remain available until  
 19 expended to carry out section 749(g) of the Agriculture  
 20 Appropriations Act of 2010 (Public Law 111–80).

21 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

22 WOMEN, INFANTS, AND CHILDREN (WIC)

23 For necessary expenses to carry out the special sup-  
 24 plemental nutrition program as authorized by section 17  
 25 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),



1 \$6,513,000,000, to remain available through September  
 2 30, 2017: *Provided*, That notwithstanding section  
 3 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.  
 4 1786(h)(10)), not less than \$60,000,000 shall be used for  
 5 breastfeeding peer counselors and other related activities,  
 6 \$13,600,000 shall be used for infrastructure, \$55,000,000  
 7 shall be used for management information systems: *Pro-*  
 8 *vided further*, That none of the funds provided in this ac-  
 9 count shall be available for the purchase of infant formula  
 10 except in accordance with the cost containment and com-  
 11 petitive bidding requirements specified in section 17 of  
 12 such Act: *Provided further*, That none of the funds pro-  
 13 vided shall be available for activities that are not fully re-  
 14 imbursed by other Federal Government departments or  
 15 agencies unless authorized by section 17 of such Act: *Pro-*  
 16 *vided further*, That upon termination of a federally man-  
 17 dated vendor moratorium and subject to terms and condi-  
 18 tions established by the Secretary, the Secretary may  
 19 waive the requirement at 7 CFR 246.12(g)(6) at the re-  
 20 quest of a State agency.

#### 21 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

22 For necessary expenses to carry out the Food and  
 23 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),  
 24 \$81,662,069,000, of which \$3,000,000,000, to remain  
 25 available through September 30, 2017, shall be placed in

1 reserve for use only in such amounts and at such times  
2 as may become necessary to carry out program operations:  
3 *Provided*, That funds provided herein shall be expended  
4 in accordance with section 16 of the Food and Nutrition  
5 Act of 2008: *Provided further*, That of the funds made  
6 available under this heading, \$998,000 may be used to  
7 provide nutrition education services to State agencies and  
8 Federally Recognized Tribes participating in the Food  
9 Distribution Program on Indian Reservations: *Provided*  
10 *further*, That this appropriation shall be subject to any  
11 work registration or workfare requirements as may be re-  
12 quired by law: *Provided further*, That funds made available  
13 for Employment and Training under this heading shall re-  
14 main available through September 30, 2017: *Provided fur-*  
15 *ther*, That funds made available under this heading for  
16 a study on Indian tribal administration of nutrition pro-  
17 grams, as provided in title IV of the Agricultural Act of  
18 2014 (Public Law 113–79), and a study of the removal  
19 of cash benefits in Puerto Rico, as provided in title IV  
20 of the Agricultural Act of 2014 (Public Law 113–79) shall  
21 be available until expended: *Provided further*, That funds  
22 made available under this heading for section 28(d)(1) and  
23 section 27(a) of the Food and Nutrition Act of 2008 shall  
24 remain available through September 30, 2017: *Provided*  
25 *further*, That funds made available under this heading for

1 employment and training pilot projects, as provided in title  
 2 IV of the Agricultural Act of 2014 (Public Law 113–79),  
 3 shall remain available through September 30, 2018: *Pro-*  
 4 *vided further*, That funds made available under this head-  
 5 ing may be used to enter into contracts and employ staff  
 6 to conduct studies, evaluations, or to conduct activities re-  
 7 lated to program integrity provided that such activities are  
 8 authorized by the Food and Nutrition Act of 2008.

9 COMMODITY ASSISTANCE PROGRAM

10 For necessary expenses to carry out disaster assist-  
 11 ance and the Commodity Supplemental Food Program as  
 12 authorized by section 4(a) of the Agriculture and Con-  
 13 sumer Protection Act of 1973 (7 U.S.C. 612c note); the  
 14 Emergency Food Assistance Act of 1983; special assist-  
 15 ance for the nuclear affected islands, as authorized by sec-  
 16 tion 103(f)(2) of the Compact of Free Association Amend-  
 17 ments Act of 2003 (Public Law 108–188); and the Farm-  
 18 ers’ Market Nutrition Program, as authorized by section  
 19 17(m) of the Child Nutrition Act of 1966, \$288,317,000,  
 20 to remain available through September 30, 2017: *Pro-*  
 21 *vided*, That none of these funds shall be available to reim-  
 22 burse the Commodity Credit Corporation for commodities  
 23 donated to the program: *Provided further*, That notwith-  
 24 standing any other provision of law, effective with funds  
 25 made available in fiscal year 2016 to support the Seniors

1 Farmers' Market Nutrition Program, as authorized by  
 2 section 4402 of the Farm Security and Rural Investment  
 3 Act of 2002, such funds shall remain available through  
 4 September 30, 2017: *Provided further*, That of the funds  
 5 made available under section 27(a) of the Food and Nutri-  
 6 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may  
 7 use up to 10 percent for costs associated with the distribu-  
 8 tion of commodities.

9 NUTRITION PROGRAMS ADMINISTRATION

10 For necessary administrative expenses of the Food  
 11 and Nutrition Service for carrying out any domestic nutri-  
 12 tion assistance program, \$151,824,000: *Provided*, That of  
 13 the funds provided herein, \$2,000,000 shall be used for  
 14 the purposes of section 4404 of Public Law 107–171, as  
 15 amended by section 4401 of Public Law 110–246.

16 TITLE V

17 FOREIGN ASSISTANCE AND RELATED  
 18 PROGRAMS

19 FOREIGN AGRICULTURAL SERVICE

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Foreign Agricultural  
 23 Service, including not to exceed \$250,000 for representa-  
 24 tion allowances and for expenses pursuant to section 8 of  
 25 the Act approved August 3, 1956 (7 U.S.C. 1766),

1 \$187,225,000, of which no more than 6 percent shall re-  
 2 main available until September 30, 2017, for overseas op-  
 3 erations to include the payment of locally employed staff:  
 4 *Provided*, That the Service may utilize advances of funds,  
 5 or reimburse this appropriation for expenditures made on  
 6 behalf of Federal agencies, public and private organiza-  
 7 tions and institutions under agreements executed pursu-  
 8 ant to the agricultural food production assistance pro-  
 9 grams (7 U.S.C. 1737) and the foreign assistance pro-  
 10 grams of the United States Agency for International De-  
 11 velopment: *Provided further*, That funds made available  
 12 for middle-income country training programs, funds made  
 13 available for the Borlaug International Agricultural  
 14 Science and Technology Fellowship program, and up to  
 15 \$2,000,000 of the Foreign Agricultural Service appropria-  
 16 tion solely for the purpose of offsetting fluctuations in  
 17 international currency exchange rates, subject to docu-  
 18 mentation by the Foreign Agricultural Service, shall re-  
 19 main available until expended.

20 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD  
 21 FOR PROGRESS PROGRAM ACCOUNT  
 22 (INCLUDING TRANSFER OF FUNDS)

23 For administrative expenses to carry out the credit  
 24 program of title I, Food for Peace Act (Public Law 83–  
 25 480) and the Food for Progress Act of 1985, \$2,528,000,

1 shall be transferred to and merged with the appropriation  
 2 for “Farm Service Agency, Salaries and Expenses”.

3 FOOD FOR PEACE TITLE II GRANTS

4 For expenses during the current fiscal year, not oth-  
 5 erwise recoverable, and unrecovered prior years’ costs, in-  
 6 cluding interest thereon, under the Food for Peace Act  
 7 (Public Law 83–480), for commodities supplied in connec-  
 8 tion with dispositions abroad under title II of said Act,  
 9 \$1,466,000,000, to remain available until expended.

10 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION

11 AND CHILD NUTRITION PROGRAM GRANTS

12 For necessary expenses to carry out the provisions  
 13 of section 3107 of the Farm Security and Rural Invest-  
 14 ment Act of 2002 (7 U.S.C. 1736o–1), \$201,626,000, to  
 15 remain available until expended: *Provided*, That the Com-  
 16 modity Credit Corporation is authorized to provide the  
 17 services, facilities, and authorities for the purpose of im-  
 18 plementing such section, subject to reimbursement from  
 19 amounts provided herein: *Provided further*, That of the  
 20 amount made available under this heading, \$10,000,000,  
 21 shall remain available until expended for necessary ex-  
 22 penses to carry out the provisions of section 3207 of the  
 23 Agricultural Act of 2014 (7 U.S.C. 1726c).

1 COMMODITY CREDIT CORPORATION EXPORT (LOANS)  
 2 CREDIT GUARANTEE PROGRAM ACCOUNT  
 3 (INCLUDING TRANSFERS OF FUNDS)

4 For administrative expenses to carry out the Com-  
 5 modity Credit Corporation's Export Guarantee Program,  
 6 GSM 102 and GSM 103, \$6,748,000; to cover common  
 7 overhead expenses as permitted by section 11 of the Com-  
 8 modity Credit Corporation Charter Act and in conformity  
 9 with the Federal Credit Reform Act of 1990, of which  
 10 \$6,394,000 shall be transferred to and merged with the  
 11 appropriation for "Foreign Agricultural Service, Salaries  
 12 and Expenses", and of which \$354,000 shall be trans-  
 13 ferred to and merged with the appropriation for "Farm  
 14 Service Agency, Salaries and Expenses".

15 TITLE VI  
 16 RELATED AGENCY AND FOOD AND DRUG  
 17 ADMINISTRATION  
 18 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 19 FOOD AND DRUG ADMINISTRATION  
 20 SALARIES AND EXPENSES

21 For necessary expenses of the Food and Drug Ad-  
 22 ministration, including hire and purchase of passenger  
 23 motor vehicles; for payment of space rental and related  
 24 costs pursuant to Public Law 92-313 for programs and  
 25 activities of the Food and Drug Administration which are

1 included in this Act; for rental of special purpose space  
2 in the District of Columbia or elsewhere; for miscellaneous  
3 and emergency expenses of enforcement activities, author-  
4 ized and approved by the Secretary and to be accounted  
5 for solely on the Secretary's certificate, not to exceed  
6 \$25,000; and notwithstanding section 521 of Public Law  
7 107-188; \$4,559,663,000: *Provided*, That of the amount  
8 provided under this heading, \$826,072,000 shall be de-  
9 rived from prescription drug user fees authorized by 21  
10 U.S.C. 379h, and shall be credited to this account and  
11 remain available until expended; \$134,475,000 shall be de-  
12 rived from medical device user fees authorized by 21  
13 U.S.C. 379j, and shall be credited to this account and re-  
14 main available until expended; \$320,029,000 shall be de-  
15 rived from human generic drug user fees authorized by  
16 21 U.S.C. 379j-42, and shall be credited to this account  
17 and remain available until expended; \$21,540,000 shall be  
18 derived from biosimilar biological product user fees au-  
19 thorized by 21 U.S.C. 379j-52, and shall be credited to  
20 this account and remain available until expended;  
21 \$22,140,000 shall be derived from animal drug user fees  
22 authorized by 21 U.S.C. 379j-12, and shall be credited  
23 to this account and remain available until expended;  
24 \$7,429,000 shall be derived from animal generic drug user  
25 fees authorized by 21 U.S.C. 379j-21, and shall be cred-



1 ited to this account and remain available until expended;  
2 \$599,000,000 shall be derived from tobacco product user  
3 fees authorized by 21 U.S.C. 387s, and shall be credited  
4 to this account and remain available until expended: *Pro-*  
5 *vided further*, That in addition to and notwithstanding any  
6 other provision under this heading, amounts collected for  
7 prescription drug user fees, medical device user fees,  
8 human generic drug user fees, biosimilar biological prod-  
9 uct user fees, animal drug user fees, and animal generic  
10 drug user fees that exceed the respective fiscal year 2016  
11 limitations are appropriated and shall be credited to this  
12 account and remain available until expended: *Provided fur-*  
13 *ther*, That fees derived from prescription drug, medical de-  
14 vice, human generic drug, biosimilar biological product,  
15 animal drug, and animal generic drug assessments for fis-  
16 cal year 2016, including any such fees collected prior to  
17 fiscal year 2016 but credited for fiscal year 2016, shall  
18 be subject to the fiscal year 2016 limitations: *Provided fur-*  
19 *ther*, That the Secretary may accept payment during fiscal  
20 year 2016 of user fees specified under this heading and  
21 authorized for fiscal year 2017, prior to the due date for  
22 such fees, and that amounts of such fees assessed for fis-  
23 cal year 2017 for which the Secretary accepts payment  
24 in fiscal year 2016 shall not be included in amounts under  
25 this heading: *Provided further*, That none of these funds

1 shall be used to develop, establish, or operate any program  
2 of user fees authorized by 31 U.S.C. 9701: *Provided fur-*  
3 *ther*, That of the total amount appropriated: (1)  
4 \$948,403,000 shall be for the Center for Food Safety and  
5 Applied Nutrition and related field activities in the Office  
6 of Regulatory Affairs; (2) \$1,366,975,000 shall be for the  
7 Center for Drug Evaluation and Research and related  
8 field activities in the Office of Regulatory Affairs; (3)  
9 \$345,190,000 shall be for the Center for Biologics Evalua-  
10 tion and Research and for related field activities in the  
11 Office of Regulatory Affairs; (4) \$171,115,000 shall be  
12 for the Center for Veterinary Medicine and for related  
13 field activities in the Office of Regulatory Affairs; (5)  
14 \$424,635,000 shall be for the Center for Devices and Ra-  
15 diological Health and for related field activities in the Of-  
16 fice of Regulatory Affairs; (6) \$63,331,000 shall be for  
17 the National Center for Toxicological Research; (7)  
18 \$564,117,000 shall be for the Center for Tobacco Prod-  
19 ucts and for related field activities in the Office of Regu-  
20 latory Affairs; (8) not to exceed \$166,762,000 shall be for  
21 Rent and Related activities, of which \$50,218,000 is for  
22 White Oak Consolidation, other than the amounts paid to  
23 the General Services Administration for rent; (9) not to  
24 exceed \$229,432,000 shall be for payments to the General  
25 Services Administration for rent; (10) not less than

1 \$150,000 shall be used to implement a requirement that  
2 the labeling of genetically engineered salmon offered for  
3 sale to consumers indicate that such salmon is genetically  
4 engineered; and (11) \$279,703,000 shall be for other ac-  
5 tivities, including the Office of the Commissioner of Food  
6 and Drugs, the Office of Foods and Veterinary Medicine,  
7 the Office of Medical and Tobacco Products, the Office  
8 of Global and Regulatory Policy, the Office of Operations,  
9 the Office of the Chief Scientist, and central services for  
10 these offices: *Provided further*, That not to exceed \$25,000  
11 of this amount shall be for official reception and represen-  
12 tation expenses, not otherwise provided for, as determined  
13 by the Commissioner: *Provided further*, That any transfer  
14 of funds pursuant to section 770(n) of the Federal Food,  
15 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only  
16 be from amounts made available under this heading for  
17 other activities: *Provided further*, That of the amounts  
18 that are made available under this heading for “other ac-  
19 tivities”, and that are not derived from user fees,  
20 \$1,500,000 shall be transferred to and merged with the  
21 appropriation for “Department of Health and Human  
22 Services—Office of Inspector General” for oversight of the  
23 programs and operations of the Food and Drug Adminis-  
24 tration and shall be in addition to funds otherwise made  
25 available for oversight of the Food and Drug Administra-

1 tion: *Provided further*, That funds may be transferred  
 2 from one specified activity to another with the prior ap-  
 3 proval of the Committees on Appropriations of both  
 4 Houses of Congress.

5       In addition, mammography user fees authorized by  
 6 42 U.S.C. 263b, export certification user fees authorized  
 7 by 21 U.S.C. 381, priority review user fees authorized by  
 8 21 U.S.C. 360n and 360ff, food and feed recall fees, food  
 9 reinspection fees, and voluntary qualified importer pro-  
 10 gram fees authorized by 21 U.S.C. 379j–31, outsourcing  
 11 facility fees authorized by 21 U.S.C. 379j–62, prescription  
 12 drug wholesale distributor licensing and inspection fees  
 13 authorized by 21 U.S.C. 353(e)(3), and third-party logis-  
 14 ties provider licensing and inspection fees authorized by  
 15 21 U.S.C. 360eee–3(c)(1), and third-party auditor fees  
 16 authorized by 21 U.S.C. 384d(c)(8), shall be credited to  
 17 this account, to remain available until expended.

#### 18                   BUILDINGS AND FACILITIES

19       For plans, construction, repair, improvement, exten-  
 20 sion, alteration, and purchase of fixed equipment or facili-  
 21 ties of or used by the Food and Drug Administration,  
 22 where not otherwise provided, \$8,788,000, to remain  
 23 available until expended.

## INDEPENDENT AGENCY

## FARM CREDIT ADMINISTRATION

## LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$65,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

## TITLE VII

## GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to

1 be necessary for transportation safety, to reduce oper-  
2 ational costs, and for the protection of life, property, and  
3 public safety.

4       SEC. 702. Notwithstanding any other provision of  
5 this Act, the Secretary of Agriculture may transfer unobli-  
6 gated balances of discretionary funds appropriated by this  
7 Act or any other available unobligated discretionary bal-  
8 ances that are remaining available of the Department of  
9 Agriculture to the Working Capital Fund for the acquisi-  
10 tion of plant and capital equipment necessary for the deliv-  
11 ery of financial, administrative, and information tech-  
12 nology services of primary benefit to the agencies of the  
13 Department of Agriculture, such transferred funds to re-  
14 main available until expended: *Provided*, That none of the  
15 funds made available by this Act or any other Act shall  
16 be transferred to the Working Capital Fund without the  
17 prior approval of the agency administrator: *Provided fur-*  
18 *ther*, That none of the funds transferred to the Working  
19 Capital Fund pursuant to this section shall be available  
20 for obligation without written notification to and the prior  
21 approval of the Committees on Appropriations of both  
22 Houses of Congress: *Provided further*, That none of the  
23 funds appropriated by this Act or made available to the  
24 Department's Working Capital Fund shall be available for  
25 obligation or expenditure to make any changes to the De-

1 department's National Finance Center without written noti-  
2 fication to and prior approval of the Committees on Ap-  
3 propriations of both Houses of Congress as required by  
4 section 717 of this Act: *Provided further*, That of annual  
5 income amounts in the Working Capital Fund of the De-  
6 partment of Agriculture allocated for the National Fi-  
7 nance Center, the Secretary may reserve not more than  
8 4 percent for the replacement or acquisition of capital  
9 equipment, including equipment for the improvement and  
10 implementation of a financial management plan, informa-  
11 tion technology, and other systems of the National Fi-  
12 nance Center or to pay any unforeseen, extraordinary cost  
13 of the National Finance Center: *Provided further*, That  
14 none of the amounts reserved shall be available for obliga-  
15 tion unless the Secretary submits written notification of  
16 the obligation to the Committees on Appropriations of the  
17 House of Representatives and the Senate: *Provided fur-*  
18 *ther*, That the limitation on the obligation of funds pend-  
19 ing notification to Congressional Committees shall not  
20 apply to any obligation that, as determined by the Sec-  
21 retary, is necessary to respond to a declared state of emer-  
22 gency that significantly impacts the operations of the Na-  
23 tional Finance Center; or to evacuate employees of the Na-  
24 tional Finance Center to a safe haven to continue oper-  
25 ations of the National Finance Center.

1       SEC. 703. No part of any appropriation contained in  
2 this Act shall remain available for obligation beyond the  
3 current fiscal year unless expressly so provided herein.

4       SEC. 704. No funds appropriated by this Act may be  
5 used to pay negotiated indirect cost rates on cooperative  
6 agreements or similar arrangements between the United  
7 States Department of Agriculture and nonprofit institu-  
8 tions in excess of 10 percent of the total direct cost of  
9 the agreement when the purpose of such cooperative ar-  
10 rangements is to carry out programs of mutual interest  
11 between the two parties. This does not preclude appro-  
12 priate payment of indirect costs on grants and contracts  
13 with such institutions when such indirect costs are com-  
14 puted on a similar basis for all agencies for which appro-  
15 priations are provided in this Act.

16       SEC. 705. Appropriations to the Department of Agri-  
17 culture for the cost of direct and guaranteed loans made  
18 available in the current fiscal year shall remain available  
19 until expended to disburse obligations made in the current  
20 fiscal year for the following accounts: the Rural Develop-  
21 ment Loan Fund program account, the Rural Electrifica-  
22 tion and Telecommunication Loans program account, and  
23 the Rural Housing Insurance Fund program account.

24       SEC. 706. None of the funds made available to the  
25 Department of Agriculture by this Act may be used to ac-



1   quire new information technology systems or significant  
2   upgrades, as determined by the Office of the Chief Infor-  
3   mation Officer, without the approval of the Chief Informa-  
4   tion Officer and the concurrence of the Executive Informa-  
5   tion Technology Investment Review Board: *Provided*, That  
6   notwithstanding any other provision of law, none of the  
7   funds appropriated or otherwise made available by this  
8   Act may be transferred to the Office of the Chief Informa-  
9   tion Officer without written notification to and the prior  
10   approval of the Committees on Appropriations of both  
11   Houses of Congress: *Provided further*, That none of the  
12   funds available to the Department of Agriculture for infor-  
13   mation technology shall be obligated for projects over  
14   \$25,000 prior to receipt of written approval by the Chief  
15   Information Officer: *Provided further*, That the Chief In-  
16   formation Officer may authorize an agency to obligate  
17   funds without written approval from the Chief Informa-  
18   tion Officer for projects up to \$250,000 based upon the  
19   performance of an agency measured against the perform-  
20   ance plan requirements described in the report accom-  
21   panying this Act.

22       SEC. 707. Funds made available under section 524(b)  
23   of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in  
24   the current fiscal year shall remain available until ex-

1    pended to disburse obligations made in the current fiscal  
2    year.

3           SEC. 708. Notwithstanding any other provision of  
4    law, any former RUS borrower that has repaid or prepaid  
5    an insured, direct or guaranteed loan under the Rural  
6    Electrification Act of 1936, or any not-for-profit utility  
7    that is eligible to receive an insured or direct loan under  
8    such Act, shall be eligible for assistance under section  
9    313(b)(2)(B) of such Act in the same manner as a bor-  
10   rower under such Act.

11          SEC. 709. Except as otherwise specifically provided  
12   by law, not more than \$20,000,000 in unobligated bal-  
13   ances from appropriations made available for salaries and  
14   expenses in this Act for the Farm Service Agency shall  
15   remain available through September 30, 2017, for infor-  
16   mation technology expenses: *Provided*, That except as oth-  
17   erwise specifically provided by law, unobligated balances  
18   from appropriations made available for salaries and ex-  
19   penses in this Act for the Rural Development mission area  
20   shall remain available through September 30, 2017, for  
21   information technology expenses.

22          SEC. 710. None of the funds appropriated or other-  
23   wise made available by this Act may be used for first-class  
24   travel by the employees of agencies funded by this Act in

1   contravention of sections 301–10.122 through 301–10.124  
2   of title 41, Code of Federal Regulations.

3       SEC. 711. In the case of each program established  
4   or amended by the Agricultural Act of 2014 (Public Law  
5   113–79), other than by title I or subtitle A of title III  
6   of such Act, or programs for which indefinite amounts  
7   were provided in that Act, that is authorized or required  
8   to be carried out using funds of the Commodity Credit  
9   Corporation—

10       (1) such funds shall be available for salaries  
11     and related administrative expenses, including tech-  
12     nical assistance, associated with the implementation  
13     of the program, without regard to the limitation on  
14     the total amount of allotments and fund transfers  
15     contained in section 11 of the Commodity Credit  
16     Corporation Charter Act (15 U.S.C. 714i); and

17       (2) the use of such funds for such purpose shall  
18     not be considered to be a fund transfer or allotment  
19     for purposes of applying the limitation on the total  
20     amount of allotments and fund transfers contained  
21     in such section.

22       SEC. 712. Of the funds made available by this Act,  
23   not more than \$2,000,000 shall be used to cover necessary  
24   expenses of activities related to all advisory committees,  
25   panels, commissions, and task forces of the Department

1 of Agriculture, except for panels used to comply with nego-  
2 tiated rule makings and panels used to evaluate competi-  
3 tively awarded grants.

4       SEC. 713. None of the funds in this Act shall be avail-  
5 able to pay indirect costs charged against any agricultural  
6 research, education, or extension grant awards issued by  
7 the National Institute of Food and Agriculture that exceed  
8 30 percent of total Federal funds provided under each  
9 award: *Provided*, That notwithstanding section 1462 of  
10 the National Agricultural Research, Extension, and  
11 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-  
12 vided by this Act for grants awarded competitively by the  
13 National Institute of Food and Agriculture shall be avail-  
14 able to pay full allowable indirect costs for each grant  
15 awarded under section 9 of the Small Business Act (15  
16 U.S.C. 638).

17       SEC. 714. None of the funds appropriated or other-  
18 wise made available by this or any other Act shall be used  
19 to pay the salaries and expenses of personnel to carry out  
20 the following:

- 21           (1) The Watershed Rehabilitation program au-  
22           thorized by section 14(h)(1) of the Watershed and  
23           Flood Protection Act (16 U.S.C. 1012(h)(1)); and  
24           (2) The Environmental Quality Incentives Pro-  
25           gram as authorized by sections 1240–1240H of the

1 Food Security Act of 1985 (16 U.S.C. 3839aa–  
 2 3839aa–8) in excess of \$1,347,000,000: *Provided*,  
 3 That this limitation shall apply only to funds pro-  
 4 vided by section 1241(a)(5)(C) of the Food Security  
 5 Act of 1985 (16 U.S.C. 3841(a)(5)(C)): *Provided*  
 6 *further*, That of the funds available under section  
 7 1241(a)(5)(B) of the Food Security Act of 1985 (16  
 8 U.S.C. 3841(a)(5)(B)) for fiscal year 2016,  
 9 \$73,000,000 are permanently rescinded; and

10 (3) The Biomass Crop Assistance Program au-  
 11 thorized by section 9011 of the Farm Security and  
 12 Rural Investment Act of 2002 (7 U.S.C. 8111) in  
 13 excess of \$3,000,000 in new obligational authority.

14 SEC. 715. None of the funds appropriated or other-  
 15 wise made available by this or any other Act shall be used  
 16 to pay the salaries and expenses of personnel to carry out  
 17 a program under subsection (b)(2)(A)(viii) of section  
 18 14222 of Public Law 110–246 in excess of \$884,980,000,  
 19 as follows: Child Nutrition Programs Entitlement Com-  
 20 modities—\$465,000,000; State Option Contracts—  
 21 \$5,000,000; Removal of Defective Commodities—  
 22 \$2,500,000: *Provided*, That none of the funds made avail-  
 23 able in this Act or any other Act shall be used for salaries  
 24 and expenses to carry out in this fiscal year section  
 25 19(i)(1)(E) of the Richard B. Russell National School

1 Lunch Act, as amended, except in an amount that ex-  
2 cludes the transfer of \$125,000,000 of the funds to be  
3 transferred under subsection (c) of section 14222 of Pub-  
4 lic Law 110–246, until October 1, 2016: *Provided further*,  
5 That \$125,000,000 made available on October 1, 2016,  
6 to carry out section 19(i)(1)(E) of the Richard B. Russell  
7 National School Lunch Act, as amended, shall be excluded  
8 from the limitation described in subsection (b)(2)(A)(ix)  
9 of section 14222 of Public Law 110–246: *Provided further*,  
10 That none of the funds appropriated or otherwise made  
11 available by this or any other Act shall be used to pay  
12 the salaries or expenses of any employee of the Depart-  
13 ment of Agriculture or officer of the Commodity Credit  
14 Corporation to carry out clause 3 of section 32 of the Agri-  
15 cultural Adjustment Act of 1935 (Public Law 74–320, 7  
16 U.S.C. 612c, as amended), or for any surplus removal ac-  
17 tivities or price support activities under section 5 of the  
18 Commodity Credit Corporation Charter Act: *Provided fur-*  
19 *ther*, That the available unobligated balances under  
20 (b)(2)(A)(viii) of section 14222 of Public Law 110–246  
21 in excess of the limitation set forth in this section, except  
22 for the amounts to be transferred pursuant to the first  
23 proviso, are hereby permanently rescinded.

24 SEC. 716. None of the funds appropriated by this or  
25 any other Act shall be used to pay the salaries and ex-

1 penses of personnel who prepare or submit appropriations  
2 language as part of the President's budget submission to  
3 the Congress for programs under the jurisdiction of the  
4 Appropriations Subcommittees on Agriculture, Rural De-  
5 velopment, Food and Drug Administration, and Related  
6 Agencies that assumes revenues or reflects a reduction  
7 from the previous year due to user fees proposals that  
8 have not been enacted into law prior to the submission  
9 of the budget unless such budget submission identifies  
10 which additional spending reductions should occur in the  
11 event the user fees proposals are not enacted prior to the  
12 date of the convening of a committee of conference for  
13 the fiscal year 2017 appropriations Act.

14       SEC. 717. (a) None of the funds provided by this Act,  
15 or provided by previous Appropriations Acts to the agen-  
16 cies funded by this Act that remain available for obligation  
17 or expenditure in the current fiscal year, or provided from  
18 any accounts in the Treasury derived by the collection of  
19 fees available to the agencies funded by this Act, shall be  
20 available for obligation or expenditure through a re-  
21 programming, transfer of funds, or reimbursements as au-  
22 thorized by the Economy Act, or in the case of the Depart-  
23 ment of Agriculture, through use of the authority provided  
24 by section 702(b) of the Department of Agriculture Or-

1 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public  
2 Law 89–106 (7 U.S.C. 2263), that—

3 (1) creates new programs;

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

5 (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted;

8 (4) relocates an office or employees;

9 (5) reorganizes offices, programs, or activities;

10 or

11 (6) contracts out or privatizes any functions or  
12 activities presently performed by Federal employees;

13 unless the Secretary of Agriculture or the Secretary of  
14 Health and Human Services (as the case may be) notifies  
15 in writing and receives approval from the Committees on  
16 Appropriations of both Houses of Congress at least 30  
17 days in advance of the reprogramming of such funds or  
18 the use of such authority.

19 (b) None of the funds provided by this Act, or pro-  
20 vided by previous Appropriations Acts to the agencies  
21 funded by this Act that remain available for obligation or  
22 expenditure in the current fiscal year, or provided from  
23 any accounts in the Treasury derived by the collection of  
24 fees available to the agencies funded by this Act, shall be  
25 available for obligation or expenditure for activities, pro-



1 grams, or projects through a reprogramming or use of the  
2 authorities referred to in subsection (a) involving funds  
3 in excess of \$500,000 or 10 percent, whichever is less,  
4 that—

5 (1) augments existing programs, projects, or ac-  
6 tivities;

7 (2) reduces by 10 percent funding for any exist-  
8 ing program, project, or activity, or numbers of per-  
9 sonnel by 10 percent as approved by Congress; or

10 (3) results from any general savings from a re-  
11 duction in personnel which would result in a change  
12 in existing programs, activities, or projects as ap-  
13 proved by Congress;

14 unless the Secretary of Agriculture or the Secretary of  
15 Health and Human Services (as the case may be) notifies  
16 in writing and receives approval from the Committees on  
17 Appropriations of both Houses of Congress at least 30  
18 days in advance of the reprogramming or transfer of such  
19 funds or the use of such authority.

20 (c) The Secretary of Agriculture or the Secretary of  
21 Health and Human Services shall notify in writing and  
22 receive approval from the Committees on Appropriations  
23 of both Houses of Congress before implementing any pro-  
24 gram or activity not carried out during the previous fiscal

1 year unless the program or activity is funded by this Act  
2 or specifically funded by any other Act.

3 (d) None of the funds provided by this Act, or pro-  
4 vided by previous Appropriations Acts to the agencies  
5 funded by this Act that remain available for obligation or  
6 expenditure in the current fiscal year, or provided from  
7 any accounts in the Treasury derived by the collection of  
8 fees available to the agencies funded by this Act, shall be  
9 available for—

10 (1) modifying major capital investments fund-  
11 ing levels, including information technology systems,  
12 that involves increasing or decreasing funds in the  
13 current fiscal year for the individual investment in  
14 excess of \$500,000 or 10 percent of the total cost,  
15 whichever is less;

16 (2) realigning or reorganizing new, current, or  
17 vacant positions or agency activities or functions to  
18 establish a center, office, branch, or similar entity  
19 with five or more personnel; or

20 (3) carrying out activities or functions that  
21 were not described in the budget request;

22 unless the agencies funded by this Act notify, in writing,  
23 the Committees on Appropriations of both Houses of Con-  
24 gress at least 30 days in advance of using the funds for  
25 these purposes.

1       (e) As described in this section, no funds may be used  
2 for any activities unless the Secretary of Agriculture or  
3 the Secretary of Health and Human Services receives from  
4 the Committee on Appropriations of both Houses of Con-  
5 gress written or electronic mail confirmation of receipt of  
6 the notification as required in this section.

7       SEC. 718. Notwithstanding section 310B(g)(5) of the  
8 Consolidated Farm and Rural Development Act (7 U.S.C.  
9 1932(g)(5)), the Secretary may assess a one-time fee for  
10 any guaranteed business and industry loan in an amount  
11 that does not exceed 3 percent of the guaranteed principal  
12 portion of the loan.

13       SEC. 719. None of the funds appropriated or other-  
14 wise made available to the Department of Agriculture, the  
15 Food and Drug Administration, or the Farm Credit Ad-  
16 ministration shall be used to transmit or otherwise make  
17 available to any non-Department of Agriculture, non-De-  
18 partment of Health and Human Services, or non-Farm  
19 Credit Administration employee questions or responses to  
20 questions that are a result of information requested for  
21 the appropriations hearing process.

22       SEC. 720. Unless otherwise authorized by existing  
23 law, none of the funds provided in this Act, may be used  
24 by an executive branch agency to produce any pre-  
25 packaged news story intended for broadcast or distribution

1 in the United States unless the story includes a clear noti-  
2 fication within the text or audio of the prepackaged news  
3 story that the prepackaged news story was prepared or  
4 funded by that executive branch agency.

5 SEC. 721. No employee of the Department of Agri-  
6 culture may be detailed or assigned from an agency or  
7 office funded by this Act or any other Act to any other  
8 agency or office of the Department for more than 60 days  
9 in a fiscal year unless the individual's employing agency  
10 or office is fully reimbursed by the receiving agency or  
11 office for the salary and expenses of the employee for the  
12 period of assignment.

13 SEC. 722. The Secretary of Agriculture may author-  
14 ize a State agency to use funds provided in this Act to  
15 exceed the maximum amount of liquid infant formula  
16 specified in 7 CFR 246.10 when issuing liquid infant for-  
17 mula to participants.

18 SEC. 723. Not later than 30 days after the date of  
19 enactment of this Act, the Secretary of Agriculture, the  
20 Commissioner of the Food and Drug Administration, and  
21 the Chairman of the Farm Credit Administration shall  
22 submit to the Committees on Appropriations of the House  
23 of Representatives and the Senate a detailed spending  
24 plan by program, project, and activity for all the funds

1 made available under this Act including appropriated user  
2 fees, as defined in the report accompanying this Act.

3 SEC. 724. There is hereby appropriated \$1,996,000  
4 to carry out section 1621 of Public Law 110–246.

5 SEC. 725. The Secretary shall continue the pilot pro-  
6 gram in effect for fiscal year 2013 for packaging and re-  
7 viewing section 502 single family direct loans. The Sec-  
8 retary shall continue agreements with current inter-  
9 mediary organizations and not later than 90 days after  
10 enactment of this Act enter into additional agreements  
11 that increase the number of participating intermediary or-  
12 ganizations to not less than 10. The Secretary shall work  
13 with these organizations to increase the effectiveness of  
14 the section 502 single family direct loan program in rural  
15 communities and shall set aside and make available from  
16 the national reserve section 502 loans an amount nec-  
17 essary to support the work of such intermediaries and pro-  
18 vide a priority for review of such loans.

19 SEC. 726. For loans and loan guarantees that do not  
20 require budget authority and the program level has been  
21 established in this Act, the Secretary of Agriculture may  
22 increase the program level for such loans and loan guaran-  
23 tees by not more than 25 percent: *Provided*, That prior  
24 to the Secretary implementing such an increase, the Sec-  
25 retary notifies, in writing, the Committees on Appropria-

1 tions of both Houses of Congress at least 15 days in ad-  
 2 vance.

3 SEC. 727. None of the credit card refunds or rebates  
 4 transferred to the Working Capital Fund pursuant to sec-  
 5 tion 729 of the Agriculture, Rural Development, Food and  
 6 Drug Administration, and Related Agencies Appropria-  
 7 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)  
 8 shall be available for obligation without written notifica-  
 9 tion to, and the prior approval of, the Committees on Ap-  
 10 propriations of both Houses of Congress: *Provided*, That  
 11 the refunds or rebates so transferred shall be available for  
 12 obligation only for the acquisition of plant and capital  
 13 equipment necessary for the delivery of financial, adminis-  
 14 trative, and information technology services of primary  
 15 benefit to the agencies of the Department of Agriculture.

16 SEC. 728. There is hereby appropriated \$600,000 for  
 17 the purposes of section 727 of division A of Public Law  
 18 112–55.

19 SEC. 729. None of the funds made available by this  
 20 Act may be used to enforce the final rule entitled “Food  
 21 Labeling; Nutrition Labeling of Standard Menu Items in  
 22 Restaurants and Similar Retail Food Establishments”  
 23 published by the Food and Drug Administration in the  
 24 Federal Register on December 1, 2014 (79 Fed. Reg.  
 25 71156 et seq.) before December 1, 2016.

1        SEC. 730. In response to an eligible community where  
2 the drinking water supplies are inadequate due to a nat-  
3 ural disaster, as determined by the Secretary, including  
4 drought or severe weather, the Secretary may provide po-  
5 table water through the Emergency Community Water As-  
6 sistance Grant Program for an additional period of time  
7 not to exceed 120 days beyond the established period pro-  
8 vided under the Program in order to protect public health.

9        SEC. 731. In addition to amounts otherwise made  
10 available by this Act and notwithstanding the last sentence  
11 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to  
12 remain available until expended, to implement non-renew-  
13 able agreements on eligible lands, including flooded agri-  
14 cultural lands, as determined by the Secretary, under the  
15 Water Bank Act (16 U.S.C. 1301–1311).

16        SEC. 732. The Secretary shall set aside for Rural  
17 Economic Area Partnership (REAP) Zones, until August  
18 15, 2016, an amount of funds made available in title III  
19 under the headings of Rural Housing Insurance Fund  
20 Program Account, Mutual and Self-Help Housing Grants,  
21 Rural Housing Assistance Grants, Rural Community Fa-  
22 cilities Program Account, Rural Business Program Ac-  
23 count, Rural Development Loan Fund Program Account,  
24 and Rural Water and Waste Disposal Program Account,  
25 equal to the amount obligated in REAP Zones with re-

1 spect to funds provided under such headings in the most  
 2 recent fiscal year any such funds were obligated under  
 3 such headings for REAP Zones.

4 SEC. 733. None of the funds appropriated in this Act  
 5 may be used to issue, promulgate, or otherwise implement  
 6 the 2015 Dietary Guidelines for Americans edition unless  
 7 the information and guidelines in the report are solely nu-  
 8 tritional and dietary in nature; and based only on a pre-  
 9 ponderance of nutritional and dietary scientific evidence  
 10 and not extraneous information.

11 SEC. 734. Funds provided by this or any prior Appro-  
 12 priations Act for the Agriculture and Food Research Ini-  
 13 tiative under 7 U.S.C. 450i(b) shall be made available  
 14 without regard to section 7128 of the Agricultural Act of  
 15 2014 (7 U.S.C. 3371 note), under the matching require-  
 16 ments in laws in effect on the date before the date of en-  
 17 actment of such section: *Provided*, That the requirements  
 18 of 7 U.S.C. 450i(b)(9) shall continue to apply.

19 SEC. 735. The Secretary of Agriculture and the Sec-  
 20 retary's designees are hereby granted the same access to  
 21 information and subject to the same requirements applica-  
 22 ble to the Secretary of Housing and Urban Development  
 23 as provided in section 453 (j) of the Social Security Act  
 24 (42 U.S.C. 653 (j)) and section 6103 (l)(7)(D)(ix) of the  
 25 Internal Revenue Code of 1986 (26 U.S.C.



1 6103(l)(7)(D)(ix)) to verify the income for individuals par-  
2 ticipating in sections 502, 504, 521, and 542 of the Hous-  
3 ing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and  
4 1490r).

5       SEC. 736. The Secretary may charge a fee for lenders  
6 to access Department loan guarantee systems in connec-  
7 tion with such lenders' participation in loan guarantee  
8 programs of the Rural Housing Service: *Provided*, That  
9 the funds collected from such fees shall be made available  
10 to the Secretary without further appropriation and such  
11 funds shall be deposited into the Rural Development Sala-  
12 ries and Expense Account and shall remain available until  
13 expended for obligation and expenditure by the Secretary  
14 for administrative expenses of the Rural Housing Service  
15 Loan Guarantee Program in addition to other available  
16 funds: *Provided further*, That such fees collected shall not  
17 exceed \$50 per loan.

18       SEC. 737. Of the unobligated balances identified by  
19 the Treasury Appropriation Fund Symbol 12X1072,  
20 \$20,000,000 is hereby rescinded: *Provided*, That no  
21 amounts may be rescinded from amounts that were des-  
22 ignated by Congress as an emergency requirement or for  
23 disaster relief pursuant to a Concurrent Resolution on the  
24 Budget or the Balanced Budget and Emergency Deficit  
25 Control Act of 1985.

1       SEC. 738. Of the unobligated prior year funds identi-  
2       fied by Treasury Appropriation Fund Symbol 12X1980  
3       where obligations have been cancelled, \$13,000,000 is re-  
4       scinded.

5       SEC. 739. None of the funds made available by this  
6       Act or any other Act may be used—

7               (1) in contravention of section 7606 of the Ag-  
8       ricultural Act of 2014 (7 U.S.C. 5940); or

9               (2) to prohibit the transportation, processing,  
10      sale, or use of industrial hemp that is grown or cul-  
11      tivated in accordance with subsection section 7606  
12      of the Agricultural Act of 2014, within or outside  
13      the State in which the industrial hemp is grown or  
14      cultivated.

15      SEC. 740. None of the funds made available by this  
16      Act may be used to propose, promulgate, or implement  
17      any rule, or take any other action with respect to, allowing  
18      or requiring information intended for a prescribing health  
19      care professional, in the case of a drug or biological prod-  
20      uct subject to section 503(b)(1) of the Federal Food,  
21      Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-  
22      tributed to such professional electronically (in lieu of in  
23      paper form) unless and until a Federal law is enacted to  
24      allow or require such distribution.

1        SEC. 741. There is hereby appropriated \$1,000,000,  
2 to remain available until expended, for the cost of loans  
3 and grants that is consistent with section 4206 of the Ag-  
4 ricultural Act of 2014, for necessary expenses of the Sec-  
5 retary to support projects that provide access to healthy  
6 food in underserved areas, to create and preserve quality  
7 jobs, and to revitalize low-income communities.

8        SEC. 742. Notwithstanding any language to the con-  
9 trary, state agricultural experiment stations and state co-  
10 operative extension services are eligible entities under 7  
11 U.S.C. 3125a–1(a).

12        SEC. 743. None of the funds made available by this  
13 Act may be used to implement, administer, or enforce the  
14 rule entitled “Importation of Beef From a Region in Ar-  
15 gentina” published by the Department of Agriculture in  
16 the Federal Register on July 2, 2015 (80 Fed. Reg. 37935  
17 et seq.) or the rule entitled “Importation of Beef From  
18 a Region in Brazil” published by the Department of Agri-  
19 culture in the Federal Register on July 2, 2015 (80 Fed.  
20 Reg. 37923 et seq.) until the Secretary of Agriculture—  
21 (1) conducts an updated comprehensive risk evaluation of  
22 importing beef produced in Argentina and Brazil; and (2)  
23 updates the Animal Disease Risk Assessment, Prevention,  
24 and Control Act of 2001 (Public Law 107–9) Final Report  
25 issued to Congress in January 2003 as it relates to eco-

1 nomic impacts associated with the potential introduction  
2 of foot-and-mouth disease (FMD), including specific ac-  
3 tions by Federal agencies to prevent the introduction into  
4 or dissemination within the United States of FMD, and  
5 the sufficiency of legislative authority to prevent or control  
6 FMD in the United States; and (3) reports to Congress  
7 on specific steps to implement recommendations of the  
8 May 2015 GAO Report on Federal Veterinarians and  
9 workforce needs for emergency response to an animal dis-  
10 ease outbreak.

11 SEC. 744. None of the funds appropriated or other-  
12 wise made available by this Act shall be used to pay the  
13 salaries and expenses of personnel—

14 (1) to inspect horses under section 3 of the  
15 Federal Meat Inspection Act (21 U.S.C. 603);

16 (2) to inspect horses under section 903 of the  
17 Federal Agriculture Improvement and Reform Act of  
18 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

19 (3) to implement or enforce section 352.19 of  
20 title 9, Code of Federal Regulations (or a successor  
21 regulation).

22 SEC. 745. (a) For the period beginning on the date  
23 of enactment of this Act through school year 2016–2017,  
24 with respect to the school lunch program established under  
25 the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1751 et seq.) or the school breakfast program es-  
2 tablished under the Child Nutrition Act of 1966 (42  
3 U.S.C. 1771 et seq.) and final regulations published by  
4 the Department of Agriculture in the Federal Register on  
5 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-  
6 retary shall allow States to grant an exemption from the  
7 whole grain requirements that took effect on or after July  
8 1, 2014, and the States shall establish a process for evalu-  
9 ating and responding, in a reasonable amount of time, to  
10 requests for an exemption: *Provided*, That school food au-  
11 thorities demonstrate hardship, including financial hard-  
12 ship, in procuring specific whole grain products which are  
13 acceptable to the students and compliant with the whole  
14 grain-rich requirements: *Provided further*, That school  
15 food authorities shall comply with the applicable grain  
16 component or standard with respect to the school lunch  
17 or school breakfast program that was in effect prior to  
18 July 1, 2014.

19 (b) None of the funds appropriated or otherwise  
20 made available by this or any other Act shall be used to  
21 pay the salaries and expenses of personnel to implement  
22 any regulations under the Richard B. Russell National  
23 School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nu-  
24 trition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy,  
25 Hunger-Free Kids Act of 2010 (Public Law 111–296), or

1 any other law that would require a reduction in the quan-  
 2 tity of sodium contained in Federally reimbursed meals,  
 3 foods, and snacks sold in schools below Target 1 (as de-  
 4 scribed in section 220.8(f)(3) of title 7, Code of Federal  
 5 Regulations (or successor regulations)) until the latest sci-  
 6 entific research establishes the reduction is beneficial for  
 7 children.

8 This division may be cited as the “Agriculture, Rural  
 9 Development, Food and Drug Administration, and Re-  
 10 lated Agencies Appropriations Act, 2016”.

11 **DIVISION B—ENERGY AND WATER DEVEL-**  
 12 **OPMENT AND RELATED AGENCIES AP-**  
 13 **PROPRIATIONS ACT, 2016**

14 TITLE I

15 CORPS OF ENGINEERS—CIVIL

16 DEPARTMENT OF THE ARMY

17 CORPS OF ENGINEERS—CIVIL

18 The following appropriations shall be expended under  
 19 the direction of the Secretary of the Army and the super-  
 20 vision of the Chief of Engineers for authorized civil func-  
 21 tions of the Department of the Army pertaining to river  
 22 and harbor, flood and storm damage reduction, shore pro-  
 23 tection, aquatic ecosystem restoration, and related efforts.

## 1 INVESTIGATIONS

2 For expenses necessary where authorized by law for  
3 the collection and study of basic information pertaining  
4 to river and harbor, flood and storm damage reduction,  
5 shore protection, aquatic ecosystem restoration, and re-  
6 lated needs; for surveys and detailed studies, and plans  
7 and specifications of proposed river and harbor, flood and  
8 storm damage reduction, shore protection, and aquatic  
9 ecosystem restoration projects, and related efforts prior to  
10 construction; for restudy of authorized projects; and for  
11 miscellaneous investigations, and, when authorized by law,  
12 surveys and detailed studies, and plans and specifications  
13 of projects prior to construction, \$109,000,000, to remain  
14 available until expended.

## 15 CONSTRUCTION

16 For expenses necessary for the construction of river  
17 and harbor, flood and storm damage reduction, shore pro-  
18 tection, aquatic ecosystem restoration, and related  
19 projects authorized by law; for conducting detailed studies,  
20 and plans and specifications, of such projects (including  
21 those involving participation by States, local governments,  
22 or private groups) authorized or made eligible for selection  
23 by law (but such detailed studies, and plans and specifica-  
24 tions, shall not constitute a commitment of the Govern-  
25 ment to construction); \$1,641,000,000, to remain avail-

1 able until expended; of which such sums as are necessary  
 2 to cover the Federal share of construction costs for facili-  
 3 ties under the Dredged Material Disposal Facilities pro-  
 4 gram shall be derived from the Harbor Maintenance Trust  
 5 Fund as authorized by Public Law 104–303; and of which  
 6 such sums as are necessary to cover one-half of the costs  
 7 of construction, replacement, rehabilitation, and expansion  
 8 of inland waterways projects shall be derived from the In-  
 9 land Waterways Trust Fund, except as otherwise specifi-  
 10 cally provided for in law.

#### 11 MISSISSIPPI RIVER AND TRIBUTARIES

12 For expenses necessary for flood damage reduction  
 13 projects and related efforts in the Mississippi River allu-  
 14 vial valley below Cape Girardeau, Missouri, as authorized  
 15 by law, \$330,000,000, to remain available until expended,  
 16 of which such sums as are necessary to cover the Federal  
 17 share of eligible operation and maintenance costs for in-  
 18 land harbors shall be derived from the Harbor Mainte-  
 19 nance Trust Fund.

#### 20 OPERATION AND MAINTENANCE

21 For expenses necessary for the operation, mainte-  
 22 nance, and care of existing river and harbor, flood and  
 23 storm damage reduction, aquatic ecosystem restoration,  
 24 and related projects authorized by law; providing security  
 25 for infrastructure owned or operated by the Corps, includ-



1 ing administrative buildings and laboratories; maintaining  
2 harbor channels provided by a State, municipality, or  
3 other public agency that serve essential navigation needs  
4 of general commerce, where authorized by law; surveying  
5 and charting northern and northwestern lakes and con-  
6 necting waters; clearing and straightening channels; and  
7 removing obstructions to navigation, \$2,909,000,000, to  
8 remain available until expended, of which such sums as  
9 are necessary to cover the Federal share of eligible oper-  
10 ation and maintenance costs for coastal harbors and chan-  
11 nels, and for inland harbors shall be derived from the Har-  
12 bor Maintenance Trust Fund; of which such sums as be-  
13 come available from the special account for the Corps of  
14 Engineers established by the Land and Water Conserva-  
15 tion Fund Act of 1965 shall be derived from that account  
16 for resource protection, research, interpretation, and  
17 maintenance activities related to resource protection in the  
18 areas at which outdoor recreation is available; and of  
19 which such sums as become available from fees collected  
20 under section 217 of Public Law 104–303 shall be used  
21 to cover the cost of operation and maintenance of the  
22 dredged material disposal facilities for which such fees  
23 have been collected: *Provided*, That 1 percent of the total  
24 amount of funds provided for each of the programs,  
25 projects, or activities funded under this heading shall not

1 be allocated to a field operating activity prior to the begin-  
 2 ning of the fourth quarter of the fiscal year and shall be  
 3 available for use by the Chief of Engineers to fund such  
 4 emergency activities as the Chief of Engineers determines  
 5 to be necessary and appropriate, and that the Chief of En-  
 6 gineers shall allocate during the fourth quarter any re-  
 7 maining funds which have not been used for emergency  
 8 activities proportionally in accordance with the amounts  
 9 provided for the programs, projects, or activities.

#### 10 REGULATORY PROGRAM

11 For expenses necessary for administration of laws  
 12 pertaining to regulation of navigable waters and wetlands,  
 13 \$200,000,000, to remain available until September 30,  
 14 2017.

#### 15 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

16 For expenses necessary to clean up contamination  
 17 from sites in the United States resulting from work per-  
 18 formed as part of the Nation's early atomic energy pro-  
 19 gram, \$101,500,000, to remain available until expended.

#### 20 FLOOD CONTROL AND COASTAL EMERGENCIES

21 For expenses necessary to prepare for flood, hurri-  
 22 cane, and other natural disasters and support emergency  
 23 operations, repairs, and other activities in response to  
 24 such disasters as authorized by law, \$28,000,000, to re-  
 25 main available until expended.

## EXPENSES

1  
2 For expenses necessary for the supervision and gen-  
3 eral administration of the civil works program in the head-  
4 quarters of the Corps of Engineers and the offices of the  
5 Division Engineers; and for costs of management and op-  
6 eration of the Humphreys Engineer Center Support Activ-  
7 ity, the Institute for Water Resources, the United States  
8 Army Engineer Research and Development Center, and  
9 the United States Army Corps of Engineers Finance Cen-  
10 ter allocable to the civil works program, \$178,000,000, to  
11 remain available until September 30, 2017, of which not  
12 to exceed \$5,000 may be used for official reception and  
13 representation purposes and only during the current fiscal  
14 year: *Provided*, That no part of any other appropriation  
15 provided in this title shall be available to fund the civil  
16 works activities of the Office of the Chief of Engineers  
17 or the civil works executive direction and management ac-  
18 tivities of the division offices: *Provided further*, That any  
19 Flood Control and Coastal Emergencies appropriation  
20 may be used to fund the supervision and general adminis-  
21 tration of emergency operations, repairs, and other activi-  
22 ties in response to any flood, hurricane, or other natural  
23 disaster.

1 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY  
2 FOR CIVIL WORKS

3 For the Office of the Assistant Secretary of the Army  
4 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),  
5 \$3,000,000, to remain available until September 30, 2017.

6 GENERAL PROVISIONS—CORPS OF  
7 ENGINEERS—CIVIL

8 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

9 SEC. 101. (a) None of the funds provided in title I  
10 of this Act, or provided by previous appropriations Acts  
11 to the agencies or entities funded in title I of this Act  
12 that remain available for obligation or expenditure in fiscal  
13 year 2016, shall be available for obligation or expenditure  
14 through a reprogramming of funds that:

15 (1) creates or initiates a new program, project,  
16 or activity;

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

18 (3) increases funds or personnel for any pro-  
19 gram, project, or activity for which funds have been  
20 denied or restricted by this Act, unless prior ap-  
21 proval is received from the House and Senate Com-  
22 mittees on Appropriations;

23 (4) proposes to use funds directed for a specific  
24 activity for a different purpose, unless prior approval

1 is received from the House and Senate Committees  
 2 on Appropriations;

3 (5) augments or reduces existing programs,  
 4 projects or activities in excess of the amounts con-  
 5 tained in subsections 6 through 10, unless prior ap-  
 6 proval is received from the House and Senate Com-  
 7 mittees on Appropriations;

8 (6) INVESTIGATIONS.—For a base level over  
 9 \$100,000, reprogramming of 25 percent of the base  
 10 amount up to a limit of \$150,000 per project, study  
 11 or activity is allowed: *Provided*, That for a base level  
 12 less than \$100,000, the reprogramming limit is  
 13 \$25,000: *Provided further*, That up to \$25,000 may  
 14 be reprogrammed into any continuing study or activ-  
 15 ity that did not receive an appropriation for existing  
 16 obligations and concomitant administrative expenses;

17 (7) CONSTRUCTION.—For a base level over  
 18 \$2,000,000, reprogramming of 15 percent of the  
 19 base amount up to a limit of \$3,000,000 per project,  
 20 study or activity is allowed: *Provided*, That for a  
 21 base level less than \$2,000,000, the reprogramming  
 22 limit is \$300,000: *Provided further*, That up to  
 23 \$3,000,000 may be reprogrammed for settled con-  
 24 tractor claims, changed conditions, or real estate de-  
 25 ficiency judgments: *Provided further*, That up to

1       \$300,000 may be reprogrammed into any continuing  
 2       study or activity that did not receive an appropria-  
 3       tion for existing obligations and concomitant admin-  
 4       istrative expenses;

5               (8) OPERATIONS AND MAINTENANCE.—Unlim-  
 6       ited reprogramming authority is granted in order for  
 7       the Corps to be able to respond to emergencies: *Pro-*  
 8       *vided*, That the Chief of Engineers must notify the  
 9       House and Senate Committees on Appropriations of  
 10      these emergency actions as soon thereafter as prac-  
 11      ticable: *Provided further*, That for a base level over  
 12      \$1,000,000, reprogramming of 15 percent of the  
 13      base amount a limit of \$5,000,000 per project, study  
 14      or activity is allowed: *Provided further*, That for a  
 15      base level less than \$1,000,000, the reprogramming  
 16      limit is \$150,000: *Provided further*, That \$150,000  
 17      may be reprogrammed into any continuing study or  
 18      activity that did not receive an appropriation;

19              (9) MISSISSIPPI RIVER AND TRIBUTARIES.—  
 20      The same reprogramming guidelines for the Inves-  
 21      tigations, Construction, and Operation and Mainte-  
 22      nance portions of the Mississippi River and Tribu-  
 23      taries Account as listed above; and

1           (10) FORMERLY UTILIZED SITES REMEDIAL AC-  
 2           TION PROGRAM.—Reprogramming of up to 15 per-  
 3           cent of the base of the receiving project is permitted.

4           (b) DE MINIMUS REPROGRAMMINGS.—In no case  
 5           should a reprogramming for less than \$50,000 be sub-  
 6           mitted to the House and Senate Committees on Appro-  
 7           priations.

8           (c) CONTINUING AUTHORITIES PROGRAM.—Sub-  
 9           section (a)(1) shall not apply to any project or activity  
 10          funded under the continuing authorities program.

11          (d) Not later than 60 days after the date of enact-  
 12          ment of this Act, the Corps of Engineers shall submit a  
 13          report to the House and Senate Committees on Appropria-  
 14          tions to establish the baseline for application of re-  
 15          programming and transfer authorities for the current fis-  
 16          cal year: *Provided*, That the report shall include:

17               (1) A table for each appropriation with a sepa-  
 18               rate column to display the President's budget re-  
 19               quest, adjustments made by Congress, adjustments  
 20               due to enacted rescissions, if applicable, and the fis-  
 21               cal year enacted level;

22               (2) A delineation in the table for each appro-  
 23               priation both by object class and program, project  
 24               and activity as detailed in the budget appendix for  
 25               the respective appropriations; and

1           (3) An identification of items of special congres-  
2           sional interest.

3           SEC. 102. (a) Of the funds made available in prior  
4           appropriations Acts for water resources efforts under the  
5           headings “Corps of Engineers-Civil, Department of the  
6           Army, Construction” that remain unobligated as of the  
7           date of enactment of this Act, including amounts specified  
8           in law for particular projects, programs, or activities,  
9           \$128,000,000 is rescinded.

10          (b) None of the funds under subsection (a) may be  
11          rescinded from amounts that the Congress designated as  
12          an emergency requirement pursuant to the Concurrent  
13          Resolution on the Budget or the Balanced Budget and  
14          Emergency Deficit Control Act of 1985, as amended.

15          SEC. 103. The Secretary of the Army may transfer  
16          to the Fish and Wildlife Service, and the Fish and Wildlife  
17          Service may accept and expend, up to \$4,700,000 of funds  
18          provided in this title under the heading “Operation and  
19          Maintenance” to mitigate for fisheries lost due to Corps  
20          of Engineers projects.

21          SEC. 104. None of the funds made available in this  
22          or any other Act making appropriations for Energy and  
23          Water Development for any fiscal year may be used by  
24          the Corps of Engineers during the fiscal year ending Sep-  
25          tember 30, 2016, to develop, adopt, implement, admin-



1 ister, or enforce any change to the regulations in effect  
 2 on October 1, 2012, pertaining to the definitions of the  
 3 terms “fill material” or “discharge of fill material” for the  
 4 purposes of the Federal Water Pollution Control Act (33  
 5 U.S.C. 1251 et seq.).

6 PROJECT DEAUTHORIZATION

7 SEC. 105. (a) Not later than 180 days after the date  
 8 of enactment of this Act, the Secretary shall execute a  
 9 transfer agreement with the South Florida Water Manage-  
 10 ment District for the project identified as the “Ten Mile  
 11 Creek Water Preserve Area Critical Restoration Project”,  
 12 carried out under section 528(b)(3) of the Water Re-  
 13 sources Development Act of 1996 (110 Stat. 3768).

14 (b) The transfer agreement under subsection (a) shall  
 15 require the South Florida Water Management District to  
 16 operate the transferred project as an environmental res-  
 17 toration project to provide water storage and water treat-  
 18 ment options.

19 (c) Upon execution of the transfer agreement under  
 20 subsection (a), the Ten Mile Creek Water Preserve Area  
 21 Critical Restoration Project shall no longer be authorized  
 22 as a Federal project.

23 SEC. 106. Section 5032(a)(2) of the Water Resources  
 24 Development Act of 2007 (Public Law 110–114; 121 Stat.  
 25 1205) is amended by striking “15” and inserting “20”.

10 TITLE II

11 DEPARTMENT OF THE INTERIOR

## DEPARTMENT OF THE INTERIOR

## CENTRAL UTAH PROJECT COMPLETION ACCOUNT

**•S 2129 PCS**

1 use an amount not to exceed \$1,500,000 for administra-  
 2 tive expenses.

3 BUREAU OF RECLAMATION

4 The following appropriations shall be expended to  
 5 execute authorized functions of the Bureau of Reclama-  
 6 tion:

7 WATER AND RELATED RESOURCES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For management, development, and restoration of  
 10 water and related natural resources and for related activi-  
 11 ties, including the operation, maintenance, and rehabilita-  
 12 tion of reclamation and other facilities, participation in  
 13 fulfilling related Federal responsibilities to Native Ameri-  
 14 cans, and related grants to, and cooperative and other  
 15 agreements with, State and local governments, federally  
 16 recognized Indian tribes, and others, \$988,131,000, to re-  
 17 main available until expended, of which \$22,000 shall be  
 18 available for transfer to the Upper Colorado River Basin  
 19 Fund and \$5,899,000 shall be available for transfer to the  
 20 Lower Colorado River Basin Development Fund; of which  
 21 such amounts as may be necessary may be advanced to  
 22 the Colorado River Dam Fund: *Provided*, That such trans-  
 23 fers may be increased or decreased within the overall ap-  
 24 propriation under this heading: *Provided further*, That, of  
 25 the total appropriated, the amount for program activities

1 that can be financed by the Reclamation Fund or the Bu-  
 2 reau of Reclamation special fee account established by 16  
 3 U.S.C. 6806 shall be derived from that Fund or account:  
 4 *Provided further*, That funds contributed under 43 U.S.C.  
 5 395 are available until expended for the purposes for  
 6 which the funds were contributed: *Provided further*, That  
 7 funds advanced under 43 U.S.C. 397a shall be credited  
 8 to this account and are available until expended for the  
 9 same purposes as the sums appropriated under this head-  
 10 ing: *Provided further*, That, of the amounts provided here-  
 11 in, funds may be used for high-priority projects which  
 12 shall be carried out by the Youth Conservation Corps, as  
 13 authorized by 16 U.S.C. 1706.

14 CENTRAL VALLEY PROJECT RESTORATION FUND

15 For carrying out the programs, projects, plans, habi-  
 16 tat restoration, improvement, and acquisition provisions of  
 17 the Central Valley Project Improvement Act, \$49,528,000,  
 18 to be derived from such sums as may be collected in the  
 19 Central Valley Project Restoration Fund pursuant to sec-  
 20 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law  
 21 102–575, to remain available until expended: *Provided*,  
 22 That the Bureau of Reclamation is directed to assess and  
 23 collect the full amount of the additional mitigation and  
 24 restoration payments authorized by section 3407(d) of  
 25 Public Law 102–575: *Provided further*, That none of the

1 funds made available under this heading may be used for  
 2 the acquisition or leasing of water for in-stream purposes  
 3 if the water is already committed to in-stream purposes  
 4 by a court adopted decree or order.

5 CALIFORNIA BAY-DELTA RESTORATION  
 6 (INCLUDING TRANSFERS OF FUNDS)

7 For carrying out activities authorized by the Water  
 8 Supply, Reliability, and Environmental Improvement Act,  
 9 consistent with plans to be approved by the Secretary of  
 10 the Interior, \$37,000,000, to remain available until ex-  
 11 pended, of which such amounts as may be necessary to  
 12 carry out such activities may be transferred to appropriate  
 13 accounts of other participating Federal agencies to carry  
 14 out authorized purposes: *Provided*, That funds appro-  
 15 priated herein may be used for the Federal share of the  
 16 costs of CALFED Program management: *Provided fur-*  
 17 *ther*, That CALFED implementation shall be carried out  
 18 in a balanced manner with clear performance measures  
 19 demonstrating concurrent progress in achieving the goals  
 20 and objectives of the Program.

21 POLICY AND ADMINISTRATION

22 For expenses necessary for policy, administration,  
 23 and related functions in the Office of the Commissioner,  
 24 the Denver office, and offices in the five regions of the  
 25 Bureau of Reclamation, to remain available until Sep-

1   tember 30, 2017, \$58,500,000, to be derived from the  
 2   Reclamation Fund and be nonreimbursable as provided in  
 3   43 U.S.C. 377: *Provided*, That no part of any other appro-  
 4   priation in this Act shall be available for activities or func-  
 5   tions budgeted as policy and administration expenses.

6                                   ADMINISTRATIVE PROVISION

7           Appropriations for the Bureau of Reclamation shall  
 8   be available for purchase of not to exceed five passenger  
 9   motor vehicles, which are for replacement only.

10   GENERAL PROVISIONS—DEPARTMENT OF THE  
 11                                   INTERIOR

12           SEC. 201. (a) None of the funds provided in this title  
 13   shall be available for obligation or expenditure through a  
 14   reprogramming of funds that—

15                   (1) creates or initiates a new program, project,  
 16                   or activity;

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

18                   (3) increases funds for any program, project, or  
 19                   activity for which funds have been denied or re-  
 20                   stricted by this Act;

21                   (4) restarts or resumes any program, project or  
 22                   activity for which funds are not provided in this Act,  
 23                   unless prior approval is received from the Commit-  
 24                   tees on Appropriations of both Houses of Congress;

1           (5) transfers funds in excess of the following  
2       limits—

3           (A) 15 percent for any program, project or  
4       activity for which \$2,000,000 or more is avail-  
5       able at the beginning of the fiscal year; or

6           (B) \$300,000 for any program, project or  
7       activity for which less than \$2,000,000 is avail-  
8       able at the beginning of the fiscal year;

9           (6) transfers more than \$500,000 from either  
10      the Facilities Operation, Maintenance, and Rehabili-  
11      tation category or the Resources Management and  
12      Development category to any program, project, or  
13      activity in the other category; or

14          (7) transfers, when necessary to discharge legal  
15      obligations of the Bureau of Reclamation, more than  
16      \$5,000,000 to provide adequate funds for settled  
17      contractor claims, increased contractor earnings due  
18      to accelerated rates of operations, and real estate de-  
19      ficiency judgments.

20          (b) Subsection (a)(5) shall not apply to any transfer  
21      of funds within the Facilities Operation, Maintenance, and  
22      Rehabilitation category.

23          (c) For purposes of this section, the term “transfer”  
24      means any movement of funds into or out of a program,  
25      project, or activity.

1 (d) The Bureau of Reclamation shall submit reports  
2 on a quarterly basis to the Committees on Appropriations  
3 of both Houses of Congress detailing all the funds repro-  
4 grammed between programs, projects, activities, or cat-  
5 egories of funding. The first quarterly report shall be sub-  
6 mitted not later than 60 days after the date of enactment  
7 of this Act.

8 SEC. 202. (a) None of the funds appropriated or oth-  
9 erwise made available by this Act may be used to deter-  
10 mine the final point of discharge for the interceptor drain  
11 for the San Luis Unit until development by the Secretary  
12 of the Interior and the State of California of a plan, which  
13 shall conform to the water quality standards of the State  
14 of California as approved by the Administrator of the En-  
15 vironmental Protection Agency, to minimize any detri-  
16 mental effect of the San Luis drainage waters.

17 (b) The costs of the Kesterson Reservoir Cleanup  
18 Program and the costs of the San Joaquin Valley Drain-  
19 age Program shall be classified by the Secretary of the  
20 Interior as reimbursable or nonreimbursable and collected  
21 until fully repaid pursuant to the “Cleanup Program—  
22 Alternative Repayment Plan” and the “SJVDP—Alter-  
23 native Repayment Plan” described in the report entitled  
24 “Repayment Report, Kesterson Reservoir Cleanup Pro-  
25 gram and San Joaquin Valley Drainage Program, Feb-



1 ruary 1995”, prepared by the Department of the Interior,  
2 Bureau of Reclamation. Any future obligations of funds  
3 by the United States relating to, or providing for, drainage  
4 service or drainage studies for the San Luis Unit shall  
5 be fully reimbursable by San Luis Unit beneficiaries of  
6 such service or studies pursuant to Federal reclamation  
7 law.

8 SEC. 203. Section 9504(e) of the Secure Water Act  
9 of 2009 (42 U.S.C. 10364(e)) is amended by striking  
10 “\$300,000,000” and inserting “\$500,000,000”.

11 SEC. 204. Title I of Public Law 108–361 (the Califed  
12 Bay-Delta Authorization Act) (118 Stat. 1681), as  
13 amended by section 210 of Public Law 111–85, is amend-  
14 ed by striking “2016” each place it appears and inserting  
15 “2020”.

16 SEC. 205. The Reclamation Safety of Dams Act of  
17 1978 is amended by—

18 (1) striking “Construction” and inserting “Ex-  
19 cept as provided in section 5B, construction” in sec-  
20 tion 3; and

21 (2) inserting after section 5A (43 U.S.C. 509a)  
22 the following:

23 “SEC. 5B. Notwithstanding section 3, if the Sec-  
24 retary, in her judgment, determines that additional project  
25 benefits, including but not limited to additional conserva-

tion storage capacity, are necessary and in the interests of the United States and the project and are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided the costs associated with developing the additional project benefits are allocated to the authorized purposes of the project that have a benefit, a cost share agreement related to the additional project benefits is reached among State and Federal funding agencies and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and acts supplemental to and amendatory of that Act."

SEC. 206. Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended in the first sentence—

(a) by inserting "and effective October 1, 2015, not to exceed an additional \$1,100,000,000 (October 1, 2003, price levels)," after "(October 1, 2003, price levels),";

(b) in the proviso—

(1) by striking "\$1,250,000" and inserting "\$20,000,000"; and

1           (2) by striking “Congress” and inserting “Com-  
2       mittee on Natural Resources of the House of Rep-  
3       resentatives and the Committee on Energy and Nat-  
4       ural Resources of the Senate”; and

5           (3) by adding at the end the following: “For  
6       modification expenditures between \$1,800,000 and  
7       \$20,000,000 (October 1, 2013, price levels), the Sec-  
8       retary of the Interior shall, at least 30 days before  
9       the date on which the funds are expended, submit  
10      written notice of the expenditures to the Committee  
11      on Natural Resources of the House of Representa-  
12      tives and Committee on Energy and Natural Re-  
13      sources of the Senate that provides a summary of  
14      the project, the cost of the project, and any alter-  
15      natives that were considered.”.

16      SEC. 207. The Secretary of the Interior, acting  
17      through the Commissioner of Reclamation, shall—

18      (a) complete the feasibility studies described in  
19      clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public  
20      Law 108–361 (118 Stat. 1684) and submit such studies  
21      to the appropriate committees of the House of Representa-  
22      tives and the Senate not later than December 31, 2015;

23      (b) complete the feasibility study described in clause  
24      (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and  
25      submit such study to the appropriate committees of the

1 House of Representatives and the Senate not later than  
2 November 30, 2016;

3 (c) complete a publicly available draft feasibility  
4 study for the project described in clause (ii)(I) of section  
5 103(d)(1)(A) of Public Law 108–361 and submit such  
6 study to the appropriate committees of the House of Rep-  
7 resentatives and the Senate not later than November 30,  
8 2016;

9 (d) complete the feasibility study described in clause  
10 (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and  
11 submit such study to the appropriate committees of the  
12 House of Representatives and the Senate not later than  
13 November 30, 2017;

14 (e) complete the feasibility study described in section  
15 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694)  
16 and submit such study to the appropriate committees of  
17 the House of Representatives and the Senate not later  
18 than December 31, 2017; and

19 (f) provide a progress report on the status of the fea-  
20 sibility studies referred to in paragraphs (1) through (3)  
21 to the appropriate committees of the House of Representa-  
22 tives and the Senate not later than 90 days after the date  
23 of the enactment of this Act and each 180 days thereafter  
24 until December 31, 2017, as applicable. The report shall  
25 include timelines for study completion, draft environ-

1 mental impact statements, final environmental impact  
2 statements, and Records of Decision.

3 SEC. 208. Notwithstanding any other provision of  
4 this Act, funds provided by this Act for California Bay-  
5 Delta Restoration may be used to deliver water to the  
6 Trinity River above the minimum requirements of the  
7 Trinity Record of Decision or to supplement flows in the  
8 Klamath River.

9 SEC. 209. Notwithstanding any other provision of  
10 this Act, funds made available by this Act for Central Val-  
11 ley Project Restoration Fund may be used for all author-  
12 ized activities necessary to supplement or enhance the  
13 instream flow requirements in the State of California that  
14 are mandated under the Endangered Species Act of 1973  
15 and the Central Valley Project Improvement Act.

### 16 TITLE III

## 17 DEPARTMENT OF ENERGY

### 18 ENERGY PROGRAMS

#### 19 ENERGY EFFICIENCY AND RENEWABLE ENERGY

20 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

21 For Department of Energy expenses including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment, and other expenses necessary for energy  
24 efficiency and renewable energy activities in carrying out  
25 the purposes of the Department of Energy Organization

1 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
2 condemnation of any real property or any facility or for  
3 plant or facility acquisition, construction, or expansion,  
4 \$1,950,000,000, to remain available until expended: *Pro-*  
5 *vided*, That, of such amount, \$160,000,000 shall be avail-  
6 able until September 30, 2017, for program direction: *Pro-*  
7 *vided further*, That, of the amount provided under this  
8 heading, the Secretary may transfer up to \$45,000,000  
9 to the Defense Production Act Fund for activities of the  
10 Department of Energy pursuant to the Defense Produc-  
11 tion Act of 1950 (50 U.S.C. App. 2061, et seq.).

12 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

13 For Department of Energy expenses including the  
14 purchase, construction, and acquisition of plant and cap-  
15 ital equipment, and other expenses necessary for elec-  
16 tricity delivery and energy reliability activities in carrying  
17 out the purposes of the Department of Energy Organiza-  
18 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-  
19 tion or condemnation of any real property or any facility  
20 or for plant or facility acquisition, construction, or expan-  
21 sion, \$152,306,000, to remain available until expended:  
22 *Provided*, That, of such amount, \$27,000,000 shall be  
23 available until September 30, 2017, for program direction.

## NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$950,161,000, to remain available until expended: *Provided*, That, of such amount, \$80,000,000 shall be available until September 30, 2017, for program direction including official reception and representation expenses not to exceed \$10,000: *Provided*, That, of such amount, \$24,000,000 shall be derived from the Nuclear Waste Fund.

## FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of

1 mineral substances without objectionable social and envi-  
 2 ronmental costs (30 U.S.C. 3, 1602, and 1603),  
 3 \$610,000,000, to remain available until expended: *Pro-*  
 4 *vided*, That, of such amount, \$115,000,000 shall be avail-  
 5 able until September 30, 2017, for program direction.

#### 6 NAVAL PETROLEUM AND OIL SHALE RESERVES

7 For Department of Energy expenses necessary to  
 8 carry out naval petroleum and oil shale reserve activities,  
 9 \$17,500,000, to remain available until expended: *Pro-*  
 10 *vided*, That, notwithstanding any other provision of law,  
 11 unobligated funds remaining from prior years shall be  
 12 available for all naval petroleum and oil shale reserve ac-  
 13 tivities.

#### 14 STRATEGIC PETROLEUM RESERVE

15 For Department of Energy expenses necessary for  
 16 Strategic Petroleum Reserve facility development and op-  
 17 erations and program management activities pursuant to  
 18 the Energy Policy and Conservation Act (42 U.S.C. 6201  
 19 et seq.), \$200,000,000, to remain available until expended.

#### 20 NORTHEAST HOME HEATING OIL RESERVE

21 For Department of Energy expenses necessary for  
 22 Northeast Home Heating Oil Reserve storage, operation,  
 23 and management activities pursuant to the Energy Policy  
 24 and Conservation Act (42 U.S.C. 6201 et seq.),  
 25 \$7,600,000, to remain available until expended.



## 1 ENERGY INFORMATION ADMINISTRATION

2 For Department of Energy expenses necessary in car-  
3 rying out the activities of the Energy Information Admin-  
4 istration, \$122,000,000, to remain available until ex-  
5 pended.

## 6 NON-DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the  
8 purchase, construction, and acquisition of plant and cap-  
9 ital equipment and other expenses necessary for non-de-  
10 fense environmental cleanup activities in carrying out the  
11 purposes of the Department of Energy Organization Act  
12 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
13 demnation of any real property or any facility or for plant  
14 or facility acquisition, construction, or expansion,  
15 \$244,000,000, to remain available until expended.

16 URANIUM ENRICHMENT DECONTAMINATION AND  
17 DECOMMISSIONING FUND

18 For Department of Energy expenses necessary in car-  
19 rying out uranium enrichment facility decontamination  
20 and decommissioning, remedial actions, and other activi-  
21 ties of title II of the Atomic Energy Act of 1954, and  
22 title X, subtitle A, of the Energy Policy Act of 1992,  
23 \$614,000,000, to be derived from the Uranium Enrich-  
24 ment Decontamination and Decommissioning Fund, to re-  
25 main available until expended, of which \$32,959,000 shall

1 be available in accordance with title X, subtitle A, of the  
2 Energy Policy Act of 1992.

3 SCIENCE

4 For Department of Energy expenses including the  
5 purchase, construction, and acquisition of plant and cap-  
6 ital equipment, and other expenses necessary for science  
7 activities in carrying out the purposes of the Department  
8 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
9 cluding the acquisition or condemnation of any real prop-  
10 erty or facility or for plant or facility acquisition, construc-  
11 tion, or expansion, and purchase of not more than 17 pas-  
12 senger motor vehicles for replacement only, including one  
13 ambulance and one bus, \$5,143,877,000, to remain avail-  
14 able until expended: *Provided*, That, of such amount,  
15 \$185,000,000 shall be available until September 30, 2017,  
16 for program direction.

17 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

18 For Department of Energy expenses necessary in car-  
19 rying out the activities authorized by section 5012 of the  
20 America COMPETES Act (Public Law 110–69),  
21 \$291,000,000, to remain available until expended: *Pro-*  
22 *vided*, That, of such amount, \$28,000,000 shall be avail-  
23 able until September 30, 2017, for program direction.

1 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE  
2 PROGRAM

3 Such sums as are derived from amounts received  
4 from borrowers pursuant to section 1702(b) of the Energy  
5 Policy Act of 2005 under this heading in prior Acts, shall  
6 be collected in accordance with section 502(7) of the Con-  
7 gressional Budget Act of 1974: *Provided*, That, for nec-  
8 essary administrative expenses to carry out this Loan  
9 Guarantee program, \$42,000,000 is appropriated, to re-  
10 main available until September 30, 2017: *Provided further*,  
11 That \$25,000,000 of the fees collected pursuant to section  
12 1702(h) of the Energy Policy Act of 2005 shall be credited  
13 as offsetting collections to this account to cover adminis-  
14 trative expenses and shall remain available until expended,  
15 so as to result in a final fiscal year 2016 appropriation  
16 from the general fund estimated at not more than  
17 \$17,000,000: *Provided further*, That fees collected under  
18 section 1702(h) in excess of the amount appropriated for  
19 administrative expenses shall not be available until appro-  
20 priated: *Provided further*, That the Department of Energy  
21 shall not subordinate any loan obligation to other financ-  
22 ing in violation of section 1702 of the Energy Policy Act  
23 of 2005 or subordinate any Guaranteed Obligation to any  
24 loan or other debt obligations in violation of section  
25 609.10 of title 10, Code of Federal Regulations.

1     ADVANCED TECHNOLOGY VEHICLES MANUFACTURING  
2                                     LOAN PROGRAM

3             For Department of Energy administrative expenses  
4 necessary in carrying out the Advanced Technology Vehi-  
5 cles Manufacturing Loan Program, \$6,000,000, to remain  
6 available until September 30, 2017.

7                             DEPARTMENTAL ADMINISTRATION

8             For salaries and expenses of the Department of En-  
9 ergy necessary for departmental administration in car-  
10 rying out the purposes of the Department of Energy Orga-  
11 nization Act (42 U.S.C. 7101 et seq.), \$248,142,000, to  
12 remain available until September 30, 2017, including the  
13 hire of passenger motor vehicles and official reception and  
14 representation expenses not to exceed \$30,000, plus such  
15 additional amounts as necessary to cover increases in the  
16 estimated amount of cost of work for others notwith-  
17 standing the provisions of the Anti-Deficiency Act (31  
18 U.S.C. 1511 et seq.): *Provided*, That such increases in  
19 cost of work are offset by revenue increases of the same  
20 or greater amount: *Provided further*, That moneys received  
21 by the Department for miscellaneous revenues estimated  
22 to total \$117,171,000 in fiscal year 2016 may be retained  
23 and used for operating expenses within this account, as  
24 authorized by section 201 of Public Law 95–238, notwith-  
25 standing the provisions of 31 U.S.C. 3302: *Provided fur-*

1 *ther*, That the sum herein appropriated shall be reduced  
 2 as collections are received during the fiscal year so as to  
 3 result in a final fiscal year 2016 appropriation from the  
 4 general fund estimated at not more than \$130,971,000:  
 5 *Provided further*, That, of the total amount made available  
 6 under this heading, \$31,297,000 is for Energy Policy and  
 7 Systems Analysis.

8 OFFICE OF THE INSPECTOR GENERAL

9 For expenses necessary for the Office of the Inspector  
 10 General in carrying out the provisions of the Inspector  
 11 General Act of 1978, \$46,424,000, to remain available  
 12 until September 30, 2017.

13 ATOMIC ENERGY DEFENSE ACTIVITIES

14 NATIONAL NUCLEAR SECURITY

15 ADMINISTRATION

16 WEAPONS ACTIVITIES

17 For Department of Energy expenses, including the  
 18 purchase, construction, and acquisition of plant and cap-  
 19 ital equipment and other incidental expenses necessary for  
 20 atomic energy defense weapons activities in carrying out  
 21 the purposes of the Department of Energy Organization  
 22 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
 23 condemnation of any real property or any facility or for  
 24 plant or facility acquisition, construction, or expansion,  
 25 \$8,882,364,000, to remain available until expended: *Pro-*

1 *vided*, That of such amount, \$97,118,000 shall be avail-  
2 able until September 30, 2017, for program direction.

3 DEFENSE NUCLEAR NONPROLIFERATION

4 For Department of Energy expenses, including the  
5 purchase, construction, and acquisition of plant and cap-  
6 ital equipment and other incidental expenses necessary for  
7 defense nuclear nonproliferation activities, in carrying out  
8 the purposes of the Department of Energy Organization  
9 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
10 condemnation of any real property or any facility or for  
11 plant or facility acquisition, construction, or expansion,  
12 \$1,705,912,000, to remain available until expended.

13 NAVAL REACTORS

14 For Department of Energy expenses necessary for  
15 naval reactors activities to carry out the Department of  
16 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-  
17 ing the acquisition (by purchase, condemnation, construc-  
18 tion, or otherwise) of real property, plant, and capital  
19 equipment, facilities, and facility expansion,  
20 \$1,300,000,000, to remain available until expended: *Pro-*  
21 *vided*, That of such amount, \$42,504,000 shall be avail-  
22 able until September 30, 2017, for program direction.

23 FEDERAL SALARIES AND EXPENSES

24 For expenses necessary for Federal Salaries and Ex-  
25 penses in the National Nuclear Security Administration,

1 \$375,000,000, to remain available until September 30,  
2 2017, including official reception and representation ex-  
3 penses not to exceed \$12,000.

4 ENVIRONMENTAL AND OTHER DEFENSE  
5 ACTIVITIES

6 DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the  
8 purchase, construction, and acquisition of plant and cap-  
9 ital equipment and other expenses necessary for atomic  
10 energy defense environmental cleanup activities in car-  
11 rying out the purposes of the Department of Energy Orga-  
12 nization Act (42 U.S.C. 7101 et seq.), including the acqui-  
13 sition or condemnation of any real property or any facility  
14 or for plant or facility acquisition, construction, or expan-  
15 sion, and the purchase of not to exceed one fire apparatus  
16 pumper truck and one armored vehicle for replacement  
17 only, \$5,180,000,000, to remain available until expended:  
18 *Provided*, That, of such amount, \$281,951,000 shall be  
19 available until September 30, 2017, for program direction:  
20 *Provided further*, That the Office of Environmental Man-  
21 agement shall not accept ownership or responsibility for  
22 cleanup of any National Nuclear Security Administration  
23 facilities or sites without funding specifically designated  
24 for that purpose in an Appropriations Act at the time of  
25 transfer.

1     DEFENSE URANIUM ENRICHMENT DECONTAMINATION  
2                                   AND DECOMMISSIONING  
3                   (INCLUDING TRANSFER OF FUNDS)

4         For an additional amount for atomic energy defense  
5 environmental cleanup activities for Department of En-  
6 ergy contributions for uranium enrichment decontamina-  
7 tion and decommissioning activities, \$614,000,000, to be  
8 deposited into the Defense Environmental Cleanup ac-  
9 count which shall be transferred to the “Uranium Enrich-  
10 ment Decontamination and Decommissioning Fund”.

11                                 OTHER DEFENSE ACTIVITIES

12         For Department of Energy expenses, including the  
13 purchase, construction, and acquisition of plant and cap-  
14 ital equipment and other expenses, necessary for atomic  
15 energy defense, other defense activities, and classified ac-  
16 tivities, in carrying out the purposes of the Department  
17 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
18 cluding the acquisition or condemnation of any real prop-  
19 erty or any facility or for plant or facility acquisition, con-  
20 struction, or expansion, \$764,000,000, to remain available  
21 until expended: *Provided*, That, of such amount,  
22 \$249,137,000 shall be available until September 30, 2017,  
23 for program direction.



## 1       POWER MARKETING ADMINISTRATIONS

## 2       BONNEVILLE POWER ADMINISTRATION FUND

3       Expenditures from the Bonneville Power Administra-  
 4       tion Fund, established pursuant to Public Law 93-454,  
 5       are approved for the Shoshone Paiute Trout Hatchery, the  
 6       Spokane Tribal Hatchery, the Snake River Sockeye Weirs  
 7       and, in addition, for official reception and representation  
 8       expenses in an amount not to exceed \$5,000: *Provided*,  
 9       That, during fiscal year 2016, no new direct loan obliga-  
 10      tions may be made.

## 11      OPERATIONS AND MAINTENANCE, SOUTHEASTERN

## 12                      POWER ADMINISTRATION

13      For expenses necessary for operations and mainte-  
 14      nance of power transmission facilities and for marketing  
 15      electric power and energy, including transmission wheeling  
 16      and ancillary services, pursuant to section 5 of the Flood  
 17      Control Act of 1944 (16 U.S.C. 825s), as applied to the  
 18      southeastern power area, \$6,900,000, including official re-  
 19      ception and representation expenses in an amount not to  
 20      exceed \$1,500, to remain available until expended: *Pro-*  
 21      *vided*, That, notwithstanding 31 U.S.C. 3302 and section  
 22      5 of the Flood Control Act of 1944, up to \$6,900,000 col-  
 23      lected by the Southeastern Power Administration from the  
 24      sale of power and related services shall be credited to this  
 25      account as discretionary offsetting collections, to remain

1 available until expended for the sole purpose of funding  
 2 the annual expenses of the Southeastern Power Adminis-  
 3 tration: *Provided further*, That the sum herein appro-  
 4 priated for annual expenses shall be reduced as collections  
 5 are received during the fiscal year so as to result in a final  
 6 fiscal year 2016 appropriation estimated at not more than  
 7 \$0: *Provided further*, That, notwithstanding 31 U.S.C.  
 8 3302, up to \$66,500,000 collected by the Southeastern  
 9 Power Administration pursuant to the Flood Control Act  
 10 of 1944 to recover purchase power and wheeling expenses  
 11 shall be credited to this account as offsetting collections,  
 12 to remain available until expended for the sole purpose  
 13 of making purchase power and wheeling expenditures:  
 14 *Provided further*, That, for purposes of this appropriation,  
 15 annual expenses means expenditures that are generally re-  
 16 covered in the same year that they are incurred (excluding  
 17 purchase power and wheeling expenses).

18       OPERATIONS AND MAINTENANCE, SOUTHWESTERN

19                       POWER ADMINISTRATION

20       For expenses necessary for operations and mainte-  
 21 nance of power transmission facilities and for marketing  
 22 electric power and energy, for construction and acquisition  
 23 of transmission lines, substations and appurtenant facili-  
 24 ties, and for administrative expenses, including official re-  
 25 ception and representation expenses in an amount not to

1 exceed \$1,500 in carrying out section 5 of the Flood Con-  
2 trol Act of 1944 (16 U.S.C. 825s), as applied to the  
3 Southwestern Power Administration, \$47,361,000, to re-  
4 main available until expended: *Provided*, That, notwith-  
5 standing 31 U.S.C. 3302 and section 5 of the Flood Con-  
6 trol Act of 1944 (16 U.S.C. 825s), up to \$35,961,000 col-  
7 lected by the Southwestern Power Administration from  
8 the sale of power and related services shall be credited to  
9 this account as discretionary offsetting collections, to re-  
10 main available until expended, for the sole purpose of  
11 funding the annual expenses of the Southwestern Power  
12 Administration: *Provided further*, That the sum herein ap-  
13 propriated for annual expenses shall be reduced as collec-  
14 tions are received during the fiscal year so as to result  
15 in a final fiscal year 2016 appropriation estimated at not  
16 more than \$11,400,000: *Provided further*, That, notwith-  
17 standing 31 U.S.C. 3302, up to \$63,000,000 collected by  
18 the Southwestern Power Administration pursuant to the  
19 Flood Control Act of 1944 to recover purchase power and  
20 wheeling expenses shall be credited to this account as off-  
21 setting collections, to remain available until expended for  
22 the sole purpose of making purchase power and wheeling  
23 expenditures: *Provided further*, That, for purposes of this  
24 appropriation, annual expenses means expenditures that

1 are generally recovered in the same year that they are in-  
2 curred (excluding purchase power and wheeling expenses).

3 CONSTRUCTION, REHABILITATION, OPERATIONS AND  
4 MAINTENANCE, WESTERN AREA POWER ADMINIS-  
5 TRATION

6 For carrying out the functions authorized by title III,  
7 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
8 U.S.C. 7152), and other related activities including con-  
9 servation and renewable resources programs as author-  
10 ized, \$307,714,000, including official reception and rep-  
11 resentation expenses in an amount not to exceed \$1,500,  
12 to remain available until expended, of which \$302,000,000  
13 shall be derived from the Department of the Interior Rec-  
14 lamation Fund: *Provided*, That, notwithstanding 31  
15 U.S.C. 3302, section 5 of the Flood Control Act of 1944  
16 (16 U.S.C. 825s), and section 1 of the Interior Depart-  
17 ment Appropriation Act, 1939 (43 U.S.C. 392a), up to  
18 \$214,342,000 collected by the Western Area Power Ad-  
19 ministration from the sale of power and related services  
20 shall be credited to this account as discretionary offsetting  
21 collections, to remain available until expended, for the sole  
22 purpose of funding the annual expenses of the Western  
23 Area Power Administration: *Provided further*, That the  
24 sum herein appropriated for annual expenses shall be re-  
25 duced as collections are received during the fiscal year so

1 as to result in a final fiscal year 2016 appropriation esti-  
 2 mated at not more than \$93,372,000, of which  
 3 \$87,658,000 is derived from the Reclamation Fund: *Pro-*  
 4 *vided further*, That, notwithstanding 31 U.S.C. 3302, up  
 5 to \$352,813,000 collected by the Western Area Power Ad-  
 6 ministration pursuant to the Flood Control Act of 1944  
 7 and the Reclamation Project Act of 1939 to recover pur-  
 8 chase power and wheeling expenses shall be credited to  
 9 this account as offsetting collections, to remain available  
 10 until expended for the sole purpose of making purchase  
 11 power and wheeling expenditures: *Provided further*, That,  
 12 for purposes of this appropriation, annual expenses means  
 13 expenditures that are generally recovered in the same year  
 14 that they are incurred (excluding purchase power and  
 15 wheeling expenses).

16 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
 17 FUND

18 For operations, maintenance, and emergency costs  
 19 for the hydroelectric facilities at the Falcon and Amistad  
 20 Dams, \$4,490,000, to remain available until expended,  
 21 and to be derived from the Falcon and Amistad Operating  
 22 and Maintenance Fund of the Western Area Power Ad-  
 23 ministration, as provided in section 2 of the Act of June  
 24 18, 1954 (68 Stat. 255): *Provided*, That, notwithstanding  
 25 the provisions of that Act and of 31 U.S.C. 3302, up to

1 \$4,262,000 collected by the Western Area Power Adminis-  
2 tration from the sale of power and related services from  
3 the Falcon and Amistad Dams shall be credited to this  
4 account as discretionary offsetting collections, to remain  
5 available until expended for the sole purpose of funding  
6 the annual expenses of the hydroelectric facilities of these  
7 Dams and associated Western Area Power Administration  
8 activities: *Provided further*, That the sum herein appro-  
9 priated for annual expenses shall be reduced as collections  
10 are received during the fiscal year so as to result in a final  
11 fiscal year 2016 appropriation estimated at not more than  
12 \$228,000: *Provided further*, That, for purposes of this ap-  
13 propriation, annual expenses means expenditures that are  
14 generally recovered in the same year that they are in-  
15 curred: *Provided further*, That, for fiscal year 2016, the  
16 Administrator of the Western Area Power Administration  
17 may accept up to \$460,000 in funds contributed by United  
18 States power customers of the Falcon and Amistad Dams  
19 for deposit into the Falcon and Amistad Operating and  
20 Maintenance Fund, and such funds shall be available for  
21 the purpose for which contributed in like manner as if said  
22 sums had been specifically appropriated for such purpose:  
23 *Provided further*, That any such funds shall be available  
24 without further appropriation and without fiscal year limi-  
25 tation for use by the Commissioner of the United States

1 Section of the International Boundary and Water Com-  
 2 mission for the sole purpose of operating, maintaining, re-  
 3 pairing, rehabilitating, replacing, or upgrading the hydro-  
 4 electric facilities at these Dams in accordance with agree-  
 5 ments reached between the Administrator, Commissioner,  
 6 and the power customers.

7       FEDERAL ENERGY REGULATORY COMMISSION

8                       SALARIES AND EXPENSES

9       For expenses necessary for the Federal Energy Regu-  
 10 latory Commission to carry out the provisions of the De-  
 11 partment of Energy Organization Act (42 U.S.C. 7101 et  
 12 seq.), including services as authorized by 5 U.S.C. 3109,  
 13 official reception and representation expenses not to ex-  
 14 ceed \$3,000, and the hire of passenger motor vehicles,  
 15 \$319,800,000, to remain available until expended: *Pro-*  
 16 *vided*, That, notwithstanding any other provision of law,  
 17 not to exceed \$319,800,000 of revenues from fees and an-  
 18 nual charges, and other services and collections in fiscal  
 19 year 2016 shall be retained and used for expenses nec-  
 20 essary in this account, and shall remain available until ex-  
 21 pended: *Provided further*, That the sum herein appro-  
 22 priated from the general fund shall be reduced as revenues  
 23 are received during fiscal year 2016 so as to result in a  
 24 final fiscal year 2016 appropriation from the general fund  
 25 estimated at not more than \$0.

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

17 (A) make a grant allocation or discretionary  
18 grant award totaling \$1,000,000 or more;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or



1           (D) announce publicly the intention to make an  
2           allocation, award, or Agreement in excess of the lim-  
3           its in subparagraph (A) or (B).

4           (2) The Secretary of Energy shall submit to the Com-  
5           mittees on Appropriations of both Houses of Congress  
6           within 15 days of the conclusion of each quarter a report  
7           detailing each grant allocation or discretionary grant  
8           award totaling less than \$1,000,000 provided during the  
9           previous quarter.

10          (3) The notification required by paragraph (1) and  
11          the report required by paragraph (2) shall include the re-  
12          cipient of the award, the amount of the award, the fiscal  
13          year for which the funds for the award were appropriated,  
14          the account and program, project, or activity from which  
15          the funds are being drawn, the title of the award, and  
16          a brief description of the activity for which the award is  
17          made.

18          (c) The Department of Energy may not, with respect  
19          to any program, project, or activity that uses budget au-  
20          thority made available in this title under the heading “De-  
21          partment of Energy—Energy Programs”, enter into a  
22          multiyear contract, award a multiyear grant, or enter into  
23          a multiyear cooperative agreement unless—

1           (1) the contract, grant, or cooperative agree-  
2           ment is funded for the full period of performance as  
3           anticipated at the time of award; or

4           (2) the contract, grant, or cooperative agree-  
5           ment includes a clause conditioning the Federal Gov-  
6           ernment's obligation on the availability of future  
7           year budget authority and the Secretary notifies the  
8           Committees on Appropriations of both Houses of  
9           Congress at least 3 days in advance.

10          (d) Except as provided in subsections (e), (f), and (g),  
11          the amounts made available by this title shall be expended  
12          as authorized by law for the programs, projects, and ac-  
13          tivities specified in the "Bill" column in the "Department  
14          of Energy" table included under the heading "Title III—  
15          Department of Energy" in the report of the Committee  
16          on Appropriations accompanying this Act.

17          (e) The amounts made available by this title may be  
18          reprogrammed for any program, project, or activity, and  
19          the Department shall notify the Committees on Appropria-  
20          tions of both Houses of Congress at least 30 days prior  
21          to the use of any proposed reprogramming that would  
22          cause any program, project, or activity funding level to  
23          increase or decrease by more than \$5,000,000 or 10 per-  
24          cent, whichever is less, during the time period covered by  
25          this Act.

1 (f) None of the funds provided in this title shall be  
2 available for obligation or expenditure through a re-  
3 programming of funds that—

4 (1) creates, initiates, or eliminates a program,  
5 project, or activity;

6 (2) increases funds or personnel for any pro-  
7 gram, project, or activity for which funds are denied  
8 or restricted by this Act; or

9 (3) reduces funds that are directed to be used  
10 for a specific program, project, or activity by this  
11 Act.

12 (g)(1) The Secretary of Energy may waive any re-  
13 quirement or restriction in this section that applies to the  
14 use of funds made available for the Department of Energy  
15 if compliance with such requirement or restriction would  
16 pose a substantial risk to human health, the environment,  
17 welfare, or national security.

18 (2) The Secretary of Energy shall notify the Commit-  
19 tees on Appropriations of both Houses of Congress of any  
20 waiver under paragraph (1) as soon as practicable, but  
21 not later than 3 days after the date of the activity to which  
22 a requirement or restriction would otherwise have applied.  
23 Such notice shall include an explanation of the substantial  
24 risk under paragraph (1) that permitted such waiver.

1        SEC. 302. The unexpended balances of prior appro-  
2        priations provided for activities in this Act may be avail-  
3        able to the same appropriation accounts for such activities  
4        established pursuant to this title. Available balances may  
5        be merged with funds in the applicable established ac-  
6        counts and thereafter may be accounted for as one fund  
7        for the same time period as originally enacted.

8        SEC. 303. Funds appropriated by this or any other  
9        Act, or made available by the transfer of funds in this  
10       Act, for intelligence activities are deemed to be specifically  
11       authorized by the Congress for purposes of section 504  
12       of the National Security Act of 1947 (50 U.S.C. 414) dur-  
13       ing fiscal year 2016 until the enactment of the Intelligence  
14       Authorization Act for fiscal year 2016.

15       SEC. 304. None of the funds made available in this  
16       title shall be used for the construction of facilities classi-  
17       fied as high-hazard nuclear facilities under 10 CFR Part  
18       830 unless independent oversight is conducted by the Of-  
19       fice of Independent Enterprise Assessments to ensure the  
20       project is in compliance with nuclear safety requirements.

21       SEC. 305. None of the funds made available in this  
22       title may be used to approve critical decision-2 or critical  
23       decision-3 under Department of Energy Order 413.3B, or  
24       any successive departmental guidance, for construction  
25       projects where the total project cost exceeds

1 \$100,000,000, until a separate independent cost estimate  
 2 has been developed for the project for that critical deci-  
 3 sion.

4 SEC. 306. (a) DEFINITIONS.—In this section:

5 (1) AFFECTED INDIAN TRIBE.—The term “af-  
 6 fected Indian tribe” has the meaning given the term  
 7 in section 2 of the Nuclear Waste Policy Act of 1982  
 8 (42 U.S.C. 10101).

9 (2) HIGH-LEVEL RADIOACTIVE WASTE.—The  
 10 term “high-level radioactive waste” has the meaning  
 11 given the term in section 2 of the Nuclear Waste  
 12 Policy Act of 1982 (42 U.S.C. 10101).

13 (3) NUCLEAR WASTE FUND.—The term “Nu-  
 14 clear Waste Fund” means the Nuclear Waste Fund  
 15 established under section 302(c) of the Nuclear  
 16 Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

17 (4) SECRETARY.—The term “Secretary” means  
 18 the Secretary of Energy.

19 (5) SPENT NUCLEAR FUEL.—The term “spent  
 20 nuclear fuel” has the meaning given the term in sec-  
 21 tion 2 of the Nuclear Waste Policy Act of 1982 (42  
 22 U.S.C. 10101).

23 (b) PILOT PROGRAM.—Notwithstanding any provi-  
 24 sion of the Nuclear Waste Policy Act of 1982 (42 U.S.C.  
 25 10101 et seq.), the Secretary is authorized, in the current

1 fiscal year and subsequent fiscal years, to conduct a pilot  
2 program, through 1 or more private sector partners, to  
3 license, construct, and operate 1 or more government or  
4 privately owned consolidated storage facilities to provide  
5 interim storage as needed for spent nuclear fuel and high-  
6 level radioactive waste, with priority for storage given to  
7 spent nuclear fuel located on sites without an operating  
8 nuclear reactor.

9 (c) REQUESTS FOR PROPOSALS.—Not later than 120  
10 days after the date of enactment of this Act, the Secretary  
11 shall issue a request for proposals for cooperative agree-  
12 ments—

13 (1) to obtain any license necessary from the  
14 Nuclear Regulatory Commission for the construction  
15 of 1 or more consolidated storage facilities;

16 (2) to demonstrate the safe transportation of  
17 spent nuclear fuel and high-level radioactive waste,  
18 as applicable; and

19 (3) to demonstrate the safe storage of spent nu-  
20 clear fuel and high-level radioactive waste, as appli-  
21 cable, at the 1 or more consolidated storage facilities  
22 pending the construction and operation of deep geo-  
23 logic disposal capacity for the permanent disposal of  
24 the spent nuclear fuel.

1 (d) CONSENT-BASED APPROVAL.—Prior to siting a  
2 consolidated storage facility pursuant to this section, the  
3 Secretary shall enter into an agreement to host the facility  
4 with—

5 (1) the Governor of the State;

6 (2) each unit of local government within the ju-  
7 risdiction of which the facility is proposed to be lo-  
8 cated; and

9 (3) each affected Indian tribe.

10 (e) APPLICABILITY.—In executing this section, the  
11 Secretary shall comply with—

12 (1) all licensing requirements and regulations of  
13 the Nuclear Regulatory Commission; and

14 (2) all other applicable laws (including regula-  
15 tions).

16 (f) PILOT PROGRAM PLAN.—Not later than 120 days  
17 after the date on which the Secretary issues the request  
18 for proposals under subsection (c), the Secretary shall sub-  
19 mit to Congress a plan to carry out this section that in-  
20 cludes—

21 (1) an estimate of the cost of licensing, con-  
22 structing, and operating a consolidated storage facil-  
23 ity, including the transportation costs, on an annual  
24 basis, over the expected lifetime of the facility;

25 (2) a schedule for—

1 (A) obtaining any license necessary to con-  
2 struct and operate a consolidated storage facil-  
3 ity from the Nuclear Regulatory Commission;

4 (B) constructing the facility;

5 (C) transporting spent fuel to the facility;

6 and

7 (D) removing the spent fuel and decom-  
8 missioning the facility; and

9 (3) an estimate of the cost of any financial as-  
10 sistance, compensation, or incentives proposed to be  
11 paid to the host State, Indian tribe, or local govern-  
12 ment;

13 (4) an estimate of any future reductions in the  
14 damages expected to be paid by the United States  
15 for the delay of the Department of Energy in accept-  
16 ing spent fuel expected to result from the pilot pro-  
17 gram;

18 (5) recommendations for any additional legisla-  
19 tion needed to authorize and implement the pilot  
20 program; and

21 (6) recommendations for a mechanism to en-  
22 sure that any spent nuclear fuel or high-level radio-  
23 active waste stored at a consolidated storage facility  
24 pursuant to this section shall move to deep geologic  
25 disposal capacity, following a consent-based approval



1 process for that deep geologic disposal capacity con-  
2 sistent with subsection (d), within a reasonable time  
3 after the issuance of a license to construct and oper-  
4 ate the consolidated storage facility.

5 (g) PUBLIC PARTICIPATION.—Prior to choosing a  
6 site for the construction of a consolidated storage facility  
7 under this section, the Secretary shall conduct 1 or more  
8 public hearings in the vicinity of each potential site and  
9 in at least 1 other location within the State in which the  
10 site is located to solicit public comments and recommenda-  
11 tions.

12 (h) USE OF NUCLEAR WASTE FUND.—The Secretary  
13 may make expenditures from the Nuclear Waste Fund to  
14 carry out this section, subject to appropriations.

15 SEC. 307. (a) NOTIFICATION OF STRATEGIC PETRO-  
16 LEUM RESERVE DRAWDOWN.—None of the funds made  
17 available by this Act or any prior or subsequent Act, or  
18 funds made available in the SPR Petroleum Account, may  
19 be used in this fiscal year or each subsequent fiscal year,  
20 to conduct a drawdown (including a test drawdown) and  
21 sale or exchange of petroleum products from the Strategic  
22 Petroleum Reserve unless the Secretary of Energy pro-  
23 vides notice, in accordance with subsection (b), of such  
24 exchange, or drawdown (including a test drawdown) to the

1 Committees on Appropriations of both Houses of Con-  
2 gress.

3 (b)(1) CONTENT OF NOTIFICATION.—The notifica-  
4 tion required under subsection (a) shall include at a min-  
5 imum—

6 (A) the justification for the drawdown or ex-  
7 change, including—

8 (i) a specific description of any obligation  
9 under international energy agreements; and

10 (ii) in the case of a test drawdown, the  
11 specific aspects of the Strategic Petroleum Re-  
12 serve to be tested;

13 (B) the provisions of law (including regulations)  
14 authorizing the drawdown or exchange;

15 (C) the number of barrels of petroleum prod-  
16 ucts proposed to be withdrawn or exchanged;

17 (D) the location of the Strategic Petroleum Re-  
18 serve site or sites from which the petroleum products  
19 are proposed to be withdrawn;

20 (E) a good faith estimate of the expected pro-  
21 ceeds from the sale of the petroleum products;

22 (F) an estimate of the total inventories of pe-  
23 troleum products in the Strategic Petroleum Reserve  
24 after the anticipated drawdown;

1 (G) a detailed plan for disposition of the pro-  
2 ceeds after deposit into the SPR Petroleum Account;  
3 and

4 (H) a plan for refilling the Strategic Petroleum  
5 Reserve, including whether the acquisition will be of  
6 the same or a different petroleum product.

7 (2) TIMING OF NOTIFICATION.—The Secretary  
8 shall provide the notification required under sub-  
9 section (a)—

10 (A) in the case of an exchange or a draw-  
11 down, as soon as practicable after the exchange  
12 or drawdown has occurred; and

13 (B) in the case of a test drawdown, not  
14 later than 30 days prior to the test drawdown.

15 (c) POST-SALE NOTIFICATION.—In addition to re-  
16 porting requirements under other provisions of law, the  
17 Secretary shall, upon the execution of all contract awards  
18 in this fiscal year and each subsequent fiscal year associ-  
19 ated with a competitive sale of petroleum products, notify  
20 the Committees on Appropriations of both Houses of Con-  
21 gress of the actual value of the proceeds from the sale.

22 (d)(1) NEW REGIONAL RESERVES.—The Secretary  
23 may not establish any new regional petroleum product re-  
24 serve unless funding for the proposed regional petroleum  
25 product reserve is explicitly requested in advance in an an-

1 nual budget submission and approved by the Congress in  
2 an appropriations Act.

3 (2) The budget request or notification shall in-  
4 clude—

5 (A) the justification for the new reserve;

6 (B) a cost estimate for the establishment,  
7 operation, and maintenance of the reserve, in-  
8 cluding funding sources;

9 (C) a detailed plan for operation of the re-  
10 serve, including the conditions upon which the  
11 products may be released;

12 (D) the location of the reserve; and

13 (E) the estimate of the total inventory of  
14 the reserve.

15 SEC. 308. (a) Unobligated balances available from  
16 appropriations for fiscal years 2005 through 2010 are  
17 hereby permanently rescinded from the following accounts  
18 of the Department of Energy in the specified amounts:

19 (1) “Energy Programs—Energy Efficiency and  
20 Renewable Energy”, \$16,677,000.

21 (2) “Energy Programs—Electricity Delivery  
22 and Energy Reliability”, \$900,000.

23 (3) “Energy Programs—Nuclear Energy”,  
24 \$1,665,000.

1           (4) “Energy Programs—Fossil Energy Re-  
2       search and Development”, \$12,064,000.

3           (5) “Energy Programs—Science”, \$4,717,000.

4           (6) “Power Marketing Administrations—Con-  
5       struction, Rehabilitation, Operation and Mainte-  
6       nance, Western Area Power Administration”,  
7       \$4,832,000.

8       (b) No amounts may be rescinded by this section  
9       from amounts that were designated by Congress as an  
10      emergency requirement pursuant to a concurrent resolu-  
11      tion on the budget or the Balanced Budget and Emer-  
12      gency Deficit Control Act of 1985.

13      SEC. 309. (a) Unobligated balances available from  
14      appropriations are hereby permanently rescinded from the  
15      following accounts of the Department of Energy in the  
16      specified amounts:

17           (1) “Atomic Energy Defense Activities—Na-  
18      tional Nuclear Security Administration—Weapons  
19      Activities”, \$65,135,000.

20           (2) “Atomic Energy Defense Activities—Na-  
21      tional Nuclear Security Administration—Defense  
22      Nuclear Nonproliferation”, \$19,324,000.

23           (3) “Atomic Energy Defense Activities—Na-  
24      tional Nuclear Security Administration—Naval Re-  
25      actors”, \$628,000.

1 (b) No amounts may be rescinded by this section  
2 from amounts that were designated by Congress as an  
3 emergency requirement pursuant to a concurrent resolu-  
4 tion on the budget or the Balanced Budget and Emer-  
5 gency Deficit Control Act of 1985.

6 SEC. 310. Of the amounts made available by this Act  
7 for “National Nuclear Security Administration—Weapons  
8 Activities”, up to \$50,000,000 may be reprogrammed  
9 within such account for Domestic Uranium Enrichment,  
10 subject to the notice requirements in section 301.

11 TECHNICAL CORRECTION

12 SEC. 311. (a) CONTRACTS FOR STORAGE.—Notwith-  
13 standing any other provision of law and subject to the  
14 availability of appropriations, the Secretary is authorized,  
15 in this year and each subsequent fiscal year, to enter into  
16 contracts to store spent nuclear fuel and high-level radio-  
17 active waste, as applicable, to which the Secretary holds  
18 the title or has a contract to accept title, at any facility  
19 licensed by the Nuclear Regulatory Commission for such  
20 storage.

21 (b) TRANSFER OF TITLE.—Delivery, and acceptance  
22 by the Secretary, of any spent nuclear fuel or high-level  
23 radioactive waste for storage under this section shall con-  
24 stitute a transfer of title to the Secretary of such spent  
25 fuel or waste.

1       (c) CONTRACT MODIFICATION.—The Secretary is au-  
 2 thorized to enter into new contracts or modify existing  
 3 contracts with any person who generates or holds title to  
 4 high-level radioactive waste or spent nuclear fuel, of do-  
 5 mestic origin for the acceptance of title, subsequent trans-  
 6 portation, and storage of such high-level radioactive waste  
 7 or spent nuclear fuel at a facility described under sub-  
 8 section (a).

9       SEC. 312. Notwithstanding any other provision of  
 10 law, the provisions of 40 U.S.C. 11319 shall not apply  
 11 to funds appropriated in this title to Federally Funded  
 12 Research and Development Centers sponsored by the De-  
 13 partment of Energy.

## 14                                   TITLE IV

### 15                                   INDEPENDENT AGENCIES

#### 16                                   APPALACHIAN REGIONAL COMMISSION

17       For expenses necessary to carry out the programs au-  
 18 thorized by the Appalachian Regional Development Act of  
 19 1965, notwithstanding 40 U.S.C. 14704, and for expenses  
 20 necessary for the Federal Co-Chairman and the Alternate  
 21 on the Appalachian Regional Commission, for payment of  
 22 the Federal share of the administrative expenses of the  
 23 Commission, including services as authorized by 5 U.S.C.  
 24 3109, and hire of passenger motor vehicles, \$105,000,000,  
 25 to remain available until expended.

1       DEFENSE NUCLEAR FACILITIES SAFETY BOARD  
2                   SALARIES AND EXPENSES

3       For expenses necessary for the Defense Nuclear Fa-  
4 cilities Safety Board in carrying out activities authorized  
5 by the Atomic Energy Act of 1954, as amended by Public  
6 Law 100–456, section 1441, \$29,150,000, to remain  
7 available until September 30, 2017.

8                   DELTA REGIONAL AUTHORITY  
9                   SALARIES AND EXPENSES

10      For expenses necessary for the Delta Regional Au-  
11 thority and to carry out its activities, as authorized by  
12 the Delta Regional Authority Act of 2000, notwith-  
13 standing sections 382C(b)(2), 382F(d), 382M, and 382N  
14 of said Act, \$25,000,000, to remain available until ex-  
15 pended.

16                   DENALI COMMISSION

17      For expenses necessary for the Denali Commission  
18 including the purchase, construction, and acquisition of  
19 plant and capital equipment as necessary and other ex-  
20 penses, \$11,000,000, to remain available until expended,  
21 notwithstanding the limitations contained in section  
22 306(g) of the Denali Commission Act of 1998: *Provided*,  
23 That funds shall be available for construction projects in  
24 an amount not to exceed 80 percent of total project cost  
25 for distressed communities, as defined by section 307 of



1 the Denali Commission Act of 1998 (division C, title III,  
 2 Public Law 105–277), as amended by section 701 of ap-  
 3 pendix D, title VII, Public Law 106–113 (113 Stat.  
 4 1501A–280), and an amount not to exceed 50 percent for  
 5 non-distressed communities.

#### 6 NORTHERN BORDER REGIONAL COMMISSION

7 For expenses necessary for the Northern Border Re-  
 8 gional Commission in carrying out activities authorized by  
 9 subtitle V of title 40, United States Code, \$7,500,000, to  
 10 remain available until expended: *Provided*, That such  
 11 amounts shall be available for administrative expenses,  
 12 notwithstanding section 15751(b) of title 40, United  
 13 States Code.

#### 14 NUCLEAR REGULATORY COMMISSION

##### 15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-  
 17 rying out the purposes of the Energy Reorganization Act  
 18 of 1974 and the Atomic Energy Act of 1954,  
 19 \$990,000,000, including official representation expenses  
 20 not to exceed \$25,000, to remain available until expended:  
 21 *Provided*, That, of the amount appropriated herein, not  
 22 more than \$7,500,000 may be made available for salaries,  
 23 travel, and other support costs for the Office of the Com-  
 24 mission, to remain available until September 30, 2017, of  
 25 which, notwithstanding section 201(a)(2)(c) of the Energy

1 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),  
 2 the use and expenditure shall only be approved by a major-  
 3 ity vote of the Commission: *Provided further*, That reve-  
 4 nues from licensing fees, inspection services, and other  
 5 services and collections estimated at \$872,864,000 in fis-  
 6 cal year 2016 shall be retained and used for necessary  
 7 salaries and expenses in this account, notwithstanding 31  
 8 U.S.C. 3302, and shall remain available until expended:  
 9 *Provided further*, That the sum herein appropriated shall  
 10 be reduced by the amount of revenues received during fis-  
 11 cal year 2016 so as to result in a final fiscal year 2016  
 12 appropriation estimated at not more than \$117,136,000.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector  
 15 General in carrying out the provisions of the Inspector  
 16 General Act of 1978, \$12,136,000, to remain available  
 17 until September 30, 2017: *Provided*, That revenues from  
 18 licensing fees, inspection services, and other services and  
 19 collections estimated at \$10,060,000 in fiscal year 2016  
 20 shall be retained and be available until September 30,  
 21 2017, for necessary salaries and expenses in this account,  
 22 notwithstanding section 3302 of title 31, United States  
 23 Code: *Provided further*, That the sum herein appropriated  
 24 shall be reduced by the amount of revenues received dur-  
 25 ing fiscal year 2016 so as to result in a final fiscal year

1 2016 appropriation estimated at not more than  
2 \$2,076,000: *Provided further*, That, of the amounts appro-  
3 priated under this heading, \$958,000 shall be for Inspec-  
4 tor General services for the Defense Nuclear Facilities  
5 Safety Board, which shall not be available from fee reve-  
6 nues.

7       NUCLEAR WASTE TECHNICAL REVIEW BOARD

8                   SALARIES AND EXPENSES

9       For expenses necessary for the Nuclear Waste Tech-  
10 nical Review Board, as authorized by Public Law 100–  
11 203, section 5051, \$3,600,000, to be derived from the Nu-  
12 clear Waste Fund, to remain available until September 30,  
13 2017.

14       GENERAL PROVISIONS—INDEPENDENT

15                   AGENCIES

16       SEC. 401. (a) The amounts made available by this  
17 title for the Nuclear Regulatory Commission may be re-  
18 programmed for any program, project, or activity, and the  
19 Commission shall notify the Committees on Appropria-  
20 tions of both Houses of Congress at least 30 days prior  
21 to the use of any proposed reprogramming that would  
22 cause any program funding level to increase or decrease  
23 by more than \$500,000 or 10 percent, whichever is less,  
24 during the time period covered by this Act.

1       (b)(1) The Nuclear Regulatory Commission may  
2 waive the notification requirement in (a) if compliance  
3 with such requirement would pose a substantial risk to  
4 human health, the environment, welfare, or national secu-  
5 rity.

6       (2) The Nuclear Regulatory Commission shall notify  
7 the Committees on Appropriations of both Houses of Con-  
8 gress of any waiver under paragraph (1) as soon as prac-  
9 ticable, but not later than 3 days after the date of the  
10 activity to which a requirement or restriction would other-  
11 wise have applied. Such notice shall include an explanation  
12 of the substantial risk under paragraph (1) that permitted  
13 such waiver and shall provide a detailed report to the  
14 Committees of such waiver and changes to funding levels  
15 to programs, projects, or activities.

16       (c) None of the funds provided for the Nuclear Regu-  
17 latory Commission shall be available for obligation or ex-  
18 penditure through a reprogramming of funds that in-  
19 creases funds or personnel for any program, project, or  
20 activity for which funds are denied or restricted by this  
21 Act.

22       (d) The Commission shall provide a monthly report  
23 to the Committees on Appropriations of both Houses of  
24 Congress, which includes the following for each program,

1 project, or activity, including any prior year appropria-  
2 tions—

- 3 (1) total budget authority;
- 4 (2) total unobligated balances; and
- 5 (3) total unliquidated obligations.

6 SEC. 402. The Nuclear Regulatory Commission shall  
7 comply with the July 5, 2011, version of Chapter VI of  
8 its Internal Commission Procedures when responding to  
9 Congressional requests for information.

10 SEC. 403. Public Law 105–277, division A, section  
11 101(g) (title III, section 329(a), (b)) is amended by insert-  
12 ing, in subsection (b), after “State law” and before the  
13 period the following: “or for the construction and repair  
14 of barge mooring points and barge landing sites to facili-  
15 tate pumping fuel from fuel transport barges into bulk  
16 fuel storage tanks.”.

## 17 TITLE V

### 18 GENERAL PROVISIONS

19 SEC. 501. None of the funds appropriated by this Act  
20 may be used in any way, directly or indirectly, to influence  
21 congressional action on any legislation or appropriation  
22 matters pending before Congress, other than to commu-  
23 nicate to Members of Congress as described in 18 U.S.C.  
24 1913.

1        SEC. 502. (a) None of the funds made available in  
2 title III of this Act may be transferred to any department,  
3 agency, or instrumentality of the United States Govern-  
4 ment, except pursuant to a transfer made by or transfer  
5 authority provided in this Act or any other appropriations  
6 Act for any fiscal year, transfer authority referenced in  
7 the report of the Committee on Appropriations accom-  
8 panying this Act, or any authority whereby a department,  
9 agency, or instrumentality of the United States Govern-  
10 ment may provide goods or services to another depart-  
11 ment, agency, or instrumentality.

12        (b) None of the funds made available for any depart-  
13 ment, agency, or instrumentality of the United States  
14 Government may be transferred to accounts funded in title  
15 III of this Act, except pursuant to a transfer made by or  
16 transfer authority provided in this Act or any other appro-  
17 priations Act for any fiscal year, transfer authority ref-  
18 erenced in the report of the Committee on Appropriations  
19 accompanying this Act, or any authority whereby a de-  
20 partment, agency, or instrumentality of the United States  
21 Government may provide goods or services to another de-  
22 partment, agency, or instrumentality.

23        (c) The head of any relevant department or agency  
24 funded in this Act utilizing any transfer authority shall  
25 submit to the Committees on Appropriations of both

1 Houses of Congress a semiannual report detailing the  
2 transfer authorities, except for any authority whereby a  
3 department, agency, or instrumentality of the United  
4 States Government may provide goods or services to an-  
5 other department, agency, or instrumentality, used in the  
6 previous 6 months and in the year-to-date. This report  
7 shall include the amounts transferred and the purposes  
8 for which they were transferred, and shall not replace or  
9 modify existing notification requirements for each author-  
10 ity.

11 SEC. 503. None of the funds made available by this  
12 Act may be used to implement, administer, carry out,  
13 modify, revise, or enforce Executive Order 13690 (entitled  
14 “Establishing a Federal Flood Risk Management Stand-  
15 ard and a Process for Further Soliciting and Considering  
16 Stakeholder Input”).

17 This division may be cited as the “Energy and Water  
18 Development and Related Agencies Appropriations Act,  
19 2016”.

1 **DIVISION C—DEPARTMENTS OF TRANS-**  
2 **PORTATION, AND HOUSING AND**  
3 **URBAN DEVELOPMENT, AND RELATED**  
4 **AGENCIES APPROPRIATIONS ACT, 2016**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,  
10 \$110,738,000, of which not to exceed \$2,734,000 shall be  
11 available for the immediate Office of the Secretary; not  
12 to exceed \$1,025,000 shall be available for the immediate  
13 Office of the Deputy Secretary; not to exceed \$20,109,000  
14 shall be available for the Office of the General Counsel;  
15 not to exceed \$10,141,000 shall be available for the Office  
16 of the Under Secretary of Transportation for Policy; not  
17 to exceed \$13,867,000 shall be available for the Office of  
18 the Assistant Secretary for Budget and Programs; not to  
19 exceed \$2,546,000 shall be available for the Office of the  
20 Assistant Secretary for Governmental Affairs; not to ex-  
21 ceed \$27,411,000 shall be available for the Office of the  
22 Assistant Secretary for Administration; not to exceed  
23 \$2,029,000 shall be available for the Office of Public Af-  
24 fairs; not to exceed \$1,769,000 shall be available for the  
25 Office of the Executive Secretariat; not to exceed



1 \$1,434,000 shall be available for the Office of Small and  
2 Disadvantaged Business Utilization; not to exceed  
3 \$10,793,000 shall be available for the Office of Intel-  
4 ligence, Security, and Emergency Response; and not to ex-  
5 ceed \$16,880,000 shall be available for the Office of the  
6 Chief Information Officer: *Provided*, That the Secretary  
7 of Transportation is authorized to transfer funds appro-  
8 priated for any office of the Office of the Secretary to any  
9 other office of the Office of the Secretary: *Provided fur-*  
10 *ther*, That no appropriation for any office shall be in-  
11 creased or decreased by more than 5 percent by all such  
12 transfers: *Provided further*, That notice of any change in  
13 funding greater than 5 percent shall be submitted for ap-  
14 proval to the House and Senate Committees on Appropria-  
15 tions: *Provided further*, That not to exceed \$60,000 shall  
16 be for allocation within the Department for official recep-  
17 tion and representation expenses as the Secretary may de-  
18 termine: *Provided further*, That notwithstanding any other  
19 provision of law, excluding fees authorized in Public Law  
20 107–71, there may be credited to this appropriation up  
21 to \$2,500,000 in funds received in user fees: *Provided fur-*  
22 *ther*, That none of the funds provided in this Act shall  
23 be available for the position of Assistant Secretary for  
24 Public Affairs: *Provided further*, That not later than 60  
25 days after the date of enactment of this Act, the Secretary

1 of Transportation shall transmit to Congress the final  
 2 Comprehensive Truck Size and Weight Limits Study, as  
 3 required by section 32801 of Public Law 112–141: *Pro-*  
 4 *vided further*, That the amount herein appropriated for the  
 5 Office of the Under Secretary for Transportation Policy  
 6 shall be reduced by \$100,000 for each day after 60 days  
 7 after the date of enactment of this Act that such report  
 8 has not been submitted to Congress: *Provided further*,  
 9 That the Secretary shall provide the House and Senate  
 10 Committees on Appropriations quarterly written notifica-  
 11 tion regarding the status of pending reports required to  
 12 be submitted to the House and Senate Committees on Ap-  
 13 propriations: *Provided further*, That the Secretary shall  
 14 provide in electronic form all signed reports required by  
 15 Congress.

#### 16 RESEARCH AND TECHNOLOGY

17 For necessary expenses related to the Office of the  
 18 Assistant Secretary for Research and Technology,  
 19 \$13,000,000, of which \$8,218,000 shall remain available  
 20 until September 30, 2018: *Provided*, That there may be  
 21 credited to this appropriation, to be available until ex-  
 22 pended, funds received from States, counties, municipali-  
 23 ties, other public authorities, and private sources for ex-  
 24 penses incurred for training: *Provided further*, That any  
 25 reference in law, regulation, judicial proceedings, or else-

1 where to the Research and Innovative Technology Admin-  
 2 istration shall continue to be deemed to be a reference to  
 3 the Office of the Assistant Secretary for Research and  
 4 Technology of the Department of Transportation.

5 NATIONAL INFRASTRUCTURE INVESTMENTS

6 For capital investments in surface transportation in-  
 7 frastructure, \$500,000,000, to remain available through  
 8 September 30, 2019: *Provided*, That the Secretary of  
 9 Transportation shall distribute funds provided under this  
 10 heading as discretionary grants to be awarded to a State,  
 11 local government, transit agency, or a collaboration among  
 12 such entities on a competitive basis for projects that will  
 13 have a significant impact on the Nation, a metropolitan  
 14 area, or a region: *Provided further*, That projects eligible  
 15 for funding provided under this heading shall include, but  
 16 not be limited to, highway or bridge projects eligible under  
 17 title 23, United States Code; public transportation  
 18 projects eligible under chapter 53 of title 49, United  
 19 States Code; passenger and freight rail transportation  
 20 projects; and port infrastructure investments (including  
 21 inland port infrastructure): *Provided further*, That the  
 22 Secretary may use up to 20 percent of the funds made  
 23 available under this heading for the purpose of paying the  
 24 subsidy and administrative costs of projects eligible for  
 25 Federal credit assistance under chapter 6 of title 23,

1 United States Code, if the Secretary finds that such use  
2 of the funds would advance the purposes of this para-  
3 graph: *Provided further*, That in distributing funds pro-  
4 vided under this heading, the Secretary shall take such  
5 measures so as to ensure an equitable geographic distribu-  
6 tion of funds, an appropriate balance in addressing the  
7 needs of urban and rural areas, and the investment in a  
8 variety of transportation modes: *Provided further*, That a  
9 grant funded under this heading shall be not less than  
10 \$10,000,000 and not greater than \$100,000,000: *Pro-*  
11 *vided further*, That not more than 25 percent of the funds  
12 made available under this heading may be awarded to  
13 projects in a single State: *Provided further*, That the Fed-  
14 eral share of the costs for which an expenditure is made  
15 under this heading shall be, at the option of the recipient,  
16 up to 80 percent: *Provided further*, That the Secretary  
17 shall give priority to projects that require a contribution  
18 of Federal funds in order to complete an overall financing  
19 package: *Provided further*, That not less than 30 percent  
20 of the funds provided under this heading shall be for  
21 projects located in rural areas: *Provided further*, That for  
22 projects located in rural areas, the minimum grant size  
23 shall be \$1,000,000 and the Secretary may increase the  
24 Federal share of costs above 80 percent: *Provided further*,  
25 That of the amount made available under this heading,

1 the Secretary may use an amount not to exceed  
 2 \$25,000,000 for the planning, preparation or design of  
 3 projects eligible for funding under this heading: *Provided*  
 4 *further*, That grants awarded under the previous proviso  
 5 shall not be subject to a minimum grant size: *Provided*  
 6 *further*, That projects conducted using funds provided  
 7 under this heading must comply with the requirements of  
 8 subchapter IV of chapter 31 of title 40, United States  
 9 Code: *Provided further*, That the Secretary shall conduct  
 10 a new competition to select the grants and credit assist-  
 11 ance awarded under this heading: *Provided further*, That  
 12 the Secretary may retain up to \$20,000,000 of the funds  
 13 provided under this heading, and may transfer portions  
 14 of those funds to the Administrators of the Federal High-  
 15 way Administration, the Federal Transit Administration,  
 16 the Federal Railroad Administration, and the Maritime  
 17 Administration, to fund the award and oversight of grants  
 18 and credit assistance made under the National Infrastruc-  
 19 ture Investments program.

#### 20 FINANCIAL MANAGEMENT CAPITAL

21 For necessary expenses for upgrading and enhancing  
 22 the Department of Transportation's financial systems and  
 23 re-engineering business processes, \$5,000,000, to remain  
 24 available through September 30, 2017.

## 1 CYBER SECURITY INITIATIVES

2 For necessary expenses for cyber security initiatives,  
3 including necessary upgrades to wide area network and  
4 information technology infrastructure, improvement of  
5 network perimeter controls and identity management,  
6 testing and assessment of information technology against  
7 business, security, and other requirements, implementa-  
8 tion of Federal cyber security initiatives and information  
9 infrastructure enhancements, implementation of enhanced  
10 security controls on network devices, and enhancement of  
11 cyber security workforce training tools, \$8,000,000, to re-  
12 main available through September 30, 2017.

## 13 OFFICE OF CIVIL RIGHTS

14 For necessary expenses of the Office of Civil Rights,  
15 \$9,678,000.

16 TRANSPORTATION PLANNING, RESEARCH, AND  
17 DEVELOPMENT

18 For necessary expenses for conducting transportation  
19 planning, research, systems development, development ac-  
20 tivities, and making grants, to remain available until ex-  
21 pended, \$6,000,000.

22 INTERAGENCY INFRASTRUCTURE PERMITTING  
23 IMPROVEMENT CENTER

24 For necessary expenses to establish an Interagency  
25 Infrastructure Permitting Improvement Center (IIPIC)

1 that will implement reforms to improve interagency coordi-  
 2 nation and the expediting of projects related to the permit-  
 3 ting and environmental review of major transportation in-  
 4 frastructure projects including one-time expenses to de-  
 5 velop and deploy information technology tools to track  
 6 project schedules and metrics and improve the trans-  
 7 parency and accountability of the permitting process,  
 8 \$4,000,000, to remain available until expended: *Provided*,  
 9 That there may be transferred to this appropriation, to  
 10 remain available until expended, amounts from other Fed-  
 11 eral agencies for expenses incurred under this heading for  
 12 activities not related to transportation infrastructure: *Pro-*  
 13 *vided further*, That the tools and analysis developed by the  
 14 IIPIC shall be available to other Federal agencies for the  
 15 permitting and review of major infrastructure projects not  
 16 related to transportation only to the extent that other Fed-  
 17 eral agencies provide funding to the Department as pro-  
 18 vided for under the previous proviso.

19 WORKING CAPITAL FUND

20 For necessary expenses for operating costs and cap-  
 21 ital outlays of the Working Capital Fund, not to exceed  
 22 \$190,039,000 shall be paid from appropriations made  
 23 available to the Department of Transportation: *Provided*,  
 24 That such services shall be provided on a competitive basis  
 25 to entities within the Department of Transportation: *Pro-*

1 *vided further*, That the above limitation on operating ex-  
 2 penses shall not apply to non-DOT entities: *Provided fur-*  
 3 *ther*, That no funds appropriated in this Act to an agency  
 4 of the Department shall be transferred to the Working  
 5 Capital Fund without majority approval of the Working  
 6 Capital Fund Steering Committee and approval of the  
 7 Secretary: *Provided further*, That no assessments may be  
 8 levied against any program, budget activity, subactivity or  
 9 project funded by this Act unless notice of such assess-  
 10 ments and the basis therefor are presented to the House  
 11 and Senate Committees on Appropriations and are ap-  
 12 proved by such Committees.

13 MINORITY BUSINESS RESOURCE CENTER PROGRAM

14 For the cost of guaranteed loans, \$336,000, as au-  
 15 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-  
 16 cluding the cost of modifying such loans, shall be as de-  
 17 fined in section 502 of the Congressional Budget Act of  
 18 1974: *Provided further*, That these funds are available to  
 19 subsidize total loan principal, any part of which is to be  
 20 guaranteed, not to exceed \$18,367,000.

21 In addition, for administrative expenses to carry out  
 22 the guaranteed loan program, \$597,000.

23 MINORITY BUSINESS OUTREACH

24 For necessary expenses of Minority Business Re-  
 25 source Center outreach activities, \$3,084,000, to remain



1 available until September 30, 2017: *Provided*, That not-  
2 withstanding 49 U.S.C. 332, these funds may be used for  
3 business opportunities related to any mode of transpor-  
4 tation.

5 PAYMENTS TO AIR CARRIERS

6 (AIRPORT AND AIRWAY TRUST FUND)

7 In addition to funds made available from any other  
8 source to carry out the essential air service program under  
9 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-  
10 rived from the Airport and Airway Trust Fund, to remain  
11 available until expended: *Provided*, That in determining  
12 between or among carriers competing to provide service  
13 to a community, the Secretary may consider the relative  
14 subsidy requirements of the carriers: *Provided further*,  
15 That basic essential air service minimum requirements  
16 shall not include the 15-passenger capacity requirement  
17 under subsection 41732(b)(3) of title 49, United States  
18 Code: *Provided further*, That none of the funds in this Act  
19 or any other Act shall be used to enter into a new contract  
20 with a community located less than 40 miles from the  
21 nearest small hub airport before the Secretary has nego-  
22 tiated with the community over a local cost share: *Pro-*  
23 *vided further*, That amounts authorized to be distributed  
24 for the essential air service program under subsection  
25 41742(b) of title 49, United States Code, shall be made

1 available immediately from amounts otherwise provided to  
2 the Administrator of the Federal Aviation Administration:  
3 *Provided further*, That the Administrator may reimburse  
4 such amounts from fees credited to the account estab-  
5 lished under section 45303 of title 49, United States Code.

6 ADMINISTRATIVE PROVISIONS—OFFICE OF THE  
7 SECRETARY OF TRANSPORTATION

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

17 SEC. 102. The Secretary or his or her designee may  
18 engage in activities with States and State legislators to  
19 consider proposals related to the reduction of motorcycle  
20 fatalities.

21 SEC. 103. Notwithstanding section 3324 of title 31,  
22 United States Code, in addition to authority provided by  
23 section 327 of title 49, United States Code, the Depart-  
24 ment's Working Capital Fund is hereby authorized to pro-  
25 vide payments in advance to vendors that are necessary

1 to carry out the Federal transit pass transportation fringe  
2 benefit program under Executive Order 13150 and section  
3 3049 of Public Law 109–59: *Provided*, That the Depart-  
4 ment shall include adequate safeguards in the contract  
5 with the vendors to ensure timely and high-quality per-  
6 formance under the contract.

7 SEC. 104. The Secretary shall post on the Web site  
8 of the Department of Transportation a schedule of all  
9 meetings of the Credit Council, including the agenda for  
10 each meeting, and require the Credit Council to record the  
11 decisions and actions of each meeting.

12 SEC. 105. Notwithstanding any other provision of  
13 law, none of the funds appropriated or made available  
14 under this Act shall be used to finalize or implement sec-  
15 tions 256.1 through 256.5 and 399.80 of the Department  
16 of Transportation’s proposed rulemaking, as published in  
17 the Federal Register on Friday, May 23, 2014 (79 FR  
18 29969), relating to Transparency of Airline Ancillary Fees  
19 and Other Consumer Protection Issues.

20 FEDERAL AVIATION ADMINISTRATION

21 OPERATIONS

22 (AIRPORT AND AIRWAY TRUST FUND)

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

1 transportation, administrative expenses for research and  
2 development, establishment of air navigation facilities, the  
3 operation (including leasing) and maintenance of aircraft,  
4 subsidizing the cost of aeronautical charts and maps sold  
5 to the public, lease or purchase of passenger motor vehi-  
6 cles for replacement only, in addition to amounts made  
7 available by Public Law 112–95, \$9,897,818,000 of which  
8 \$8,180,000,000 shall be derived from the Airport and Air-  
9 way Trust Fund, of which not to exceed \$7,505,293,000  
10 shall be available for air traffic organization activities; not  
11 to exceed \$1,258,411,000 shall be available for aviation  
12 safety activities; not to exceed \$17,425,000 shall be avail-  
13 able for commercial space transportation activities; not to  
14 exceed \$748,969,000 shall be available for finance and  
15 management activities; not to exceed \$60,089,000 shall be  
16 available for NextGen and operations planning activities;  
17 not to exceed \$100,880,000 shall be available for security  
18 and hazardous materials safety; and not to exceed  
19 \$206,751,000 shall be available for staff offices: *Provided*,  
20 That not to exceed 2 percent of any budget activity, except  
21 for aviation safety budget activity, may be transferred to  
22 any budget activity under this heading: *Provided further*,  
23 That no transfer may increase or decrease any appropria-  
24 tion by more than 2 percent: *Provided further*, That any  
25 transfer in excess of 2 percent shall be treated as a re-

1 programming of funds under section 405 of this Act and  
2 shall not be available for obligation or expenditure except  
3 in compliance with the procedures set forth in that section:  
4 *Provided further*, That not later than March 31 of each  
5 fiscal year hereafter, the Administrator of the Federal  
6 Aviation Administration shall transmit to Congress an an-  
7 nual update to the report submitted to Congress in De-  
8 cember 2004 pursuant to section 221 of Public Law 108–  
9 176: *Provided further*, That the amount herein appro-  
10 priated shall be reduced by \$100,000 for each day after  
11 March 31 that such report has not been submitted to the  
12 Congress: *Provided further*, That not later than March 31  
13 of each fiscal year hereafter, the Administrator shall  
14 transmit to Congress a companion report that describes  
15 a comprehensive strategy for staffing, hiring, and training  
16 flight standards and aircraft certification staff in a format  
17 similar to the one utilized for the controller staffing plan,  
18 including stated attrition estimates and numerical hiring  
19 goals by fiscal year: *Provided further*, That the amount  
20 herein appropriated shall be reduced by \$100,000 per day  
21 for each day after March 31 that such report has not been  
22 submitted to Congress: *Provided further*, That funds may  
23 be used to enter into a grant agreement with a nonprofit  
24 standard-setting organization to assist in the development  
25 of aviation safety standards: *Provided further*, That none

1 of the funds in this Act shall be available for new appli-  
2 cants for the second career training program: *Provided*  
3 *further*, That none of the funds in this Act shall be avail-  
4 able for the Federal Aviation Administration to finalize  
5 or implement any regulation that would promulgate new  
6 aviation user fees not specifically authorized by law after  
7 the date of the enactment of this Act: *Provided further*,  
8 That there may be credited to this appropriation, as off-  
9 setting collections, funds received from States, counties,  
10 municipalities, foreign authorities, other public authori-  
11 ties, and private sources for expenses incurred in the pro-  
12 vision of agency services, including receipts for the mainte-  
13 nance and operation of air navigation facilities, and for  
14 issuance, renewal or modification of certificates, including  
15 airman, aircraft, and repair station certificates, or for  
16 tests related thereto, or for processing major repair or al-  
17 teration forms: *Provided further*, That of the funds appro-  
18 priated under this heading, not less than \$154,400,000  
19 shall be for the contract tower program, including the con-  
20 tract tower cost share program: *Provided further*, That  
21 none of the funds in this Act for aeronautical charting  
22 and cartography are available for activities conducted by,  
23 or coordinated through, the Working Capital Fund.

## FACILITIES AND EQUIPMENT

## (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,600,000,000, of which \$467,000,000 shall remain available until September 30, 2016, and \$2,133,000,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and

1 modernization of national airspace systems: *Provided fur-*  
 2 *ther*, That no later than March 31, the Secretary of Trans-  
 3 portation shall transmit to the Congress an investment  
 4 plan for the Federal Aviation Administration which in-  
 5 cludes funding for each budget line item for fiscal years  
 6 2017 through 2021, with total funding for each year of  
 7 the plan constrained to the funding targets for those years  
 8 as estimated and approved by the Office of Management  
 9 and Budget: *Provided further*, That the amount herein ap-  
 10 propriated shall be reduced by \$100,000 per day for each  
 11 day after March 31 that such report has not been sub-  
 12 mitted to Congress.

13 RESEARCH, ENGINEERING, AND DEVELOPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,  
 16 for research, engineering, and development, as authorized  
 17 under part A of subtitle VII of title 49, United States  
 18 Code, including construction of experimental facilities and  
 19 acquisition of necessary sites by lease or grant,  
 20 \$163,325,000, to be derived from the Airport and Airway  
 21 Trust Fund and to remain available until September 30,  
 22 2018: *Provided*, That there may be credited to this appro-  
 23 priation as offsetting collections, funds received from  
 24 States, counties, municipalities, other public authorities,



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

3 GRANTS-IN-AID FOR AIRPORTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (LIMITATION ON OBLIGATIONS)

6 (AIRPORT AND AIRWAY TRUST FUND)

7 (INCLUDING TRANSFER OF FUNDS)

8 (INCLUDING RESCISSION)

9 For liquidation of obligations incurred for grants-in-  
 10 aid for airport planning and development, and noise com-  
 11 patibility planning and programs as authorized under sub-  
 12 chapter I of chapter 471 and subchapter I of chapter 475  
 13 of title 49, United States Code, and under other law au-  
 14 thorizing such obligations; for procurement, installation,  
 15 and commissioning of runway incursion prevention devices  
 16 and systems at airports of such title; for grants authorized  
 17 under section 41743 of title 49, United States Code; and  
 18 for inspection activities and administration of airport safe-  
 19 ty programs, including those related to airport operating  
 20 certificates under section 44706 of title 49, United States  
 21 Code, \$3,600,000,000, to be derived from the Airport and  
 22 Airway Trust Fund and to remain available until ex-  
 23 pended: *Provided*, That none of the funds under this head-  
 24 ing shall be available for the planning or execution of pro-  
 25 grams the obligations for which are in excess of

1 \$3,350,000,000 in fiscal year 2016, notwithstanding sec-  
2 tion 47117(g) of title 49, United States Code: *Provided*  
3 *further*, That none of the funds under this heading shall  
4 be available for the replacement of baggage conveyor sys-  
5 tems, reconfiguration of terminal baggage areas, or other  
6 airport improvements that are necessary to install bulk ex-  
7 plosive detection systems: *Provided further*, That notwith-  
8 standing section 47109(a) of title 49, United States Code,  
9 the Government's share of allowable project costs under  
10 paragraph (2) for subgrants or paragraph (3) of that sec-  
11 tion shall be 95 percent for a project at other than a large  
12 or medium hub airport that is a successive phase of a  
13 multi-phased construction project for which the project  
14 sponsor received a grant in fiscal year 2011 for the con-  
15 struction project: *Provided further*, That notwithstanding  
16 any other provision of law, of funds limited under this  
17 heading, not more than \$107,100,000 shall be obligated  
18 for administration, not less than \$15,000,000 shall be  
19 available for the Airport Cooperative Research Program,  
20 not less than \$31,000,000 shall be available for Airport  
21 Technology Research, and \$10,000,000, to remain avail-  
22 able until expended, shall be available and transferred to  
23 "Office of the Secretary, Salaries and Expenses" to carry  
24 out the Small Community Air Service Development Pro-  
25 gram: *Provided further*, That in addition to airports eligi-

1 ble under section 41743 of title 49, such program may  
 2 include the participation of an airport that serves a com-  
 3 munity or consortium that is not larger than a small hub  
 4 airport, according to FAA hub classifications effective at  
 5 the time the Office of the Secretary issues a request for  
 6 proposals.

7 (RESCISSION)

8 Of the amounts authorized for the fiscal year ending  
 9 September 30, 2016, under section 48112 of title 49,  
 10 United States Code, all unobligated balances are perma-  
 11 nently rescinded.

12 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

13 ADMINISTRATION

14 SEC. 110. None of the funds in this Act may be used  
 15 to compensate in excess of 600 technical staff-years under  
 16 the federally funded research and development center con-  
 17 tract between the Federal Aviation Administration and the  
 18 Center for Advanced Aviation Systems Development dur-  
 19 ing fiscal year 2016.

20 SEC. 111. None of the funds in this Act shall be used  
 21 to pursue or adopt guidelines or regulations requiring air-  
 22 port sponsors to provide to the Federal Aviation Adminis-  
 23 tration without cost building construction, maintenance,  
 24 utilities and expenses, or space in airport sponsor-owned  
 25 buildings for services relating to air traffic control, air

1 navigation, or weather reporting: *Provided*, That the pro-  
2 hibition of funds in this section does not apply to negotia-  
3 tions between the agency and airport sponsors to achieve  
4 agreement on “below-market” rates for these items or to  
5 grant assurances that require airport sponsors to provide  
6 land without cost to the FAA for air traffic control facili-  
7 ties.

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

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

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

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

5        SEC. 116. The Secretary shall apportion to the spon-  
6 sor of an airport that received scheduled or unscheduled  
7 air service from a large certified air carrier (as defined  
8 in part 241 of title 14 Code of Federal Regulations, or  
9 such other regulations as may be issued by the Secretary  
10 under the authority of section 41709) an amount equal  
11 to the minimum apportionment specified in 49 U.S.C.  
12 47114(c), if the Secretary determines that airport had  
13 more than 10,000 passenger boardings in the preceding  
14 calendar year, based on data submitted to the Secretary  
15 under part 241 of title 14, Code of Federal Regulations.

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

21        SEC. 118. Notwithstanding any other provision of  
22 law, none of the funds made available under this Act or  
23 any prior Act may be used to implement or to continue  
24 to implement any limitation on the ability of any owner  
25 or operator of a private aircraft to obtain, upon a request

1 to the Administrator of the Federal Aviation Administra-  
2 tion, a blocking of that owner's or operator's aircraft reg-  
3 istration number from any display of the Federal Aviation  
4 Administration's Aircraft Situational Display to Industry  
5 data that is made available to the public, except data made  
6 available to a Government agency, for the noncommercial  
7 flights of that owner or operator.

8       SEC. 119. None of the funds in this Act shall be avail-  
9 able for salaries and expenses of more than 9 political and  
10 Presidential appointees in the Federal Aviation Adminis-  
11 tration.

12       SEC. 119A. None of the funds made available under  
13 this Act may be used to increase fees pursuant to section  
14 44721 of title 49, United States Code, until the FAA pro-  
15 vides to the House and Senate Committees on Appropria-  
16 tions a report that justifies all fees related to aeronautical  
17 navigation products and explains how such fees are con-  
18 sistent with Executive Order 13642.

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

23       SEC. 119C. None of the funds in this Act may be  
24 used to close a regional operations center of the Federal  
25 Aviation Administration or reduce its services unless the

1 Administrator notifies the House and Senate Committees  
 2 on Appropriations not less than 90 full business days in  
 3 advance.

4 FEDERAL HIGHWAY ADMINISTRATION

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 (HIGHWAY TRUST FUND)

7 (INCLUDING TRANSFER OF FUNDS)

8 Not to exceed \$429,348,000, together with advances  
 9 and reimbursements received by the Federal Highway Ad-  
 10 ministration, shall be obligated for necessary expenses for  
 11 administration and operation of the Federal Highway Ad-  
 12 ministration or transferred to the Appalachian Regional  
 13 Commission in accordance with section 104 of title 23,  
 14 United States Code.

15 FEDERAL-AID HIGHWAYS

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 Funds available for the implementation or execution  
 19 of Federal-aid highways and highway safety construction  
 20 programs authorized under titles 23 and 49, United States  
 21 Code, and the provisions of Public Law 112–141 shall not  
 22 exceed total obligations of \$40,256,000,000 for fiscal year  
 23 2016: *Provided*, That the Secretary may collect and spend  
 24 fees, as authorized by title 23, United States Code, to  
 25 cover the costs of services of expert firms, including coun-

1 sel, in the field of municipal and project finance to assist  
 2 in the underwriting and servicing of Federal credit instru-  
 3 ments and all or a portion of the costs to the Federal Gov-  
 4 ernment of servicing such credit instruments: *Provided*  
 5 *further*, That such fees are available until expended to pay  
 6 for such costs: *Provided further*, That such amounts are  
 7 in addition to administrative expenses that are also avail-  
 8 able for such purpose, and are not subject to any obliga-  
 9 tion limitation or the limitation on administrative expenses  
 10 under section 608 of title 23, United States Code.

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (HIGHWAY TRUST FUND)

13 For the payment of obligations incurred in carrying  
 14 out Federal-aid highways and highway safety construction  
 15 programs authorized under title 23, United States Code,  
 16 \$40,995,000,000 derived from the Highway Trust Fund  
 17 (other than the Mass Transit Account), to remain avail-  
 18 able until expended.

19 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

20 ADMINISTRATION

21 SEC. 120. (a) For fiscal year 2016, the Secretary of  
 22 Transportation shall—

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



1 (A) amounts authorized for administrative  
2 expenses and programs by section 104(a) of  
3 title 23, United States Code; and

4 (B) amounts authorized for the Bureau of  
5 Transportation Statistics;

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

9 (A) made available from the Highway  
10 Trust Fund (other than the Mass Transit Ac-  
11 count) for Federal-aid highways and highway  
12 safety construction programs for previous fiscal  
13 years the funds for which are allocated by the  
14 Secretary (or apportioned by the Secretary  
15 under section 202 or 204 of title 23, United  
16 States Code); and

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

19 (3) determine the proportion that—

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

24 (B) the total of the sums authorized to be  
25 appropriated for the Federal-aid highways and

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

11 (4) distribute the obligation limitation for Fed-  
12 eral-aid highways, less the aggregate amounts not  
13 distributed under paragraphs (1) and (2), for each  
14 of the programs (other than programs to which  
15 paragraph (1) applies) that are allocated by the Sec-  
16 retary under the Moving Ahead for Progress in the  
17 21st Century Act and title 23, United States Code,  
18 or apportioned by the Secretary under sections 202  
19 or 204 of that title, by multiplying—

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

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

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

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

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

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

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

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

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

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

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

12          (6) sections 1103 through 1108 of the Inter-  
13      modal Surface Transportation Efficiency Act of  
14      1991 (105 Stat. 2027);

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

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

21          (9) Federal-aid highways programs for which  
22      obligation authority was made available under the  
23      Transportation Equity Act for the 21st Century  
24      (112 Stat. 107) or subsequent Acts for multiple  
25      years or to remain available until expended, but only

1 to the extent that the obligation authority has not  
2 lapsed or been used;

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

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

13 (12) section 119 of title 23, United States Code  
14 (but, for each of fiscal years 2013 through 2016,  
15 only in an amount equal to \$639,000,000).

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

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

23 (2) redistribute sufficient amounts to those  
24 States able to obligate amounts in addition to those  
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-  
 2 ances of funds apportioned under sections 144 (as in  
 3 effect on the day before the date of enactment of  
 4 Public Law 112–141) and 104 of title 23, United  
 5 States Code.

6 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO  
 7 TRANSPORTATION RESEARCH PROGRAMS.—

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

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

14 (B) division E of the Moving Ahead for  
 15 Progress in the 21st Century Act.

16 (2) EXCEPTION.—Obligation authority made  
 17 available under paragraph (1) shall—

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

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

24 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED  
 25 FUNDS.—

1           (1) IN GENERAL.—Not later than 30 days after  
2       the date of distribution of obligation limitation  
3       under subsection (a), the Secretary shall distribute  
4       to the States any funds (excluding funds authorized  
5       for the program under section 202 of title 23,  
6       United States Code) that—

7           (A) are authorized to be appropriated for  
8       such fiscal year for Federal-aid highways pro-  
9       grams; and

10          (B) the Secretary determines will not be  
11       allocated to the States (or will not be appor-  
12       tioned to the States under section 204 of title  
13       23, United States Code), and will not be avail-  
14       able for obligation, for such fiscal year because  
15       of the imposition of any obligation limitation for  
16       such fiscal year.

17          (2) RATIO.—Funds shall be distributed under  
18       paragraph (1) in the same proportion as the dis-  
19       tribution of obligation authority under subsection  
20       (a)(5).

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

1        SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-  
2        ceived by the Bureau of Transportation Statistics from the  
3        sale of data products, for necessary expenses incurred pur-  
4        suant to chapter 63 of title 49, United States Code, may  
5        be credited to the Federal-aid highways account for the  
6        purpose of reimbursing the Bureau for such expenses:  
7        *Provided*, That such funds shall be subject to the obliga-  
8        tion limitation for Federal-aid highways and highway safe-  
9        ty construction programs.

10       SEC. 122. Not less than 15 days prior to waiving,  
11       under his or her statutory authority, any Buy America re-  
12       quirement for Federal-aid highways projects, the Sec-  
13       retary of Transportation shall make an informal public no-  
14       tice and comment opportunity on the intent to issue such  
15       waiver and the reasons therefor: *Provided*, That the Sec-  
16       retary shall provide an annual report to the House and  
17       Senate Committees on Appropriations on any waivers  
18       granted under the Buy America requirements.

19       SEC. 123. None of the funds in this Act to the De-  
20       partment of Transportation may be used to provide credit  
21       assistance unless not less than 3 days before any applica-  
22       tion approval to provide credit assistance under sections  
23       603 and 604 of title 23, United States Code, the Secretary  
24       of Transportation provides notification in writing to the  
25       following committees: the House and Senate Committees



1 on Appropriations; the Committee on Environment and  
2 Public Works and the Committee on Banking, Housing  
3 and Urban Affairs of the Senate; and the Committee on  
4 Transportation and Infrastructure of the House of Rep-  
5 resentatives: *Provided*, That such notification shall in-  
6 clude, but not be limited to, the name of the project spon-  
7 sor; a description of the project; whether credit assistance  
8 will be provided as a direct loan, loan guarantee, or line  
9 of credit; and the amount of credit assistance.

10 SEC. 124. From the unobligated balances of funds  
11 apportioned among the States prior to October 1, 2012,  
12 under sections 104(b) of title 23, United States Code (as  
13 in effect on the day before the date of enactment of Public  
14 Law 112–141), the amount of \$22,348,000 shall be made  
15 available in fiscal year 2016 for the administrative ex-  
16 penses of the Federal Highway Administration: *Provided*,  
17 That this provision shall not apply to funds distributed  
18 in accordance with section 104(b)(5) of title 23, United  
19 States Code (as in effect on the day before the date of  
20 enactment of Public Law 112–141); section 133(d)(1) of  
21 such title (as in effect on the day before the date of enact-  
22 ment of Public Law 109–59); and the first sentence of  
23 section 133(d)(3)(A) of such title (as in effect on the day  
24 before the date of enactment of Public Law 112–141):  
25 *Provided further*, That such amount shall be derived on

1 a proportional basis from the unobligated balances of ap-  
 2 portioned funds to which this provision applies: *Provided*  
 3 *further*, That the amount made available by this provision  
 4 in fiscal year 2016 for the administrative expenses of the  
 5 Federal Highway Administration shall be in addition to  
 6 the amount made available in fiscal year 2016 for such  
 7 purposes under section 104(a) of title 23, United States  
 8 Code.

9 SEC. 125. Section 127 of title 23, United States  
 10 Code, is amended by adding at the end the following:

11 “(m) OPERATION OF CERTAIN SPECIALIZED HAUL-  
 12 ING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

13 “(1) IN GENERAL.—If any segment of United  
 14 States Route 59, United States Route 77, United  
 15 States Route 281, United States Route 84, or routes  
 16 otherwise made eligible for designation as Interstate  
 17 Route 69, is designated as Interstate Route 69, a  
 18 vehicle that could operate legally on that segment  
 19 before the date of such designation may continue to  
 20 operate on that segment, without regard to any re-  
 21 quirement under subsection (a).

22 “(2) DESCRIPTION OF HIGHWAY SEGMENTS.—  
 23 The highway segments referred to in paragraph (1)  
 24 are any segment of United States Route 59, United  
 25 States Route 77, United States Route 281, United

1 States Route 84, and routes otherwise made eligible  
2 for designation as Interstate Route 69 in Texas.

3 “(n) OPERATION OF CERTAIN SPECIALIZED VEHI-  
4 CLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKAN-  
5 SAS.—If any segment of United States Route 63 between  
6 the exits for Arkansas Highway 14 and Arkansas High-  
7 way 75 is designated as part of the Interstate System—

8 “(1) a vehicle that could legally operate on the  
9 segment before the date of such designation at the  
10 posted speed limit may continue to operate on that  
11 segment; and

12 “(2) a vehicle that can only travel slower than  
13 the posted speed limit on the segment and could oth-  
14 erwise legally operate on the segment before the date  
15 of such designation may continue to operate on that  
16 segment during daylight hours.”.

17 SEC. 126. (a) A State or territory, as defined in sec-  
18 tion 165 of title 23, United States Code, may use for any  
19 project eligible under section 133(b) of title 23 or section  
20 165 of title 23 and located within the boundary of the  
21 State or territory any earmarked amount, and any associ-  
22 ated obligation limitation, provided that the Department  
23 of Transportation for the State or territory for which the  
24 earmarked amount was originally designated or directed  
25 notifies the Secretary of Transportation of its intent to

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

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

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

22 (2) a congressional earmark, as defined in rule  
23 XXI of the Rules of the House of Representatives  
24 identified in a prior law, report, or joint explanatory  
25 statement, which was authorized to be appropriated

1 or appropriated more than 10 fiscal years prior to  
2 the fiscal year in which this Act becomes effective,  
3 and administered by the Federal Highway Adminis-  
4 tration.

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

16 (d) The Secretary shall submit consolidated reports  
17 of the information provided by the States and territories  
18 each quarter to the House and Senate Committees on Ap-  
19 propriations.

20 SEC. 127. (a) IN GENERAL.—Section 31112(c)(5) of  
21 title 49, United States Code, is amended—

22 (1) by striking “Nebraska may” and inserting  
23 “Nebraska and Kansas may”; and

24 (2) by striking “the State of Nebraska” and in-  
25 serting “the relevant state”.

1 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

2 Section 31112(c) of such title is amended—

3 (1) by striking the subsection designation and  
4 heading and inserting the following:

5 “(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA,  
6 IOWA, NEBRASKA, AND KANSAS.—”;

7 (2) by striking “; and” at the end of paragraph

8 (3) and inserting a semicolon; and

9 (3) by striking the period at the end of para-  
10 graph (4) and inserting “; and”.

11 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

12 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in the implemen-  
17 tation, execution and administration of motor carrier safe-  
18 ty operations and programs pursuant to section 31104(i)  
19 of title 49, United States Code, and sections 4127 and  
20 4134 of Public Law 109–59, as amended by Public Law  
21 112–141, \$259,000,000, to be derived from the Highway  
22 Trust Fund (other than the Mass Transit Account), to-  
23 gether with advances and reimbursements received by the  
24 Federal Motor Carrier Safety Administration, the sum of  
25 which shall remain available until expended: *Provided,*

1 That funds available for implementation, execution or ad-  
 2 ministration of motor carrier safety operations and pro-  
 3 grams authorized under title 49, United States Code, shall  
 4 not exceed total obligations of \$259,000,000 for “Motor  
 5 Carrier Safety Operations and Programs” for fiscal year  
 6 2016, of which \$9,000,000, to remain available for obliga-  
 7 tion until September 30, 2018, is for the research and  
 8 technology program, and of which \$34,545,000, to remain  
 9 available for obligation until September 30, 2018, is for  
 10 information management: *Provided further*, That  
 11 \$1,000,000 shall be made available for commercial motor  
 12 vehicle operator grants to carry out section 4134 of Public  
 13 Law 109–59, as amended by Public Law 112–141.

14 MOTOR CARRIER SAFETY GRANTS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out  
 19 sections 31102, 31104(a), 31106, 31107, 31109, 31309,  
 20 31313 of title 49, United States Code, and sections 4126  
 21 and 4128 of Public Law 109–59, as amended by Public  
 22 Law 112–141, \$313,000,000, to be derived from the  
 23 Highway Trust Fund (other than the Mass Transit Ac-  
 24 count) and to remain available until expended: *Provided*,  
 25 That funds available for the implementation or execution

1 of motor carrier safety programs shall not exceed total ob-  
 2 ligations of \$313,000,000 in fiscal year 2016 for “Motor  
 3 Carrier Safety Grants”; of which \$218,000,000 shall be  
 4 available for the motor carrier safety assistance program,  
 5 \$30,000,000 shall be available for commercial driver’s li-  
 6 cense program improvement grants, \$32,000,000 shall be  
 7 available for border enforcement grants, \$5,000,000 shall  
 8 be available for performance and registration information  
 9 system management grants, \$25,000,000 shall be avail-  
 10 able for the commercial vehicle information systems and  
 11 networks deployment program, and \$3,000,000 shall be  
 12 available for safety data improvement grants: *Provided*  
 13 *further*, That, of the funds made available herein for the  
 14 motor carrier safety assistance program, \$32,000,000  
 15 shall be available for audits of new entrant motor carriers.

16 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

17 CARRIER SAFETY ADMINISTRATION

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

22 (b) Section 350(d) of the Department of Transpor-  
 23 tation and Related Agencies Appropriation Act, 2002  
 24 (Public Law 107–87) is hereby repealed.



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

6        SEC. 132. None of the funds limited or otherwise  
7    made available under this Act, or any other Act, hereafter,  
8    shall be used by the Secretary to enforce any regulation  
9    prohibiting a State from issuing a commercial learner's  
10   permit to individuals under the age of eighteen if the State  
11   had a law authorizing the issuance of commercial learner's  
12   permits to individuals under eighteen years of age as of  
13   May 9, 2011.

14       SEC. 133. None of the funds limited or otherwise  
15   made available under the heading "Motor Carrier Safety  
16   Operations and Programs" may be used to deny an appli-  
17   cation to renew a Hazardous Materials Safety Program  
18   permit for a motor carrier based on that carrier's Haz-  
19   ardous Materials Out-of-Service rate, unless the carrier  
20   has the opportunity to submit a written description of cor-  
21   rective actions taken, and other documentation the carrier  
22   wishes the Secretary to consider, including submitting a  
23   corrective action plan, and the Secretary determines the  
24   actions or plan is insufficient to address the safety con-

1 cerns that resulted in that Hazardous Materials Out-of-  
2 Service rate.

3       SEC. 134. Funds appropriated or otherwise made  
4 available by this Act or any other Act shall be used here-  
5 after to enforce sections 395.3(c) and 395.3(d) of title 49,  
6 Code of Federal Regulations, only if the final report issued  
7 by the Secretary required by section 133 of division K of  
8 Public Law 113–235 finds that the July 1, 2013 restart  
9 provisions resulted in statistically significant net safety  
10 benefits and the Inspector General certifies that the final  
11 report meets the statutory requirements of Public Law  
12 113–235.

13       SEC. 135. Funds made available by this Act or any  
14 other Act may be used to develop, issue, or implement any  
15 regulation that increases levels of minimum financial re-  
16 sponsibility for transporting passengers or property as in  
17 effect on January 1, 2014, under regulations issued pur-  
18 suant to sections 31138 and 31139 of title 49, United  
19 States Code, only 60 days after the Secretary provides a  
20 report to the House and Senate Committees on Appropria-  
21 tions, the House Committee on Transportation and Infra-  
22 structure, and the Senate Committee on Commerce,  
23 Science, and Transportation on the impact of raising the  
24 minimum financial responsibility for transporting pas-  
25 sengers or property. The report shall include an assess-

1 ment of catastrophic crashes in which damages exceeded  
2 the insurance limits, the impact of higher insurance pre-  
3 miums on carriers, and the capacity of the insurance in-  
4 dustry to underwrite increases in current minimum finan-  
5 cial responsibility limits.

6 SEC. 136. Section 13506(a) of title 49, United States  
7 Code, is amended:

8 (1) in subsection (14) by striking “or”;

9 (2) in subsection (15) by striking “.” and in-  
10 serting “; or”; and

11 (3) by inserting at the end, “(16) the transpor-  
12 tation of passengers by motor vehicles operated by  
13 youth or family camps that provide overnight accom-  
14 modations and recreational or educational activities  
15 at fixed locations.”.

16 SEC. 137. (a) Section 31111(b)(1)(A) of title 49,  
17 United States Code, is amended by striking “or of less  
18 than 28 feet on a semitrailer or trailer operating in a truck  
19 tractor semitrailer-trailer combination,” and inserting “or,  
20 notwithstanding section 31112, of less than 33 feet on a  
21 semitrailer or trailer operating in a truck tractor  
22 semitrailer-trailer combination,”.

23 (b) Section 31111(f) of title 49, United States Code,  
24 the term “chief executive officer of a State” shall include

1 “chief executive officer of a State Department of Trans-  
2 portation”.

3 (c) The Secretary of Transportation is directed to  
4 conduct a study comparing crash data between 28 foot  
5 and 33 foot semitrailers or trailers operating in a truck  
6 tractor-semitrailer-trailer configuration. The Secretary  
7 shall submit its study to the House and Senate Commit-  
8 tees on Appropriations no later than three years after the  
9 date of enactment of this Act.

#### 10 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

##### 11 OPERATIONS AND RESEARCH

12 For expenses necessary to discharge the functions of  
13 the Secretary, with respect to traffic and highway safety  
14 authorized under chapter 301 and part C of subtitle VI  
15 of title 49, United States Code, \$130,500,000, of which  
16 \$20,000,000 shall remain available through September  
17 30, 2017.

##### 18 OPERATIONS AND RESEARCH

##### 19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

##### 20 (LIMITATION ON OBLIGATIONS)

##### 21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out  
23 the provisions of 23 U.S.C. 403, and chapter 303 of title  
24 49, United States Code, \$118,500,000, to be derived from  
25 the Highway Trust Fund (other than the Mass Transit

1 Account) and to remain available until expended: *Pro-*  
 2 *vided*, That none of the funds under this heading shall  
 3 be available for the planning or execution of programs the  
 4 total obligations for which, in fiscal year 2016, are in ex-  
 5 cess of \$118,500,000, of which \$113,500,000 shall be for  
 6 programs authorized under 23 U.S.C. 403 and \$5,000,000  
 7 shall be for the National Driver Register authorized under  
 8 chapter 303 of title 49, United States Code: *Provided fur-*  
 9 *ther*, That within the \$118,500,000 obligation limitation  
 10 for operations and research, \$20,000,000 shall remain  
 11 available until September 30, 2017, and shall be in addi-  
 12 tion to the amount of any limitation imposed on obliga-  
 13 tions for future years.

14 HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER

15 PURPOSES

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out  
 20 provisions of 23 U.S.C. 402, 403, and 405, section 2009  
 21 of Public Law 109–59, as amended by Public Law 112–  
 22 141, section 31101(a)(6) of Public Law 112–141, chapter  
 23 301 of title 49, United States Code, and part C of subtitle  
 24 VI of title 49, United States Code, to remain available  
 25 until expended, \$575,500,000, to be derived from the

1 Highway Trust Fund (other than the Mass Transit Ac-  
 2 count): *Provided*, That none of the funds in this Act shall  
 3 be available for the planning or execution of programs the  
 4 total obligations for which, in fiscal year 2016, are in ex-  
 5 cess of \$575,500,000 for programs authorized under 23  
 6 U.S.C. 402, 403, and 405, section 2009 of Public Law  
 7 109–59, as amended by Public Law 112–141, section  
 8 31101(a)(6) of Public Law 112–141, chapter 301 of title  
 9 49, United States Code, and part C of subtitle VI of title  
 10 49, United States Code, of which \$235,000,000 shall be  
 11 for “Highway Safety Programs” under 23 U.S.C. 402;  
 12 \$272,000,000 shall be for “National Priority Safety Pro-  
 13 grams” under 23 U.S.C. 405; \$29,000,000 shall be for  
 14 “High Visibility Enforcement Program” under section  
 15 2009 of Public Law 109–59, as amended by Public Law  
 16 112–141; \$25,500,000 shall be for “Administrative Ex-  
 17 penses” under section 31101(a)(6) of Public Law 112–  
 18 141: *Provided further*, That none of these funds shall be  
 19 used for construction, rehabilitation, or remodeling costs,  
 20 or for office furnishings and fixtures for State, local or  
 21 private buildings or structures: *Provided further*, That not  
 22 to exceed \$500,000 of the funds made available for “Na-  
 23 tional Priority Safety Programs” under 23 U.S.C. 405 for  
 24 “Impaired Driving Countermeasures” (as described in  
 25 subsection (d) of that section) shall be available for tech-

1 nical assistance to the States: *Provided further*, That with  
2 respect to the “Transfers” provision under 23 U.S.C.  
3 405(a)(1)(G), any amounts transferred to increase the  
4 amounts made available under section 402 shall include  
5 the obligation authority for such amounts: *Provided fur-*  
6 *ther*, That the Administrator shall notify the House and  
7 Senate Committees on Appropriations of any exercise of  
8 the authority granted under the previous proviso or under  
9 23 U.S.C. 405(a)(1)(G) within 5 days: *Provided further*,  
10 That \$10,000,000 of the total obligation limitation made  
11 available shall be applied toward unobligated balances of  
12 contract authority under the program for which funds  
13 were authorized in section 2005 of Public Law 109–59,  
14 as amended, and shall be used for programs authorized  
15 under 23 U.S.C. 403: *Provided further*, That \$4,000,000  
16 of the total obligation limitation made available shall be  
17 applied toward unobligated balances of contract authority  
18 under the program for which funds were authorized in sec-  
19 tion 2005 of Public Law 109–59, as amended, and shall  
20 be used to cover the expenses necessary to discharge the  
21 functions of the Secretary, with respect to traffic and  
22 highway safety under chapter 301 of title 49, United  
23 States Code, and part C of subtitle VI of title 49, United  
24 States Code: *Provided further*, That the additional  
25 \$14,000,000 made available for obligation from unobli-

1 gated balances of contract authority under section 2005  
2 of Public Law 109–59, as amended, shall be available in  
3 the same manner as though such funds were apportioned  
4 under chapter 1 of title 23, United States Code, except  
5 that the Federal share payable on account of any program,  
6 project, or activity carried out with such funds made avail-  
7 able under this heading shall be 100 percent and such  
8 funds shall remain available for obligation until expended.

9 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

10 TRAFFIC SAFETY ADMINISTRATION

11 SEC. 140. An additional \$130,000 shall be made  
12 available to the National Highway Traffic Safety Adminis-  
13 tration, out of the amount limited for section 402 of title  
14 23, United States Code, to pay for travel and related ex-  
15 penses for State management reviews and to pay for core  
16 competency development training and related expenses for  
17 highway safety staff.

18 SEC. 141. The limitations on obligations for the pro-  
19 grams of the National Highway Traffic Safety Adminis-  
20 tration set in this Act shall not apply to obligations for  
21 which obligation authority was made available in previous  
22 public laws but only to the extent that the obligation au-  
23 thority has not lapsed or been used.

24 SEC. 142. None of the funds in this Act shall be used  
25 to implement section 404 of title 23, United States Code.



## 1           FEDERAL RAILROAD ADMINISTRATION

## 2                   SAFETY AND OPERATIONS

3           For necessary expenses of the Federal Railroad Ad-  
4 ministration, not otherwise provided for, \$199,000,000, 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, \$39,100,000, 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 to exist as long as any such di-  
17 rect loan or loan guarantee is outstanding: *Provided*, That  
18 pursuant to section 502 of such Act, as amended, no new  
19 direct loans or loan guarantee commitments shall be made  
20 using Federal funds for the credit risk premium during  
21 fiscal year 2016.

## 22                   RAILROAD SAFETY GRANTS

23          For necessary expenses related to railroad safety  
24 grants, \$50,000,000, of which not to exceed \$25,000,000  
25 shall be available to carry out 49 U.S.C. 20167; not to

1 exceed \$15,000,000 shall be made available to carry out  
2 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be  
3 made available for projects as defined in section 22501  
4 of title 49, United States Code, to remain available until  
5 expended.

6 OPERATING GRANTS TO THE NATIONAL RAILROAD  
7 PASSENGER CORPORATION

8 To enable the Secretary of Transportation to make  
9 quarterly grants to the National Railroad Passenger Cor-  
10 poration, in amounts based on the Secretary's assessment  
11 of the Corporation's seasonal cash flow requirements, for  
12 the operation of intercity passenger rail, as authorized by  
13 section 101 of the Passenger Rail Investment and Im-  
14 provement Act of 2008 (division B of Public Law 110–  
15 432), \$288,500,000, to remain available until expended:  
16 *Provided*, That the amounts available under this para-  
17 graph shall be available for the Secretary to approve fund-  
18 ing to cover operating losses for the Corporation only after  
19 receiving and reviewing a grant request for each specific  
20 train route: *Provided further*, That each such grant re-  
21 quest shall be accompanied by a detailed financial anal-  
22 ysis, revenue projection, and capital expenditure projection  
23 justifying the Federal support to the Secretary's satisfac-  
24 tion: *Provided further*, That not later than 60 days after  
25 enactment of this Act, the Corporation shall transmit, in

1 electronic format, to the Secretary and the House and  
2 Senate Committees on Appropriations the annual budget,  
3 business plan, the 5-Year Financial Plan for fiscal year  
4 2016 required under section 204 of the Passenger Rail  
5 Investment and Improvement Act of 2008 and the com-  
6 prehensive fleet plan for all Amtrak rolling stock: *Provided*  
7 *further*, That the budget, business plan and the 5-Year  
8 Financial Plan shall include annual information on the  
9 maintenance, refurbishment, replacement, and expansion  
10 for all Amtrak rolling stock consistent with the com-  
11 prehensive fleet plan: *Provided further*, That the Corpora-  
12 tion shall provide monthly performance reports in an elec-  
13 tronic format which shall describe the work completed to  
14 date, any changes to the business plan, and the reasons  
15 for such changes as well as progress against the milestones  
16 and target dates of the 2012 performance improvement  
17 plan: *Provided further*, That the Corporation's budget,  
18 business plan, 5-Year Financial Plan, semiannual reports,  
19 monthly reports, comprehensive fleet plan and all supple-  
20 mental reports or plans comply with requirements in Pub-  
21 lic Law 112–55: *Provided further*, That none of the funds  
22 provided in this Act may be used to support any route  
23 on which Amtrak offers a discounted fare of more than  
24 50 percent off the normal peak fare: *Provided further*,  
25 That the preceding proviso does not apply to routes where

1 the operating loss as a result of the discount is covered  
 2 by a State and the State participates in the setting of  
 3 fares.

4 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL  
 5 RAILROAD PASSENGER CORPORATION

6 To enable the Secretary of Transportation to make  
 7 grants to the National Railroad Passenger Corporation for  
 8 capital investments as authorized by sections 101(c), 102,  
 9 and 219(b) of the Passenger Rail Investment and Im-  
 10 provement Act of 2008 (division B of Public Law 110–  
 11 432), \$1,101,500,000, to remain available until expended,  
 12 of which not to exceed \$160,200,000 shall be for debt  
 13 service obligations as authorized by section 102 of such  
 14 Act: *Provided*, That of the amounts made available under  
 15 this heading, not less than \$50,000,000 shall be made  
 16 available to bring Amtrak-served facilities and stations  
 17 into compliance with the Americans with Disabilities Act:  
 18 *Provided further*, That after an initial distribution of up  
 19 to \$200,000,000, which shall be used by the Corporation  
 20 as a working capital account, all remaining funds shall be  
 21 provided to the Corporation only on a reimbursable basis:  
 22 *Provided further*, That of the amounts made available  
 23 under this heading, up to \$50,000,000 may be used by  
 24 the Secretary to subsidize operating losses of the Corpora-  
 25 tion should the funds provided under the heading “Oper-

1 ating Grants to the National Railroad Passenger Corpora-  
2 tion” be insufficient to meet operational costs for fiscal  
3 year 2016: *Provided further*, That the Secretary may re-  
4 tain up to one-half of 1 percent of the funds provided  
5 under this heading to fund the costs of project manage-  
6 ment and oversight of activities authorized by subsections  
7 101(a) and 101(c) of division B of Public Law 110–432,  
8 of which up to \$500,000 may be available for technical  
9 assistance for States, the District of Columbia, and other  
10 public entities responsible for the implementation of sec-  
11 tion 209 of division B of Public Law 110–432: *Provided*  
12 *further*, That the Secretary shall approve funding for cap-  
13 ital expenditures, including advance purchase orders of  
14 materials, for the Corporation only after receiving and re-  
15 viewing a grant request for each specific capital project  
16 justifying the Federal support to the Secretary’s satisfac-  
17 tion: *Provided further*, That except as otherwise provided  
18 herein, none of the funds under this heading may be used  
19 to subsidize operating losses of the Corporation: *Provided*  
20 *further*, That none of the funds under this heading may  
21 be used for capital projects not approved by the Secretary  
22 of Transportation or on the Corporation’s fiscal year 2015  
23 business plan: *Provided further*, That in addition to the  
24 project management oversight funds authorized under sec-  
25 tion 101(d) of division B of Public Law 110–432, the Sec-

1 retary may retain up to an additional \$5,000,000 of the  
2 funds provided under this heading to fund expenses associ-  
3 ated with implementing section 212 of division B of Public  
4 Law 110–432, including the amendments made by section  
5 212 to section 24905 of title 49, United States Code.

6 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

7 ADMINISTRATION

8 SEC. 150. The Secretary of Transportation may re-  
9 ceive and expend cash, or receive and utilize spare parts  
10 and similar items, from non-United States Government  
11 sources to repair damages to or replace United States  
12 Government owned automated track inspection cars and  
13 equipment as a result of third-party liability for such dam-  
14 ages, and any amounts collected under this section shall  
15 be credited directly to the Safety and Operations account  
16 of the Federal Railroad Administration, and shall remain  
17 available until expended for the repair, operation and  
18 maintenance of automated track inspection cars and  
19 equipment in connection with the automated track inspec-  
20 tion program.

21 SEC. 151. None of the funds provided to the National  
22 Railroad Passenger Corporation may be used to fund any  
23 overtime costs in excess of \$35,000 for any individual em-  
24 ployee: *Provided*, That the President of Amtrak may waive  
25 the cap set in the previous proviso for specific employees

1 when the President of Amtrak determines such a cap  
2 poses a risk to the safety and operational efficiency of the  
3 system: *Provided further*, That the President of Amtrak  
4 shall report to the House and Senate Committees on Ap-  
5 propriations each quarter of the calendar year on waivers  
6 granted to employees and amounts paid above the cap for  
7 each month within such quarter and delineate the reasons  
8 each waiver was granted: *Provided further*, That the Presi-  
9 dent of Amtrak shall report to the House and Senate  
10 Committees on Appropriations by March 1, 2016, a sum-  
11 mary of all overtime payments incurred by the Corpora-  
12 tion for 2015 and the three prior calendar years: *Provided*  
13 *further*, That such summary shall include the total number  
14 of employees that received waivers and the total overtime  
15 payments the Corporation paid to those employees receiv-  
16 ing waivers for each month for 2015 and for the three  
17 prior calendar years.

18 SEC. 152. Of the unobligated balances of funds avail-  
19 able to the Federal Railroad Administration, the following  
20 funds are hereby rescinded: \$4,201,385 of the unobligated  
21 balances of funds made available from the following ac-  
22 counts in the specified amounts—“Rail Line Relocation  
23 and Improvement Program”, \$2,241,385; and “Railroad  
24 Research and Development”, \$1,960,000: *Provided*, That  
25 such amounts are made available to enable the Secretary

1 of Transportation to assist Class II and Class III railroads  
 2 with eligible projects pursuant to sections 501 through  
 3 504 of the Railroad Revitalization and Regulatory Reform  
 4 Act of 1976 (Public Law 94–210), as amended: *Provided*  
 5 *further*, That such funds shall be available for applicant  
 6 expenses in preparing to apply and applying for direct  
 7 loans and loan guarantees as well as the credit risk pre-  
 8 miums notwithstanding any other restriction against the  
 9 use of Federal funds for such credit risk premiums: *Pro-*  
 10 *vided further*, That these funds shall remain available until  
 11 expended.

12 SEC. 153. Of the unobligated balances of funds avail-  
 13 able to the Federal Railroad Administration, the following  
 14 funds are hereby rescinded: \$5,000,000 of the unobligated  
 15 balances of funds made available to fund expenses associ-  
 16 ated with implementing section 212 of division B of Public  
 17 Law 110–432 in the Capital and Debt Service Grants to  
 18 the National Railroad Passenger Corporation account of  
 19 the Consolidated and Further Continuing Appropriations  
 20 Act, 2015 and \$11,922,000 of the unobligated balances  
 21 of funds made available from the following accounts in the  
 22 specified amounts—“Grants to the National Railroad Pas-  
 23 senger Corporation”, \$267,019; “Next Generation High-  
 24 Speed Rail”, \$4,944,504; and “Safety and Operations”,  
 25 \$6,710,477: *Provided*, That such amounts are made avail-



1 able to enable the Secretary of Transportation to make  
 2 grants to the National Railroad Passenger Corporation as  
 3 authorized by section 101(c) of the Passenger Rail Invest-  
 4 ment and Improvement Act of 2008 (division B of Public  
 5 Law 110–432) for state-of-good-repair backlog and infra-  
 6 structure improvements on Northeast Corridor shared-use  
 7 infrastructure identified in the Northeast Corridor Infra-  
 8 structure and Operations Advisory Commission’s approved  
 9 5-year capital plan: *Provided further*, That these funds  
 10 shall remain available until expended and shall be avail-  
 11 able for grants in an amount not to exceed 50 percent  
 12 of the total project cost, with the required matching funds  
 13 to be provided consistent with the Commission’s cost allo-  
 14 cation policy.

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, \$107,000,000, of which  
 20 not less than \$5,000,000 shall be available to carry out  
 21 the provisions of 49 U.S.C. 5329 and not less than  
 22 \$1,000,000 shall be available to carry out the provisions  
 23 of 49 U.S.C. 5326: *Provided*, That none of the funds pro-  
 24 vided or limited in this Act may be used to create a perma-  
 25 nent office of transit security under this heading: *Provided*

1 *further*, That upon submission to the Congress of the fiscal  
 2 year 2017 President's budget, the Secretary of Transpor-  
 3 tation shall transmit to Congress the annual report on  
 4 New Starts, including proposed allocations for fiscal year  
 5 2017.

6 TRANSIT FORMULA GRANTS

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (LIMITATION ON OBLIGATIONS)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in the Federal  
 11 Public Transportation Assistance Program in this ac-  
 12 count, and for payment of obligations incurred in carrying  
 13 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,  
 14 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340,  
 15 as amended by Public Law 112–141, and section  
 16 20005(b) of Public Law 112–141, \$9,500,000,000, to be  
 17 derived from the Mass Transit Account of the Highway  
 18 Trust Fund and to remain available until expended: *Pro-*  
 19 *vided*, That funds available for the implementation or exe-  
 20 cution of programs authorized under 49 U.S.C. 5305,  
 21 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335,  
 22 5337, 5339, and 5340, as amended by Public Law 112–  
 23 141, and section 20005(b) of Public Law 112–141, shall  
 24 not exceed total obligations of \$8,595,000,000 in fiscal  
 25 year 2016.

## 1 TRANSIT RESEARCH

2 For necessary expenses to carry out 49 U.S.C. 5312  
3 and 5313, \$32,500,000, to remain available until ex-  
4 pended: *Provided*, That \$30,000,000 shall be for activities  
5 authorized under 49 U.S.C. 5312 and \$2,500,000 shall  
6 be for activities authorized under 49 U.S.C. 5313.

## 7 TECHNICAL ASSISTANCE AND TRAINING

8 For necessary expenses to carry out 49 U.S.C. 5314  
9 and 5322(a), (b) and (e), \$3,153,000, to remain available  
10 until expended: *Provided*, That \$2,653,000 shall be for ac-  
11 tivities authorized under 49 U.S.C. 5314 and \$500,000  
12 shall be for activities authorized under 49 U.S.C. 5322(a),  
13 (b) and (e).

## 14 CAPITAL INVESTMENT GRANTS

15 For necessary expenses to carry out 49 U.S.C. 5309,  
16 \$1,585,000,000, to remain available until expended: *Pro-*  
17 *vided*, That when distributing funds among Recommended  
18 New Starts Projects, the Administrator shall first fully  
19 fund those projects covered by a full funding grant agree-  
20 ment, then fully fund those projects whose section 5309  
21 share is less than 40 percent, and then distribute the re-  
22 maining funds so as to protect as much as possible the  
23 projects' budgets and schedules.

1 GRANTS TO THE WASHINGTON METROPOLITAN AREA  
2 TRANSIT AUTHORITY

3 For grants to the Washington Metropolitan Area  
4 Transit Authority as authorized under section 601 of divi-  
5 sion B of Public Law 110–432, \$150,000,000, to remain  
6 available until expended: *Provided*, That the Secretary of  
7 Transportation shall approve grants for capital and pre-  
8 ventive maintenance expenditures for the Washington  
9 Metropolitan Area Transit Authority only after receiving  
10 and reviewing a request for each specific project: *Provided*  
11 *further*, That prior to approving such grants, the Secretary  
12 shall certify that the Washington Metropolitan Area Tran-  
13 sit Authority is making progress to improve its safety  
14 management system in response to the Federal Transit  
15 Administration’s 2015 safety management inspection:  
16 *Provided further*, That prior to approving such grants, the  
17 Secretary shall certify that the Washington Metropolitan  
18 Area Transit Authority is making progress toward full im-  
19 plementation of the corrective actions identified in the  
20 2014 Financial Management Oversight Review Report:  
21 *Provided further*, That the Secretary shall determine that  
22 the Washington Metropolitan Area Transit Authority has  
23 placed the highest priority on those investments that will  
24 improve the safety of the system before approving such  
25 grants: *Provided further*, That the Secretary, in order to

1 ensure safety throughout the rail system, may waive the  
2 requirements of section 601(e)(1) of title VI of Public Law  
3 110–432 (112 Stat. 4968).

4 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT  
5 ADMINISTRATION  
6 (INCLUDING RESCISSION)

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

12 SEC. 161. Notwithstanding any other provision of  
13 law, funds appropriated or limited by this Act under the  
14 heading “Fixed Guideway Capital Investment” of the Fed-  
15 eral Transit Administration for projects specified in this  
16 Act or identified in reports accompanying this Act not ob-  
17 ligated by September 30, 2020, and other recoveries, shall  
18 be directed to projects eligible to use the funds for the  
19 purposes for which they were originally provided.

20 SEC. 162. Notwithstanding any other provision of  
21 law, any funds appropriated before October 1, 2015, under  
22 any section of chapter 53 of title 49, United States Code,  
23 that remain available for expenditure, may be transferred  
24 to and administered under the most recent appropriation  
25 heading for any such section.

1        SEC. 163. The Secretary may not enforce regulations  
2 related to charter bus service under part 604 of title 49,  
3 Code of Federal Regulations, for any transit agency that  
4 during fiscal year 2008 was both initially granted a 60-  
5 day period to come into compliance with part 604, and  
6 then was subsequently granted an exception from said  
7 part.

8        SEC. 164. Notwithstanding the requirements of 49  
9 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as  
10 a result of any and all Federal public transportation as-  
11 sistence related to and for the use, encumbrance, transfer  
12 or disposition of property originally built as a prototype  
13 having icebreaking capabilities will be fully and completely  
14 satisfied by the property's use—

- 15            (1) in the areas of Arctic research;  
16            (2) to map the Arctic;  
17            (3) to collect and analyze data in the Arctic;  
18            (4) to support activities that further Arctic ex-  
19 ploration, research, or development; or  
20            (5) for educational purposes or humanitarian  
21 relief efforts.

22        SEC. 165. Projects selected for the pilot program for  
23 expedited project delivery under section 20008(b) of  
24 MAP-21 shall be exempt from the requirements of 49  
25 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this ex-

1   emption, in determining whether a recipient has the finan-  
 2   cial capacity to carry out the eligible project, the Secretary  
 3   of Transportation shall apply the requirements and con-  
 4   siderations of 49 U.S.C. 5309(f).

5       SEC. 166. Of the unobligated amounts made available  
 6   for fiscal year 2011 or prior fiscal years to carry out the  
 7   discretionary bus and bus facilities program under 49  
 8   U.S.C. 5309, \$10,000,000 is hereby rescinded.

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 accordance with law, and to  
 15   make such contracts and commitments without regard to  
 16   fiscal year limitations as provided by section 104 of the  
 17   Government Corporation Control Act, as amended, as may  
 18   be necessary in carrying out the programs set forth in the  
 19   Corporation's budget for fiscal year 2016.

20                                   OPERATIONS AND MAINTENANCE

21                                   (HARBOR MAINTENANCE TRUST FUND)

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

1 Corporation, \$28,400,000, to be derived from the Harbor  
2 Maintenance Trust Fund, pursuant to Public Law 99–  
3 662.

4 MARITIME ADMINISTRATION

5 MARITIME SECURITY PROGRAM

6 For necessary expenses to maintain and preserve a  
7 U.S.-flag merchant fleet to serve the national security  
8 needs of the United States, \$186,000,000, to remain avail-  
9 able until expended.

10 OPERATIONS AND TRAINING

11 For necessary expenses of operations and training ac-  
12 tivities authorized by law, \$170,000,000, of which  
13 \$22,000,000 shall remain available until expended for  
14 maintenance and repair of training ships at State Mari-  
15 time Academies, and of which \$5,000,000 shall remain  
16 available until expended for National Security Multi-Mis-  
17 sion Vessel design for State Maritime Academies and Na-  
18 tional Security, and of which \$2,400,000 shall remain  
19 available through September 30, 2017, for the Student In-  
20 centive Program at State Maritime Academies, and of  
21 which \$1,000,000 shall remain available until expended  
22 for training ship fuel assistance payments, and of which  
23 \$18,000,000 shall remain available until expended for fa-  
24 cilities maintenance and repair, equipment, and capital  
25 improvements at the United States Merchant Marine



1 Academy, and of which \$2,000,000 shall remain available  
 2 through September 30, 2017, for Maritime Environment  
 3 and Technology Assistance grants, contracts, and coopera-  
 4 tive agreements, and of which \$5,000,000 shall remain  
 5 available until expended for the Short Sea Transportation  
 6 Program (America's Marine Highways) to make grants  
 7 for the purposes provided in title 46 section 55601(b)(1)  
 8 and 55601(b)(3): *Provided*, That 50 percent of the fund-  
 9 ing made available for the United States Merchant Marine  
 10 Academy under this heading shall be available only after  
 11 the Secretary of Transportation, in consultation with the  
 12 Superintendent and the Maritime Administrator, com-  
 13 pletes a plan detailing by program or activity how such  
 14 funding will be expended at the Academy, and this plan  
 15 is submitted to the House and Senate Committees on Ap-  
 16 propriations: *Provided further*, That not later than Janu-  
 17 ary 12, 2016, the Administrator of the Maritime Adminis-  
 18 tration shall transmit to the House and Senate Commit-  
 19 tees on Appropriations the annual report on sexual assault  
 20 and sexual harassment at the United States Merchant Ma-  
 21 rine Academy as required pursuant to section 3507 of  
 22 Public Law 110–417.

#### 23 ASSISTANCE TO SMALL SHIPYARDS

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

1 amended by Public Law 113–281, \$5,000,000 to remain  
 2 available until expended: *Provided*, That the Secretary  
 3 shall issue the Notice of Funding Availability no later than  
 4 15 days after enactment of this Act: *Provided further*,  
 5 That from applications submitted under the previous pro-  
 6 viso, the Secretary of Transportation shall make grants  
 7 no later than 120 days after enactment of this Act in such  
 8 amounts as the Secretary determines: *Provided further*,  
 9 That not to exceed 2 percent of the funds appropriated  
 10 under this heading shall be available for necessary costs  
 11 of grant administration.

#### 12 SHIP DISPOSAL

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

#### 17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

#### 18 ACCOUNT

#### 19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of guaranteed loans, as authorized,  
 21 \$8,135,000, of which \$5,000,000 shall remain available  
 22 until expended: *Provided*, That such costs, including the  
 23 cost of modifying such loans, shall be as defined in section  
 24 502 of the Congressional Budget Act of 1974, as amend-  
 25 ed: *Provided further*, That not to exceed \$3,135,000 shall

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

5 ADMINISTRATIVE PROVISIONS—MARITIME

6 ADMINISTRATION

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

19 PIPELINE AND HAZARDOUS MATERIALS SAFETY

20 ADMINISTRATION

21 OPERATIONAL EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary operational expenses of the Pipeline  
 24 and Hazardous Materials Safety Administration,  
 25 \$22,500,000: *Provided*, That \$1,500,000 shall be trans-

ferred to “Pipeline Safety” in order to fund “Pipeline Safety Information Grants to Communities” as authorized under section 60130 of title 49, United States Code: *Provided further*, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

#### HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: *Provided*, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

## 1 PIPELINE SAFETY

## 2 (PIPELINE SAFETY FUND)

## 3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to conduct the functions of  
5 the pipeline safety program, for grants-in-aid to carry out  
6 a pipeline safety program, as authorized by 49 U.S.C.  
7 60107, and to discharge the pipeline program responsibil-  
8 ities of the Oil Pollution Act of 1990, \$146,623,000, of  
9 which \$19,500,000 shall be derived from the Oil Spill Li-  
10 ability Trust Fund and shall remain available until Sep-  
11 tember 30, 2018; and of which \$127,123,000 shall be de-  
12 rived from the Pipeline Safety Fund, of which  
13 \$66,309,000 shall remain available until September 30,  
14 2018: *Provided*, That not less than \$1,058,000 of the  
15 funds provided under this heading shall be for the One-  
16 Call state grant program.

## 17 EMERGENCY PREPAREDNESS GRANTS

## 18 (EMERGENCY PREPAREDNESS FUND)

19 For necessary expenses to carryout 49 U.S.C.  
20 5128(b), \$188,000, to be derived from the Emergency  
21 Preparedness Fund, to remain available until September  
22 30, 2017: *Provided*, That notwithstanding the fiscal year  
23 limitation specified in 49 U.S.C. 5116, not more than  
24 \$28,318,000 shall be made available for obligation in fis-  
25 cal year 2016 from amounts made available by 49 U.S.C.

1 5116(i), and 5128(b) and (c): *Provided further*, That not-  
 2 withstanding 49 U.S.C. 5116(i)(4), not more than 4 per-  
 3 cent of the amounts made available from this account shall  
 4 be available to pay administrative costs: *Provided further*,  
 5 That none of the funds made available by 49 U.S.C.  
 6 5116(i), 5128(b), or 5128(c) shall be made available for  
 7 obligation by individuals other than the Secretary of  
 8 Transportation, or his or her designee: *Provided further*,  
 9 That notwithstanding 49 U.S.C. 5128(b) and (c) and the  
 10 current year obligation limitation, prior year recoveries  
 11 recognized in the current year shall be available to develop  
 12 a hazardous materials response training curriculum for  
 13 emergency responders, including response activities for the  
 14 transportation of crude oil, ethanol and other flammable  
 15 liquids by rail, consistent with National Fire Protection  
 16 Association standards, and to make such training avail-  
 17 able through an electronic format: *Provided further*, That  
 18 the prior year recoveries made available under this head-  
 19 ing shall also be available to carry out 49 U.S.C. 5116(b)  
 20 and (j).

21 ADMINISTRATIVE PROVISIONS—PIPELINE AND

22 HAZARDOUS MATERIALS SAFETY ADMINISTRATION

23 SEC. 180. The Secretary of Transportation is di-  
 24 rected to evaluate and report to the House and Senate  
 25 Committees on Appropriations within 60 days of enact-

1 ment of this Act an alternative risk-based compliance re-  
 2 gime for the siting of small-scale liquefaction facilities that  
 3 generate and package liquefied natural gas for use as a  
 4 fuel or delivery to consumers by non-pipeline modes of  
 5 transportation. In evaluating such alternative risk-based  
 6 compliance regime, the Secretary should consider the  
 7 value of adopting quantitative risk assessment methods,  
 8 the benefit of incorporating modern industry standards  
 9 and best practices, including the provisions in the 2013  
 10 edition of the National Fire Protection Association Stand-  
 11 ard 59A, and the need to encourage the use of the best  
 12 available technology.

#### 13 OFFICE OF INSPECTOR GENERAL

#### 14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of the Inspector  
 16 General to carry out the provisions of the Inspector Gen-  
 17 eral Act of 1978, as amended, \$87,472,000: *Provided*,  
 18 That the Inspector General shall have all necessary au-  
 19 thority, in carrying out the duties specified in the Inspec-  
 20 tor General Act, as amended (5 U.S.C. App. 3), to inves-  
 21 tigate allegations of fraud, including false statements to  
 22 the government (18 U.S.C. 1001), by any person or entity  
 23 that is subject to regulation by the Department of Trans-  
 24 portation: *Provided further*, That the funds made available  
 25 under this heading may be used to investigate, pursuant

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

6 SURFACE TRANSPORTATION BOARD

7 SALARIES AND EXPENSES

8 For necessary expenses of the Surface Transpor-  
 9 tation Board, including services authorized by 5 U.S.C.  
 10 3109, \$32,375,000: *Provided*, That notwithstanding any  
 11 other provision of law, not to exceed \$1,250,000 from fees  
 12 established by the Chairman of the Surface Transpor-  
 13 tation Board shall be credited to this appropriation as off-  
 14 setting collections and used for necessary and authorized  
 15 expenses under this heading: *Provided further*, That the  
 16 sum herein appropriated from the general fund shall be  
 17 reduced on a dollar-for-dollar basis as such offsetting col-  
 18 lections are received during fiscal year 2016, to result in  
 19 a final appropriation from the general fund estimated at  
 20 no more than \$31,125,000.

21 GENERAL PROVISIONS—DEPARTMENT OF

22 TRANSPORTATION

23 SEC. 190. During the current fiscal year, applicable  
 24 appropriations to the Department of Transportation shall  
 25 be available for maintenance and operation of aircraft;



1 hire of passenger motor vehicles and aircraft; purchase of  
2 liability insurance for motor vehicles operating in foreign  
3 countries on official department business; and uniforms or  
4 allowances therefor, as authorized by law (5 U.S.C. 5901–  
5 5902).

6       SEC. 191. Appropriations contained in this Act for  
7 the Department of Transportation shall be available for  
8 services as authorized by 5 U.S.C. 3109, but at rates for  
9 individuals not to exceed the per diem rate equivalent to  
10 the rate for an Executive Level IV.

11       SEC. 192. None of the funds in this Act shall be avail-  
12 able for salaries and expenses of more than 110 political  
13 and Presidential appointees in the Department of Trans-  
14 portation: *Provided*, That none of the personnel covered  
15 by this provision may be assigned on temporary detail out-  
16 side the Department of Transportation.

17       SEC. 193. (a) No recipient of funds made available  
18 in this Act shall disseminate personal information (as de-  
19 fined in 18 U.S.C. 2725(3)) obtained by a State depart-  
20 ment of motor vehicles in connection with a motor vehicle  
21 record as defined in 18 U.S.C. 2725(1), except as provided  
22 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.  
23 2721.

24       (b) Notwithstanding subsection (a), the Secretary of  
25 Transportation shall not withhold funds provided in this

1 Act for any grantee if a State is in noncompliance with  
2 this provision.

3 SEC. 194. Funds received by the Federal Highway  
4 Administration, Federal Transit Administration, and Fed-  
5 eral Railroad Administration from States, counties, mu-  
6 nicipalities, other public authorities, and private sources  
7 for expenses incurred for training may be credited respec-  
8 tively to the Federal Highway Administration's "Federal-  
9 Aid Highways" account, the Federal Transit Administra-  
10 tion's "Technical Assistance and Training" account, and  
11 to the Federal Railroad Administration's "Safety and Op-  
12 erations" account, except for State rail safety inspectors  
13 participating in training pursuant to 49 U.S.C. 20105.

14 SEC. 195. None of the funds in this Act to the De-  
15 partment of Transportation may be used to make a loan,  
16 loan guarantee, line of credit, or grant unless the Sec-  
17 retary of Transportation notifies the House and Senate  
18 Committees on Appropriations not less than 3 full busi-  
19 ness days before any project competitively selected to re-  
20 ceive a discretionary grant award, any discretionary grant  
21 award, letter of intent, loan commitment, loan guarantee  
22 commitment, line of credit commitment, or full funding  
23 grant agreement is announced by the department or its  
24 modal administrations from:

1           (1) any discretionary grant or federal credit  
2           program of the Federal Highway Administration in-  
3           cluding the emergency relief program;

4           (2) the airport improvement program of the  
5           Federal Aviation Administration;

6           (3) any program of the Federal Railroad Ad-  
7           ministration;

8           (4) any program of the Federal Transit Admin-  
9           istration other than the formula grants and fixed  
10          guideway modernization programs;

11          (5) any program of the Maritime Administra-  
12          tion; or

13          (6) any funding provided under the headings  
14          “National Infrastructure Investments” in this Act:

15   *Provided*, That the Secretary of Transportation gives con-  
16   current notification to the House and Senate Committees  
17   on Appropriations for any “quick release” of funds from  
18   the emergency relief program: *Provided further*, That no  
19   notification shall involve funds that are not available for  
20   obligation.

21          SEC. 196. Rebates, refunds, incentive payments,  
22   minor fees and other funds received by the Department  
23   of Transportation from travel management centers,  
24   charge card programs, the subleasing of building space,  
25   and miscellaneous sources are to be credited to appropria-

1 tions of the Department of Transportation and allocated  
2 to elements of the Department of Transportation using  
3 fair and equitable criteria and such funds shall be avail-  
4 able until expended.

5 SEC. 197. Amounts made available in this or any  
6 other Act that the Secretary of Transportation determines  
7 represent improper payments by the Department of  
8 Transportation to a third-party contractor under a finan-  
9 cial assistance award, which are recovered pursuant to  
10 law, shall be available—

11 (1) to reimburse the actual expenses incurred  
12 by the Department of Transportation in recovering  
13 improper payments; and

14 (2) to pay contractors for services provided in  
15 recovering improper payments or contractor support  
16 in the implementation of the Improper Payments In-  
17 formation Act of 2002: *Provided*, That amounts in  
18 excess of that required for paragraphs (1) and (2)—

19 (A) shall be credited to and merged with  
20 the appropriation from which the improper pay-  
21 ments were made, and shall be available for the  
22 purposes and period for which such appropria-  
23 tions are available: *Provided further*, That  
24 where specific project or accounting information  
25 associated with the improper payment or pay-

1           ments is not readily available, the Secretary  
2           may credit an appropriate account, which shall  
3           be available for the purposes and period associ-  
4           ated with the account so credited; or

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

16       SEC. 198. Notwithstanding any other provision of  
17       law, if any funds provided in or limited by this Act are  
18       subject to a reprogramming action that requires notice to  
19       be provided to the House and Senate Committees on Ap-  
20       propriations, transmission of said reprogramming notice  
21       shall be provided solely to the House and Senate Commit-  
22       tees on Appropriations, and said reprogramming action  
23       shall be approved or denied solely by the House and Sen-  
24       ate Committees on Appropriations: *Provided*, That the  
25       Secretary of Transportation may provide notice to other

1 congressional committees of the action of the House and  
2 Senate Committees on Appropriations on such reprogram-  
3 ming but not sooner than 30 days following the date on  
4 which the reprogramming action has been approved or de-  
5 nied by the House and Senate Committees on Appropria-  
6 tions.

7       SEC. 199. None of the funds appropriated or other-  
8 wise made available under this Act may be used by the  
9 Surface Transportation Board of the Department of  
10 Transportation to charge or collect any filing fee for rate  
11 or practice complaints filed with the Board in an amount  
12 in excess of the amount authorized for district court civil  
13 suit filing fees under section 1914 of title 28, United  
14 States Code.

15       SEC. 199A. Funds appropriated in this Act to the  
16 modal administrations may be obligated for the Office of  
17 the Secretary for the costs related to assessments or reim-  
18 bursable agreements only when such amounts are for the  
19 costs of goods and services that are purchased to provide  
20 a direct benefit to the applicable modal administration or  
21 administrations.

22       SEC. 199B. The Secretary of Transportation is au-  
23 thorized to carry out a program that establishes uniform  
24 standards for developing and supporting agency transit  
25 pass and transit benefits authorized under section 7905

1 of title 5, United States Code, including distribution of  
2 transit benefits by various paper and electronic media.

3       SEC. 199C. The Department of Transportation may  
4 use funds provided by this Act, or any other Act, to imple-  
5 ment a pilot program under title 49 U.S.C. or title 23  
6 U.S.C. for geographic, economic, or any other hiring pref-  
7 erence not otherwise authorized by law, or to amend a  
8 rule, regulation, policy or other measure that forbids a re-  
9 cipient of a Federal Highway Administration or Federal  
10 Transit Administration grant from imposing such hiring  
11 preference on a construction project with which the De-  
12 partment of Transportation is assisting, only if the grant  
13 recipient certifies the following:

14           (1) that except with respect to apprentices or  
15       trainees, a pool of readily available but unemployed  
16       individuals possessing the knowledge, skill, and abil-  
17       ity to perform the work that the project requires re-  
18       sides in the jurisdiction;

19           (2) that the grant recipient will include appro-  
20       priate provisions in its bid document ensuring that  
21       the contractor does not displace any of its existing  
22       employees in order to satisfy such hiring preference;  
23       and

24           (3) that any increase in the cost of labor, train-  
25       ing, or delays resulting from the use of such hiring

1 preference does not delay or displace any transpor-  
 2 tation project in the applicable Statewide Transpor-  
 3 tation Improvement Program or Transportation Im-  
 4 provement Program.

5 This title may be cited as the “Department of Trans-  
 6 portation Appropriations Act, 2016”.

## 7 TITLE II

### 8 DEPARTMENT OF HOUSING AND URBAN

#### 9 DEVELOPMENT

#### 10 MANAGEMENT AND ADMINISTRATION

##### 11 EXECUTIVE OFFICES

12 For necessary salaries and expenses for Executive Of-  
 13 fices, which shall be comprised of the offices of the Sec-  
 14 retary, Deputy Secretary, Adjudicatory Services, Congres-  
 15 sional and Intergovernmental Relations, Public Affairs,  
 16 Small and Disadvantaged Business Utilization, and the  
 17 Center for Faith-Based and Neighborhood Partnerships,  
 18 \$14,500,000: *Provided*, That not to exceed \$25,000 of the  
 19 amount made available under this heading shall be avail-  
 20 able to the Secretary for official reception and representa-  
 21 tion expenses as the Secretary may determine.

##### 22 ADMINISTRATIVE SUPPORT OFFICES

23 For necessary salaries and expenses for Administra-  
 24 tive Support Offices, \$568,244,000, of which not to exceed  
 25 \$44,657,000 shall be available for the Office of the Chief



1 Financial Officer; not to exceed \$96,000,000 shall be  
 2 available for the Office of the General Counsel; not to ex-  
 3 ceed \$208,604,000 shall be available for the Office of Ad-  
 4 ministration; not to exceed \$61,475,000 shall be available  
 5 for the Office of the Chief Human Capital Officer; not  
 6 to exceed \$50,000,000 shall be available for the Office of  
 7 Field Policy and Management; not to exceed \$17,036,000  
 8 shall be available for the Office of the Chief Procurement  
 9 Officer; not to exceed \$3,270,000 shall be available for the  
 10 Office of Departmental Equal Employment Opportunity;  
 11 not to exceed \$4,400,000 shall be available for the Office  
 12 of Strategic Planning and Management; and not to exceed  
 13 \$82,802,000 shall be available for the Office of the Chief  
 14 Information Officer: *Provided*, That funds provided under  
 15 this heading may be used for necessary administrative and  
 16 non-administrative expenses of the Department of Hous-  
 17 ing and Urban Development, not otherwise provided for,  
 18 including purchase of uniforms, or allowances therefor, as  
 19 authorized by 5 U.S.C. 5901–5902; hire of passenger  
 20 motor vehicles; and services as authorized by 5 U.S.C.  
 21 3109: *Provided further*, That notwithstanding any other  
 22 provision of law, funds appropriated under this heading  
 23 may be used for advertising and promotional activities  
 24 that support the housing mission area: *Provided further*,  
 25 That the Secretary shall provide the House and Senate

1 Committees on Appropriations quarterly written notifica-  
2 tion regarding the status of pending congressional reports:  
3 *Provided further*, That the Secretary shall provide in elec-  
4 tronic form all signed reports required by Congress.

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, \$207,000,000.

9 COMMUNITY PLANNING AND DEVELOPMENT

10 For necessary salaries and expenses of the Office of  
11 Community Planning and Development, \$107,000,000.

12 HOUSING

13 For necessary salaries and expenses of the Office of  
14 Housing, \$382,000,000.

15 POLICY DEVELOPMENT AND RESEARCH

16 For necessary salaries and expenses of the Office of  
17 Policy Development and Research, \$23,100,000.

18 FAIR HOUSING AND EQUAL OPPORTUNITY

19 For necessary salaries and expenses of the Office of  
20 Fair Housing and Equal Opportunity, \$69,500,000.

21 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

22 HOMES

23 For necessary salaries and expenses of the Office of  
24 Lead Hazard Control and Healthy Homes, \$6,800,000.

## PUBLIC AND INDIAN HOUSING

## TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing

1 agency based on validated voucher management sys-  
2 tem (VMS) leasing and cost data for the prior cal-  
3 endar year and by applying an inflation factor as es-  
4 tablished by the Secretary, by notice published in  
5 the Federal Register, and by making any necessary  
6 adjustments for the costs associated with the first-  
7 time renewal of vouchers under this paragraph in-  
8 cluding tenant protection, HOPE VI, and Choice  
9 Neighborhoods vouchers: *Provided further*, That in  
10 determining calendar year 2016 funding allocations  
11 under this heading for public housing agencies, in-  
12 cluding agencies participating in the Moving To  
13 Work (MTW) demonstration, the Secretary may  
14 take into account the anticipated impact of changes  
15 in targeting and utility allowances, on public housing  
16 agencies' contract renewal needs: *Provided further*,  
17 That none of the funds provided under this para-  
18 graph may be used to fund a total number of unit  
19 months under lease which exceeds a public housing  
20 agency's authorized level of units under contract, ex-  
21 cept for public housing agencies participating in the  
22 MTW demonstration, which are instead governed by  
23 the terms and conditions of their MTW agreements:  
24 *Provided further*, That the Secretary shall, to the ex-  
25 tent necessary to stay within the amount specified

1       under this paragraph (except as otherwise modified  
2       under this paragraph), prorate each public housing  
3       agency's allocation otherwise established pursuant to  
4       this paragraph: *Provided further*, That except as  
5       provided in the following provisos, the entire amount  
6       specified under this paragraph (except as otherwise  
7       modified under this paragraph) shall be obligated to  
8       the public housing agencies based on the allocation  
9       and pro rata method described above, and the Sec-  
10      retary shall notify public housing agencies of their  
11      annual budget by the latter of 60 days after enact-  
12      ment of this Act or March 1, 2016: *Provided further*,  
13      That the Secretary may extend the notification pe-  
14      riod with the prior written approval of the House  
15      and Senate Committees on Appropriations: *Provided*  
16      *further*, That public housing agencies participating  
17      in the MTW demonstration shall be funded pursuant  
18      to their MTW agreements and shall be subject to  
19      the same pro rata adjustments under the previous  
20      provisos: *Provided further*, That the Secretary may  
21      offset public housing agencies' calendar year 2016  
22      allocations based on the excess amounts of public  
23      housing agencies' net restricted assets accounts, in-  
24      cluding HUD held programmatic reserves (in ac-  
25      cordance with VMS data in calendar year 2015 that

1 is verifiable and complete), as determined by the  
2 Secretary: *Provided further*, That public housing  
3 agencies participating in the MTW demonstration  
4 shall also be subject to the offset, as determined by  
5 the Secretary, excluding amounts subject to the sin-  
6 gle fund budget authority provisions of their MTW  
7 agreements, from the agencies' calendar year 2016  
8 MTW funding allocation: *Provided further*, That the  
9 Secretary shall use any offset referred to in the pre-  
10 vious two provisos throughout the calendar year to  
11 prevent the termination of rental assistance for fam-  
12 ilies as the result of insufficient funding, as deter-  
13 mined by the Secretary, and to avoid or reduce the  
14 proration of renewal funding allocations: *Provided*  
15 *further*, That up to \$75,000,000 shall be available  
16 only: (1) for adjustments in the allocations for public  
17 housing agencies, after application for an adjust-  
18 ment by a public housing agency that experienced a  
19 significant increase, as determined by the Secretary,  
20 in renewal costs of vouchers resulting from unfore-  
21 seen circumstances or from portability under section  
22 8(r) of the Act; (2) for vouchers that were not in use  
23 during the previous 12-month period in order to be  
24 available to meet a commitment pursuant to section  
25 8(o)(13) of the Act; (3) for adjustments for costs as-

1       sociated with HUD-Veterans Affairs Supportive  
2       Housing (HUD-VASH) vouchers; and (4) for public  
3       housing agencies that despite taking reasonable cost  
4       savings measures, as determined by the Secretary,  
5       would otherwise be required to terminate rental as-  
6       sistance for families as a result of insufficient fund-  
7       ing: *Provided further*, That the Secretary shall allo-  
8       cate amounts under the previous proviso based on  
9       need, as determined by the Secretary;

10           (2) \$130,000,000 shall be for section 8 rental  
11       assistance for relocation and replacement of housing  
12       units that are demolished or disposed of pursuant to  
13       section 18 of the Act, conversion of section 23  
14       projects to assistance under section 8, the family  
15       unification program under section 8(x) of the Act,  
16       relocation of witnesses in connection with efforts to  
17       combat crime in public and assisted housing pursu-  
18       ant to a request from a law enforcement or prosecu-  
19       tion agency, enhanced vouchers under any provision  
20       of law authorizing such assistance under section 8(t)  
21       of the Act, HOPE VI and Choice Neighborhood Ini-  
22       tiative vouchers, mandatory and voluntary conver-  
23       sions, and tenant protection assistance including re-  
24       placement and relocation assistance or for project-  
25       based assistance to prevent the displacement of un-

1        assisted elderly tenants currently residing in section  
2        202 properties financed between 1959 and 1974  
3        that are refinanced pursuant to Public Law 106–  
4        569, as amended, or under the authority as provided  
5        under this Act: *Provided*, That when a public hous-  
6        ing development is submitted for demolition or dis-  
7        position under section 18 of the Act, the Secretary  
8        may provide section 8 rental assistance when the  
9        units pose an imminent health and safety risk to  
10       residents: *Provided further*, That the Secretary may  
11       only provide replacement vouchers for units that  
12       were occupied within the previous 24 months that  
13       cease to be available as assisted housing, subject  
14       only to the availability of funds: *Provided further*,  
15       That any tenant protection voucher made available  
16       from amounts under this paragraph shall not be re-  
17       issued by any public housing agency, except the re-  
18       placement vouchers as defined by the Secretary by  
19       notice, when the initial family that received any such  
20       voucher no longer receives such voucher, and the au-  
21       thority for any public housing agency to issue any  
22       such voucher shall cease to exist: *Provided further*,  
23       That the Secretary, for the purposes under this  
24       paragraph, may use unobligated balances, including  
25       recaptures and carryovers, remaining from amounts



1       appropriated in prior fiscal years under this heading  
2       for voucher assistance for nonelderly disabled fami-  
3       lies and for disaster assistance made available under  
4       Public Law 110–329;

5           (3) \$1,620,000,000 shall be for administrative  
6       and other expenses of public housing agencies in ad-  
7       ministering the section 8 tenant-based rental assist-  
8       ance program, of which up to \$10,000,000 shall be  
9       available to the Secretary to allocate to public hous-  
10      ing agencies that need additional funds to admin-  
11      ister their section 8 programs, including fees associ-  
12      ated with section 8 tenant protection rental assist-  
13      ance, the administration of disaster related vouchers,  
14      Veterans Affairs Supportive Housing vouchers, and  
15      other special purpose incremental vouchers: *Pro-*  
16      *vided*, That no less than \$1,610,000,000 of the  
17      amount provided in this paragraph shall be allocated  
18      to public housing agencies for the calendar year  
19      2016 funding cycle based on section 8(q) of the Act  
20      (and related Appropriation Act provisions) as in ef-  
21      fect immediately before the enactment of the Quality  
22      Housing and Work Responsibility Act of 1998 (Pub-  
23      lic Law 105–276): *Provided further*, That if the  
24      amounts made available under this paragraph are  
25      insufficient to pay the amounts determined under

1 the previous proviso, the Secretary may decrease the  
2 amounts allocated to agencies by a uniform percent-  
3 age applicable to all agencies receiving funding  
4 under this paragraph or may, to the extent nec-  
5 essary to provide full payment of amounts deter-  
6 mined under the previous proviso, utilize unobligated  
7 balances, including recaptures and carryovers, re-  
8 maining from funds appropriated to the Department  
9 of Housing and Urban Development under this  
10 heading from prior fiscal years, excluding special  
11 purpose vouchers, notwithstanding the purposes for  
12 which such amounts were appropriated: *Provided*  
13 *further*, That all public housing agencies partici-  
14 pating in the MTW demonstration shall be funded  
15 pursuant to their MTW agreements, and shall be  
16 subject to the same uniform percentage decrease as  
17 under the previous proviso: *Provided further*, That  
18 amounts provided under this paragraph shall be only  
19 for activities related to the provision of tenant-based  
20 rental assistance authorized under section 8, includ-  
21 ing related development activities;

22 (4) \$107,643,000 for the renewal of tenant-  
23 based assistance contracts under section 811 of the  
24 Cranston-Gonzalez National Affordable Housing Act  
25 (42 U.S.C. 8013), including necessary administra-

1        tive expenses: *Provided*, That administrative and  
2        other expenses of public housing agencies in admin-  
3        istering the special purpose vouchers in this para-  
4        graph shall be funded under the same terms and be  
5        subject to the same pro rata reduction as the per-  
6        cent decrease for administrative and other expenses  
7        to public housing agencies under paragraph (3) of  
8        this heading;

9            (5) \$75,000,000 for incremental rental voucher  
10        assistance for use through a supported housing pro-  
11        gram administered in conjunction with the Depart-  
12        ment of Veterans Affairs as authorized under section  
13        8(o)(19) of the United States Housing Act of 1937:  
14        *Provided*, That the Secretary of Housing and Urban  
15        Development shall make such funding available, not-  
16        withstanding section 204 (competition provision) of  
17        this title, to public housing agencies that partner  
18        with eligible VA Medical Centers or other entities as  
19        designated by the Secretary of the Department of  
20        Veterans Affairs, based on geographical need for  
21        such assistance as identified by the Secretary of the  
22        Department of Veterans Affairs, public housing  
23        agency administrative performance, and other fac-  
24        tors as specified by the Secretary of Housing and  
25        Urban Development in consultation with the Sec-

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

18           (6) \$20,000,000 shall be made available for  
19      new incremental voucher assistance through the  
20      Family Unification Program as authorized by sec-  
21      tion 8(x) of the Act: *Provided*, That the assistance  
22      made available under this paragraph shall continue  
23      to remain available for family unification upon turn-  
24      over; and

1           (7) The Secretary shall separately track all spe-  
2           cial purpose vouchers funded under this heading.

3                               HOUSING CERTIFICATE FUND

4                               (INCLUDING RESCISSIONS)

5           Unobligated balances, including recaptures and car-  
6           ryover, remaining from funds appropriated to the Depart-  
7           ment of Housing and Urban Development under this  
8           heading, the heading “Annual Contributions for Assisted  
9           Housing” and the heading “Project-Based Rental Assist-  
10          ance”, for fiscal year 2016 and prior years may be used  
11          for renewal of or amendments to section 8 project-based  
12          contracts and for performance-based contract administra-  
13          tors, notwithstanding the purposes for which such funds  
14          were appropriated: *Provided*, That any obligated balances  
15          of contract authority from fiscal year 1974 and prior that  
16          have been terminated shall be rescinded: *Provided further*,  
17          That amounts heretofore recaptured, or recaptured during  
18          the current fiscal year, from section 8 project-based con-  
19          tracts from source years fiscal year 1975 through fiscal  
20          year 1987 are hereby rescinded, and an amount of addi-  
21          tional new budget authority, equivalent to the amount re-  
22          scinded is hereby appropriated, to remain available until  
23          expended, for the purposes set forth under this heading,  
24          in addition to amounts otherwise available.

## PUBLIC HOUSING CAPITAL FUND

1                   PUBLIC HOUSING CAPITAL FUND

2           For the Public Housing Capital Fund Program to

3 carry out capital and management activities for public

4 housing agencies, as authorized under section 9 of the

5 United States Housing Act of 1937 (42 U.S.C. 1437g)

6 (the “Act”) \$1,742,870,000, to remain available until

7 September 30, 2019: *Provided*, That notwithstanding any

8 other provision of law or regulation, during fiscal year

9 2016, the Secretary of Housing and Urban Development

10 may not delegate to any Department official other than

11 the Deputy Secretary and the Assistant Secretary for

12 Public and Indian Housing any authority under paragraph

13 (2) of section 9(j) regarding the extension of the time peri-

14 ods under such section: *Provided further*, That for pur-

15 poses of such section 9(j), the term “obligate” means, with

16 respect to amounts, that the amounts are subject to a

17 binding agreement that will result in outlays, immediately

18 or in the future: *Provided further*, That up to \$3,000,000

19 shall be to support ongoing Public Housing Financial and

20 Physical Assessment activities: *Provided further*, That up

21 to \$1,000,000 shall be to support the costs of administra-

22 tive and judicial receiverships: *Provided further*, That of

23 the total amount provided under this heading, not to ex-

24 ceed \$23,000,000 shall be available for the Secretary to

25 make grants, notwithstanding section 204 of this Act, to

1 public housing agencies for emergency capital needs in-  
2 cluding safety and security measures necessary to address  
3 crime and drug-related activity as well as needs resulting  
4 from unforeseen or unpreventable emergencies and nat-  
5 ural disasters excluding Presidentially declared emer-  
6 gencies and natural disasters under the Robert T. Stafford  
7 Disaster Relief and Emergency Act (42 U.S.C. 5121 et  
8 seq.) occurring in fiscal year 2016: *Provided further*, That  
9 of the amount made available under the previous proviso,  
10 not less than \$6,000,000 shall be for safety and security  
11 measures: *Provided further*, That of the total amount pro-  
12 vided under this heading \$35,000,000 shall be for sup-  
13 portive services, service coordinator and congregate serv-  
14 ices as authorized by section 34 of the Act (42 U.S.C.  
15 1437z-6) and the Native American Housing Assistance  
16 and Self-Determination Act of 1996 (25 U.S.C. 4101 et  
17 seq.): *Provided further*, That of the total amount made  
18 available under this heading, \$15,000,000 shall be for a  
19 Jobs-Plus initiative modeled after the Jobs-Plus dem-  
20 onstration: *Provided further*, That the funding provided  
21 under the previous proviso shall provide competitive grants  
22 to partnerships between public housing authorities, local  
23 workforce investment boards established under section  
24 117 of the Workforce Investment Act of 1998, and other  
25 agencies and organizations that provide support to help

1 public housing residents obtain employment and increase  
2 earnings: *Provided further*, That applicants must dem-  
3 onstrate the ability to provide services to residents, part-  
4 ner with workforce investment boards, and leverage service  
5 dollars: *Provided further*, That the Secretary may allow  
6 public housing agencies to request exemptions from rent  
7 and income limitation requirements under sections 3 and  
8 6 of the United States Housing Act of 1937 as necessary  
9 to implement the Jobs-Plus program, on such terms and  
10 conditions as the Secretary may approve upon a finding  
11 by the Secretary that any such waivers or alternative re-  
12 quirements are necessary for the effective implementation  
13 of the Jobs-Plus initiative as a voluntary program for resi-  
14 dents: *Provided further*, That the Secretary shall publish  
15 by notice in the Federal Register any waivers or alter-  
16 native requirements pursuant to the preceding proviso no  
17 later than 10 days before the effective date of such notice:  
18 *Provided further*, That for funds provided under this head-  
19 ing, the limitation in section 9(g)(1)(A) of the Act shall  
20 be 25 percent: *Provided further*, That the Secretary may  
21 waive the limitation in the previous proviso to allow public  
22 housing agencies to fund activities authorized under sec-  
23 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-  
24 retary shall notify public housing agencies requesting  
25 waivers under the previous proviso if the request is ap-



1 proved or denied within 14 days of submitting the request:  
 2 *Provided further*, That from the funds made available  
 3 under this heading, the Secretary shall provide bonus  
 4 awards in fiscal year 2016 to public housing agencies that  
 5 are designated high performers: *Provided further*, That the  
 6 Department shall notify public housing agencies of their  
 7 formula allocation within 60 days of enactment of this Act.

#### 8 PUBLIC HOUSING OPERATING FUND

9 For 2016 payments to public housing agencies for the  
 10 operation and management of public housing, as author-  
 11 ized by section 9(e) of the United States Housing Act of  
 12 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain  
 13 available until September 30, 2017.

#### 14 CHOICE NEIGHBORHOODS INITIATIVE

15 For competitive grants under the Choice Neighbor-  
 16 hoods Initiative (subject to section 24 of the United States  
 17 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise  
 18 specified under this heading), for transformation, rehabili-  
 19 tation, and replacement housing needs of both public and  
 20 HUD-assisted housing and to transform neighborhoods of  
 21 poverty into functioning, sustainable mixed income neigh-  
 22 borhoods with appropriate services, schools, public assets,  
 23 transportation and access to jobs, \$65,000,000, to remain  
 24 available until September 30, 2018: *Provided*, That grant  
 25 funds may be used for resident and community services,

1 community development, and affordable housing needs in  
2 the community, and for conversion of vacant or foreclosed  
3 properties to affordable housing: *Provided further*, That  
4 the use of funds made available under this heading shall  
5 not be deemed to be public housing notwithstanding sec-  
6 tion 3(b)(1) of such Act: *Provided further*, That grantees  
7 shall commit to an additional period of affordability deter-  
8 mined by the Secretary of not fewer than 20 years: *Pro-*  
9 *vided further*, That grantees shall undertake comprehen-  
10 sive local planning with input from residents and the com-  
11 munity, and that grantees shall provide a match in State,  
12 local, other Federal or private funds: *Provided further*,  
13 That grantees may include local governments, tribal enti-  
14 ties, public housing authorities, and nonprofits: *Provided*  
15 *further*, That for-profit developers may apply jointly with  
16 a public entity: *Provided further*, That for purposes of en-  
17 vironmental review, a grantee shall be treated as a public  
18 housing agency under section 26 of the United States  
19 Housing Act of 1937 (42 U.S.C. 1437x), and grants under  
20 this heading shall be subject to the regulations issued by  
21 the Secretary to implement such section: *Provided further*,  
22 That of the amount provided, not less than \$40,000,000  
23 shall be awarded to public housing agencies: *Provided fur-*  
24 *ther*, That such grantees shall create partnerships with  
25 other local organizations including assisted housing own-

1 ers, service agencies, and resident organizations: *Provided*  
 2 *further*, That the Secretary shall consult with the Secre-  
 3 taries of Education, Labor, Transportation, Health and  
 4 Human Services, Agriculture, and Commerce, the Attor-  
 5 ney General, and the Administrator of the Environmental  
 6 Protection Agency to coordinate and leverage other appro-  
 7 priate Federal resources: *Provided further*, That no more  
 8 than \$5,000,000 of funds made available under this head-  
 9 ing may be provided to assist communities in developing  
 10 comprehensive strategies for implementing this program  
 11 or implementing other revitalization efforts in conjunction  
 12 with community notice and input: *Provided further*, That  
 13 the Secretary shall develop and publish guidelines for the  
 14 use of such competitive funds, including but not limited  
 15 to eligible activities, program requirements, and perform-  
 16 ance metrics.

#### 17 FAMILY SELF-SUFFICIENCY

18 For the Family Self-Sufficiency program to support  
 19 family self-sufficiency coordinators under section 23 of the  
 20 United States Housing Act of 1937, to promote the devel-  
 21 opment of local strategies to coordinate the use of assist-  
 22 ance under sections 8(o) and 9 of such Act with public  
 23 and private resources, and enable eligible families to  
 24 achieve economic independence and self-sufficiency,  
 25 \$75,000,000, to remain available until September 30,

1 2017: *Provided*, That the Secretary may, by Federal Reg-  
 2 ister notice, waive or specify alternative requirements  
 3 under sections b(3), b(4), b(5), or c(1) of section 23 of  
 4 such Act in order to facilitate the operation of a unified  
 5 self-sufficiency program for individuals receiving assist-  
 6 ance under different provisions of the Act, as determined  
 7 by the Secretary: *Provided further*, That owners of a pri-  
 8 vately owned multifamily property with a section 8 con-  
 9 tract may voluntarily make a Family Self-Sufficiency pro-  
 10 gram available to the assisted tenants of such property  
 11 in accordance with procedures established by the Sec-  
 12 retary: *Provided further*, That such procedures established  
 13 pursuant to the previous proviso shall permit participating  
 14 tenants to accrue escrow funds in accordance with section  
 15 23(d)(2) and shall allow owners to use funding from resid-  
 16 ual receipt accounts to hire coordinators for their own  
 17 Family Self-Sufficiency program.

#### 18 INDIAN BLOCK GRANTS

19 For the Indian Housing Block Grants program, as  
 20 authorized under title I of the Native American Housing  
 21 Assistance and Self-Determination Act of 1996  
 22 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to  
 23 remain available until September 30, 2020: *Provided*,  
 24 That, notwithstanding the Native American Housing As-  
 25 sistance and Self-Determination Act of 1996, to determine

1 the amount of the allocation under title I of such Act for  
2 each Indian tribe, the Secretary shall apply the formula  
3 under section 302 of such Act with the need component  
4 based on single-race census data and with the need compo-  
5 nent based on multi-race census data, and the amount of  
6 the allocation for each Indian tribe shall be the greater  
7 of the two resulting allocation amounts: *Provided further*,  
8 That notwithstanding the previous proviso, no Indian tribe  
9 shall receive an allocation amount greater than 10 percent:  
10 *Provided further*, That of the amount provided under this  
11 heading, \$2,000,000 shall be made available for the cost  
12 of guaranteed notes and other obligations, as authorized  
13 by title VI of NAHASDA: *Provided further*, That such  
14 costs, including the costs of modifying such notes and  
15 other obligations, shall be as defined in section 502 of the  
16 Congressional Budget Act of 1974, as amended: *Provided*  
17 *further*, That these funds are available to subsidize the  
18 total principal amount of any notes and other obligations,  
19 any part of which is to be guaranteed, not to exceed  
20 \$17,452,007: *Provided further*, That the Department will  
21 notify grantees of their formula allocation within 60 days  
22 of the date of enactment of this Act.

23 In addition to amounts made available under the first  
24 paragraph under this heading, \$60,000,000, to remain  
25 available until September 30, 2018, shall be for grants to

1 Indian tribes for carrying out the Community Develop-  
 2 ment Block Grant program under title I of the Housing  
 3 and Community Development Act of 1974 notwith-  
 4 standing section 106(a)(1) of such Act, of which, up to  
 5 \$4,000,000 may be used for emergencies that constitute  
 6 imminent threats to health and safety notwithstanding  
 7 any other provision of law (including section 204 of this  
 8 title): *Provided*, That not to exceed 20 percent of any  
 9 grant made with funds appropriated under this paragraph  
 10 shall be expended for planning and management develop-  
 11 ment and administration.

12 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM  
 13 ACCOUNT

14 For the cost of guaranteed loans, as authorized by  
 15 section 184 of the Housing and Community Development  
 16 Act of 1992 (12 U.S.C. 1715z–13a), \$7,000,000, to re-  
 17 main available until expended: *Provided*, That such costs,  
 18 including the costs of modifying such loans, shall be as  
 19 defined in section 502 of the Congressional Budget Act  
 20 of 1974: *Provided further*, That these funds are available  
 21 to subsidize total loan principal, any part of which is to  
 22 be guaranteed, up to \$1,111,111,000, to remain available  
 23 until expended: *Provided further*, That up to \$750,000 of  
 24 this amount may be for administrative contract expenses

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

3 COMMUNITY PLANNING AND DEVELOPMENT

4 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

5 For carrying out the Housing Opportunities for Per-  
6 sons with AIDS program, as authorized by the AIDS  
7 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
8 \$330,000,000, to remain available until September 30,  
9 2017, except that amounts allocated pursuant to section  
10 854(c)(3) of such Act shall remain available until Sep-  
11 tember 30, 2018: *Provided*, That the Secretary shall renew  
12 all expiring contracts for permanent supportive housing  
13 that initially were funded under section 854(c)(3) of such  
14 Act from funds made available under this heading in fiscal  
15 year 2010 and prior fiscal years that meet all program  
16 requirements before awarding funds for new contracts  
17 under such section: *Provided further*, That notwith-  
18 standing 42 U.S.C. 12903, the Secretary shall allocate 90  
19 percent of the funds by formula, of which 75 percent shall  
20 be among cities that are the most populous unit of general  
21 local government in a metropolitan statistical area with  
22 a population greater than 500,000 and have more than  
23 2,000 persons living with the human immunodeficiency  
24 virus (HIV), and States with more than 2,000 persons liv-  
25 ing with HIV outside of metropolitan statistical areas, as

1 reported to and confirmed by the Director of the Centers  
 2 for Disease Control and Prevention (CDC) as of December  
 3 31 of the most recent calendar year for which such data  
 4 is available, and of which 25 percent shall be among States  
 5 and metropolitan statistical areas based on fair market  
 6 rents and area poverty indexes, as determined by the Sec-  
 7 retary: *Provided further*, That a grantee's share shall not  
 8 reflect a loss greater than 10 percent or a gain greater  
 9 than 20 percent of the share of total available formula  
 10 funds that the grantee received in the preceding fiscal  
 11 year: *Provided further*, That any grantee that received a  
 12 formula allocation in fiscal year 2015 shall continue to be  
 13 eligible for formula allocation in this fiscal year: *Provided*  
 14 *further*, That the Department shall notify grantees of their  
 15 formula allocation within 60 days of enactment of this Act.

16 COMMUNITY DEVELOPMENT FUND

17 For carrying out the Community Development Block  
 18 Grant program under title I of the Housing and Commu-  
 19 nity Development Act of 1974, as amended (the "Act"  
 20 herein) (42 U.S.C. 5301 et seq.), \$2,900,000,000, to re-  
 21 main available until September 30, 2018: *Provided*, That  
 22 unless explicitly provided for under this heading, not to  
 23 exceed 20 percent of any grant made with funds appro-  
 24 priated under this heading shall be expended for planning  
 25 and management development and administration: *Pro-*



1 *vided further*, That a metropolitan city, urban county, unit  
 2 of general local government, or insular area that directly  
 3 or indirectly receives funds under this heading may not  
 4 sell, trade, or otherwise transfer all or any portion of such  
 5 funds to another such entity in exchange for any other  
 6 funds, credits or non-Federal considerations, but must use  
 7 such funds for activities eligible under title I of the Act:  
 8 *Provided further*, That notwithstanding section 105(e)(1)  
 9 of the Act, no funds provided under this heading may be  
 10 provided to a for-profit entity for an economic develop-  
 11 ment project under section 105(a)(17) unless such project  
 12 has been evaluated and selected in accordance with guide-  
 13 lines required under subparagraph (e)(2): *Provided fur-*  
 14 *ther*, That the Department shall notify grantees of their  
 15 formula allocation within 60 days of enactment of this Act.

16 COMMUNITY DEVELOPMENT LOAN GUARANTEES

17 PROGRAM ACCOUNT

18 Subject to section 502 of the Congressional Budget  
 19 Act of 1974, during fiscal year 2016, commitments to  
 20 guarantee loans under section 108 of the Housing and  
 21 Community Development Act of 1974 (42 U.S.C. 5308),  
 22 any part of which is guaranteed, shall not exceed a total  
 23 principal amount of \$300,000,000, notwithstanding any  
 24 aggregate limitation on outstanding obligations guaran-  
 25 teed in subsection (k) of such section 108: *Provided*, That

1 the Secretary shall collect fees from borrowers, notwith-  
 2 standing section 108(m), to result in a credit subsidy cost  
 3 of zero for guaranteeing such loans, and any such fees  
 4 shall be collected in accordance with section 502(7) of the  
 5 Congressional Budget Act of 1974.

6 HOME INVESTMENT PARTNERSHIPS PROGRAM

7 For the HOME Investment Partnerships program, as  
 8 authorized under title II of the Cranston-Gonzalez Na-  
 9 tional Affordable Housing Act, as amended, \$66,000,000,  
 10 to remain available until September 30, 2019: *Provided*,  
 11 That notwithstanding the amount made available under  
 12 this heading, the threshold reduction requirements in sec-  
 13 tions 216(10) and 217(b)(4) of such Act shall not apply  
 14 to allocations of such amount: *Provided further*, That the  
 15 requirements under provisos 2 through 6 under this head-  
 16 ing for fiscal year 2012 and such requirements applicable  
 17 pursuant to the “Full-Year Continuing Appropriations  
 18 Act, 2013”, shall not apply to any project to which funds  
 19 were committed on or after August 23, 2013, but such  
 20 projects shall instead be governed by the Final Rule titled  
 21 “Home Investment Partnerships Program; Improving  
 22 Performance and Accountability; Updating Property  
 23 Standards” which became effective on such date: *Provided*  
 24 *further*, That with respect to funds made available under  
 25 this heading pursuant to such Act and funds provided in

1 prior and subsequent appropriations acts that were or are  
 2 used by community land trusts for the development of af-  
 3 fordable homeownership housing pursuant to section  
 4 215(b) of such Act, such community land trusts, notwith-  
 5 standing section 215(b)(3)(A) of such Act, may hold and  
 6 exercise purchase options, rights of first refusal or other  
 7 preemptive rights to purchase the housing to preserve af-  
 8 fordability, including but not limited to the right to pur-  
 9 chase the housing in lieu of foreclosure: *Provided further*,  
 10 That the Department shall notify grantees of their for-  
 11 mula allocation within 60 days of enactment of this Act.

12 SELF-HELP AND ASSISTED HOMEOWNERSHIP

13 OPPORTUNITY PROGRAM

14 For the Self-Help and Assisted Homeownership Op-  
 15 portunity Program, as authorized under section 11 of the  
 16 Housing Opportunity Program Extension Act of 1996, as  
 17 amended, \$50,000,000, to remain available until Sep-  
 18 tember 30, 2018: *Provided*, That of the total amount pro-  
 19 vided under this heading, \$10,000,000 shall be made  
 20 available to the Self-Help and Assisted Homeownership  
 21 Opportunity Program as authorized under section 11 of  
 22 the Housing Opportunity Program Extension Act of 1996,  
 23 as amended: *Provided further*, That \$35,000,000 shall be  
 24 made available for the second, third, and fourth capacity  
 25 building activities authorized under section 4(a) of the

1 HUD Demonstration Act of 1993 (42 U.S.C. 9816 note),  
 2 of which not less than \$5,000,000 shall be made available  
 3 for rural capacity building activities: *Provided further*,  
 4 That \$5,000,000 shall be made available for capacity  
 5 building by national rural housing organizations with ex-  
 6 perience assessing national rural conditions and providing  
 7 financing, training, technical assistance, information, and  
 8 research to local nonprofits, local governments and Indian  
 9 Tribes serving high need rural communities: *Provided fur-*  
 10 *ther*, That an additional \$5,700,000, to remain available  
 11 until expended, shall be for a program to rehabilitate and  
 12 modify homes of disabled and low-income veterans as au-  
 13 thorized under section 1079 of Public Law 113–291.

14 HOMELESS ASSISTANCE GRANTS

15 For the Emergency Solutions Grants program as au-  
 16 thorized under subtitle B of title IV of the McKinney-  
 17 Vento Homeless Assistance Act, as amended; the con-  
 18 tinuum of care program as authorized under subtitle C  
 19 of title IV of such Act; and the Rural Housing Stability  
 20 Assistance program as authorized under subtitle D of title  
 21 IV of such Act, \$2,235,000,000, to remain available until  
 22 September 30, 2018: *Provided*, That any rental assistance  
 23 amounts that are recaptured under such Continuum of  
 24 Care program shall remain available until expended: *Pro-*  
 25 *vided further*, That not less than \$250,000,000 of the

1 funds appropriated under this heading shall be available  
2 for such Emergency Solutions Grants program: *Provided*  
3 *further*, That not less than \$1,918,000,000 of the funds  
4 appropriated under this heading shall be available for such  
5 Continuum of Care and Rural Housing Stability Assist-  
6 ance programs: *Provided further*, That up to \$7,000,000  
7 of the funds appropriated under this heading shall be  
8 available for the national homeless data analysis project:  
9 *Provided further*, That up to \$2,000,000 of the funds ap-  
10 propriated under this heading shall be available to the Sec-  
11 retary, in coordination with the Secretary of Health and  
12 Human Services, for a national study on the prevalence,  
13 needs, and characteristics of homelessness among youth  
14 as authorized under section 345 of the Runaway Homeless  
15 Youth Act (42 U.S.C. 5714–25), notwithstanding section  
16 204 of this title: *Provided further*, That up to \$33,000,000  
17 of the funds appropriated under this heading shall be to  
18 implement projects to demonstrate how a comprehensive  
19 approach to serving homeless youth, age 24 and under,  
20 in up to 10 communities, including at least four rural com-  
21 munities, can dramatically reduce youth homelessness:  
22 *Provided further*, That such projects shall be eligible for  
23 renewal under the Continuum of Care program subject to  
24 the same terms and conditions as other renewal appli-  
25 cants: *Provided further*, That up to \$5,000,000 of the

1 funds appropriated under this heading shall be available  
2 to provide technical assistance on youth homelessness, and  
3 collection, analysis, and reporting of data and performance  
4 measures under the comprehensive approaches to serve  
5 homeless youth, in addition to and in coordination with  
6 other technical assistance funds provided under this title:  
7 *Provided further*, That all funds awarded for supportive  
8 services under the Continuum of Care program and the  
9 Rural Housing Stability Assistance program shall be  
10 matched by not less than 25 percent in cash or in kind  
11 by each grantee: *Provided further*, That for all match re-  
12 quirements applicable to funds made available under this  
13 heading for this fiscal year and prior years, a grantee may  
14 use (or could have used) as a source of match funds other  
15 funds administered by the Secretary and other Federal  
16 agencies unless a specific statutory prohibition on any  
17 such use of any such funds exists: *Provided further*, That  
18 the Secretary may renew on an annual basis expiring con-  
19 tracts or amendments to contracts funded under the Con-  
20 tinuum of Care program if the program is determined to  
21 be needed under the applicable Continuum of Care and  
22 meets appropriate program requirements, performance  
23 measures, and financial standards, as determined by the  
24 Secretary: *Provided further*, That all awards of assistance  
25 under this heading shall be required to coordinate and in-

1 tegrate homeless programs with other mainstream health,  
2 social services, and employment programs for which home-  
3 less populations may be eligible: *Provided further*, That  
4 with respect to funds provided under this heading for the  
5 Continuum of Care program for fiscal years 2016 and  
6 2017, permanent housing rental assistance may be admin-  
7 istered by private nonprofit organizations: *Provided fur-*  
8 *ther*, That youth aged 24 and under seeking assistance  
9 under this heading shall not be required to provide third  
10 party documentation to establish their eligibility under 42  
11 U.S.C. 11302(a) or (b) to receive services: *Provided fur-*  
12 *ther*, That unaccompanied youth aged 24 and under or  
13 families headed by youth aged 24 and under who are living  
14 in unsafe situations may be served by youth-serving pro-  
15 viders funded under this heading: *Provided further*, That  
16 in awarding grants with funds appropriated under this  
17 heading, the Secretary shall ensure that incentives created  
18 through the application process fairly balance priorities for  
19 different populations, including youth, families, veterans,  
20 and people experiencing chronic homelessness: *Provided*  
21 *further*, That any unobligated amounts remaining from  
22 funds appropriated under this heading in fiscal year 2012  
23 and prior years for project-based rental assistance for re-  
24 habilitation projects with 10-year grant terms may be used  
25 for purposes under this heading, notwithstanding the pur-

1 poses for which such funds were appropriated: *Provided*  
 2 *further*, That all balances for Shelter Plus Care renewals  
 3 previously funded from the Shelter Plus Care Renewal ac-  
 4 count and transferred to this account shall be available,  
 5 if recaptured, for Continuum of Care renewals in fiscal  
 6 year 2016: *Provided further*, That the Department shall  
 7 notify grantees of their formula allocation from amounts  
 8 allocated (which may represent initial or final amounts al-  
 9 located) for the Emergency Solutions Grant program with-  
 10 in 60 days of enactment of this Act.

## 11 HOUSING PROGRAMS

### 12 PROJECT-BASED RENTAL ASSISTANCE

13 For activities and assistance for the provision of  
 14 project-based subsidy contracts under the United States  
 15 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the  
 16 Act”), not otherwise provided for, \$10,426,000,000, to re-  
 17 main available until expended, shall be available on Octo-  
 18 ber 1, 2015 (in addition to the \$400,000,000 previously  
 19 appropriated under this heading that became available Oc-  
 20 tober 1, 2015), and \$400,000,000, to remain available  
 21 until expended, shall be available on October 1, 2016: *Pro-*  
 22 *vided*, That the amounts made available under this head-  
 23 ing shall be available for expiring or terminating section  
 24 8 project-based subsidy contracts (including section 8  
 25 moderate rehabilitation contracts), for amendments to sec-



1 tion 8 project-based subsidy contracts (including section  
 2 8 moderate rehabilitation contracts), for contracts entered  
 3 into pursuant to section 441 of the McKinney-Vento  
 4 Homeless Assistance Act (42 U.S.C. 11401), for renewal  
 5 of section 8 contracts for units in projects that are subject  
 6 to approved plans of action under the Emergency Low In-  
 7 come Housing Preservation Act of 1987 or the Low-In-  
 8 come Housing Preservation and Resident Homeownership  
 9 Act of 1990, and for administrative and other expenses  
 10 associated with project-based activities and assistance  
 11 funded under this paragraph: *Provided further*, That of  
 12 the total amounts provided under this heading, not to ex-  
 13 ceed \$215,000,000 shall be available for performance-  
 14 based contract administrators for section 8 project-based  
 15 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*  
 16 *further*, That the Secretary of Housing and Urban Devel-  
 17 opment may also use such amounts in the previous proviso  
 18 for performance-based contract administrators for the ad-  
 19 ministration of: interest reduction payments pursuant to  
 20 section 236(a) of the National Housing Act (12 U.S.C.  
 21 1715z-1(a)); rent supplement payments pursuant to sec-  
 22 tion 101 of the Housing and Urban Development Act of  
 23 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-  
 24 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental  
 25 assistance contracts for the elderly under section

1 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);  
2 project rental assistance contracts for supportive housing  
3 for persons with disabilities under section 811(d)(2) of the  
4 Cranston-Gonzalez National Affordable Housing Act (42  
5 U.S.C. 8013(d)(2)); project assistance contracts pursuant  
6 to section 202(h) of the Housing Act of 1959 (Public Law  
7 86–372; 73 Stat. 667); and loans under section 202 of  
8 the Housing Act of 1959 (Public Law 86–372; 73 Stat.  
9 667): *Provided further*, That amounts recaptured under  
10 this heading, the heading “Annual Contributions for As-  
11 sisted Housing”, or the heading “Housing Certificate  
12 Fund”, may be used for renewals of or amendments to  
13 section 8 project-based contracts or for performance-based  
14 contract administrators, notwithstanding the purposes for  
15 which such amounts were appropriated: *Provided further*,  
16 That, notwithstanding any other provision of law, upon  
17 the request of the Secretary of Housing and Urban Devel-  
18 opment, project funds that are held in residual receipts  
19 accounts for any project subject to a section 8 project-  
20 based Housing Assistance Payments contract that author-  
21 izes HUD or a Housing Finance Agency to require that  
22 surplus project funds be deposited in an interest-bearing  
23 residual receipts account and that are in excess of an  
24 amount to be determined by the Secretary, shall be remit-  
25 ted to the Department and deposited in this account, to

1 be available until expended: *Provided further*, That  
 2 amounts deposited pursuant to the previous proviso shall  
 3 be available in addition to the amount otherwise provided  
 4 by this heading for uses authorized under this heading.

5 HOUSING FOR THE ELDERLY

6 For amendments to capital advance contracts for  
 7 housing for the elderly, as authorized by section 202 of  
 8 the Housing Act of 1959, as amended, and for project  
 9 rental assistance for the elderly under section 202(c)(2)  
 10 of such Act, including amendments to contracts for such  
 11 assistance and renewal of expiring contracts for such as-  
 12 sistance for up to a 1-year term, and for senior preserva-  
 13 tion rental assistance contracts, including renewals, as au-  
 14 thorized by section 811(e) of the American Housing and  
 15 Economic Opportunity Act of 2000, as amended, and for  
 16 supportive services associated with the housing,  
 17 \$420,000,000 to remain available until September 30,  
 18 2019: *Provided*, That of the amount provided under this  
 19 heading, up to \$77,000,000 shall be for service coordina-  
 20 tors and the continuation of existing congregate service  
 21 grants for residents of assisted housing projects: *Provided*  
 22 *further*, That amounts under this heading shall be avail-  
 23 able for Real Estate Assessment Center inspections and  
 24 inspection-related activities associated with section 202  
 25 projects: *Provided further*, That the Secretary may waive

1 the provisions of section 202 governing the terms and con-  
2 ditions of project rental assistance, except that the initial  
3 contract term for such assistance shall not exceed 5 years  
4 in duration: *Provided further*, That upon request of the  
5 Secretary of Housing and Urban Development, project  
6 funds that are held in residual receipts accounts for any  
7 project subject to a section 202 project rental assistance  
8 contract, and that upon termination of such contract are  
9 in excess of an amount to be determined by the Secretary,  
10 shall be remitted to the Department and deposited in this  
11 account, to be available until September 30, 2019: *Pro-*  
12 *vided further*, That amounts deposited in this account pur-  
13 suant to the previous proviso shall be available, in addition  
14 to the amounts otherwise provided by this heading, for the  
15 purposes funded under this heading, and if such purposes  
16 have been fully funded, may be used by the Secretary to  
17 support demonstration programs to test housing with serv-  
18 ices models for the elderly: *Provided further*, That unobli-  
19 gated balances, including recaptures and carryover, re-  
20 maining from funds transferred to or appropriated under  
21 this heading may be used for the current purposes author-  
22 ized under this heading notwithstanding the purposes for  
23 which such funds originally were appropriated.

## 1 HOUSING FOR PERSONS WITH DISABILITIES

2 For amendments to capital advance contracts for  
3 supportive housing for persons with disabilities, as author-  
4 ized by section 811 of the Cranston-Gonzalez National Af-  
5 fordable Housing Act (42 U.S.C. 8013), for project rental  
6 assistance for supportive housing for persons with disabil-  
7 ities under section 811(d)(2) of such Act and for project  
8 assistance contracts pursuant to section 202(h) of the  
9 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),  
10 including amendments to contracts for such assistance  
11 and renewal of expiring contracts for such assistance for  
12 up to a 1-year term, for project rental assistance to State  
13 housing finance agencies and other appropriate entities as  
14 authorized under section 811(b)(3) of the Cranston-Gon-  
15 zalez National Housing Act, and for supportive services  
16 associated with the housing for persons with disabilities  
17 as authorized by section 811(b)(1) of such Act,  
18 \$137,000,000, to remain available until September 30,  
19 2019: *Provided*, That amounts made available under this  
20 heading shall be available for Real Estate Assessment  
21 Center inspections and inspection-related activities associ-  
22 ated with section 811 projects: *Provided further*, That, in  
23 this fiscal year, upon the request of the Secretary of Hous-  
24 ing and Urban Development, project funds that are held  
25 in residual receipts accounts for any project subject to a

1 section 811 project rental assistance contract and that  
 2 upon termination of such contract are in excess of an  
 3 amount to be determined by the Secretary shall be remit-  
 4 ted to the Department and deposited in this account, to  
 5 be available until September 30, 2019: *Provided further*,  
 6 That amounts deposited in this account pursuant to the  
 7 previous proviso shall be available in addition to the  
 8 amounts otherwise provided by this heading for the pur-  
 9 poses authorized under this heading: *Provided further*,  
 10 That unobligated balances, including recaptures and car-  
 11 ryover, remaining from funds transferred to or appro-  
 12 priated under this heading may be used for the current  
 13 purposes authorized under this heading notwithstanding  
 14 the purposes for which such funds originally were appro-  
 15 priated.

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 \$47,000,000, to remain available until September 30,  
 21 2017, 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/literacy, and such other matters as may be  
 4 appropriate to assist them in improving their housing con-  
 5 ditions, meeting their financial needs, and fulfilling the re-  
 6 sponsibilities 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, \$30,000,000, 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

3 MANUFACTURED HOUSING STANDARDS PROGRAM  
4 PAYMENT TO MANUFACTURED HOUSING FEES TRUST  
5 FUND

**•S 2129 PCS**



1 fees from any program participant: *Provided further*, That  
2 such collections shall be deposited into the Fund, and the  
3 Secretary, as provided herein, may use such collections,  
4 as well as fees collected under section 620, for necessary  
5 expenses of such Act: *Provided further*, That, notwith-  
6 standing the requirements of section 620 of such Act, the  
7 Secretary may carry out responsibilities of the Secretary  
8 under such Act through the use of approved service pro-  
9 viders that are paid directly by the recipients of their serv-  
10 ices.

11           FEDERAL HOUSING ADMINISTRATION

12       MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

13       New commitments to guarantee single family loans  
14 insured under the Mutual Mortgage Insurance Fund shall  
15 not exceed \$400,000,000,000, to remain available until  
16 September 30, 2017: *Provided*, That during fiscal year  
17 2016, obligations to make direct loans to carry out the  
18 purposes of section 204(g) of the National Housing Act,  
19 as amended, shall not exceed \$5,000,000: *Provided fur-*  
20 *ther*, That the foregoing amount in the previous proviso  
21 shall be for loans to nonprofit and governmental entities  
22 in connection with sales of single family real properties  
23 owned by the Secretary and formerly insured under the  
24 Mutual Mortgage Insurance Fund: *Provided further*, That  
25 for administrative contract expenses of the Federal Hous-

1 ing Administration, \$130,000,000, to remain available  
2 until September 30, 2017: *Provided further*, That to the  
3 extent guaranteed loan commitments exceed  
4 \$200,000,000,000 on or before April 1, 2016, an addi-  
5 tional \$1,400 for administrative contract expenses shall be  
6 available for each \$1,000,000 in additional guaranteed  
7 loan commitments (including a pro rata amount for any  
8 amount below \$1,000,000), but in no case shall funds  
9 made available by this proviso exceed \$30,000,000.

10 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

11 New commitments to guarantee loans insured under  
12 the General and Special Risk Insurance Funds, as author-  
13 ized by sections 238 and 519 of the National Housing Act  
14 (12 U.S.C. 1715z-3 and 1735c), shall not exceed  
15 \$30,000,000,000 in total loan principal, any part of which  
16 is to be guaranteed, to remain available until September  
17 30, 2017: *Provided*, That during fiscal year 2016, gross  
18 obligations for the principal amount of direct loans, as au-  
19 thorized by sections 204(g), 207(l), 238, and 519(a) of  
20 the National Housing Act, shall not exceed \$5,000,000,  
21 which shall be for loans to nonprofit and governmental en-  
22 tities in connection with the sale of single family real prop-  
23 erties owned by the Secretary and formerly insured under  
24 such Act.

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

4        New commitments to issue guarantees to carry out  
5 the purposes of section 306 of the National Housing Act,  
6 as amended (12 U.S.C. 1721(g)), shall not exceed  
7 \$500,000,000,000, to remain available until September  
8 30, 2017: *Provided*, That \$23,000,000 shall be available  
9 for necessary salaries and expenses of the Office of Gov-  
10 ernment National Mortgage Association: *Provided further*,  
11 That to the extent that guaranteed loan commitments ex-  
12 ceed \$155,000,000,000 on or before April 1, 2016, an ad-  
13 ditional \$100 for necessary salaries and expenses shall be  
14 available until expended for each \$1,000,000 in additional  
15 guaranteed loan commitments (including a pro rata  
16 amount for any amount below \$1,000,000), but in no case  
17 shall funds made available by this proviso exceed  
18 \$3,000,000: *Provided further*, That receipts from Commit-  
19 ment and Multiclass fees collected pursuant to title III of  
20 the National Housing Act, as amended, shall be credited  
21 as offsetting collections to this account.

## 1 POLICY DEVELOPMENT AND RESEARCH

## 2 RESEARCH AND TECHNOLOGY

## 3 (INCLUDING TRANSFER OF FUNDS)

4 For contracts, grants, and necessary expenses of pro-  
5 grams of research and studies relating to housing and  
6 urban problems, not otherwise provided for, as authorized  
7 by title V of the Housing and Urban Development Act  
8 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
9 out the functions of the Secretary of Housing and Urban  
10 Development under section 1(a)(1)(i) of Reorganization  
11 Plan No. 2 of 1968, \$50,000,000, to remain available  
12 until September 30, 2017.

13 Of the amounts made available in this title under  
14 each of the headings specified in the report accompanying  
15 this Act, the Secretary may transfer to this account up  
16 to 0.1 percent from each such account, and such trans-  
17 ferred amounts shall be available until September 30,  
18 2017, for (1) technical assistance and capacity building;  
19 and (2) research, evaluation, and program metrics: *Pro-*  
20 *vided*, That the Secretary may not transfer more than  
21 \$40,000,000 to this account.

22 With respect to amounts made available under this  
23 heading, notwithstanding section 204 of this title, the Sec-  
24 retary may enter into cooperative agreements funded with  
25 philanthropic entities, other Federal agencies, or State or

1 local governments and their agencies for research projects:  
 2 *Provided*, That any such partners to any such cooperative  
 3 agreements must contribute at least 50 percent of the cost  
 4 of the project: *Provided further*, That for any such cooper-  
 5 ative agreements, the Secretary of Housing and Urban  
 6 Development shall comply with section 2(b) of the Federal  
 7 Funding Accountability and Transparency Act of 2006  
 8 (Public Law 109–282, 31 U.S.C. note) in lieu of compli-  
 9 ance with section 102(a)(4)(C) with respect to documenta-  
 10 tion of award decisions.

## 11 FAIR HOUSING AND EQUAL OPPORTUNITY

### 12 FAIR HOUSING ACTIVITIES

13 For contracts, grants, and other assistance, not oth-  
 14 erwise provided for, as authorized by title VIII of the Civil  
 15 Rights Act of 1968, as amended by the Fair Housing  
 16 Amendments Act of 1988, and section 561 of the Housing  
 17 and Community Development Act of 1987, as amended,  
 18 \$65,300,000, to remain available until September 30,  
 19 2017, of which \$38,600,000 shall be to carry out activities  
 20 pursuant to such section 561: *Provided*, That notwith-  
 21 standing 31 U.S.C. 3302, the Secretary may assess and  
 22 collect fees to cover the costs of the Fair Housing Training  
 23 Academy, and may use such funds to provide such train-  
 24 ing: *Provided further*, That no funds made available under  
 25 this heading shall be used to lobby the executive or legisla-

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

10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY  
 11 HOMES

12 LEAD HAZARD REDUCTION

13 For the Lead Hazard Reduction Program, as author-  
 14 ized by section 1011 of the Residential Lead-Based Paint  
 15 Hazard Reduction Act of 1992, \$110,000,000, to remain  
 16 available until September 30, 2017, of which \$25,000,000  
 17 shall be for the Healthy Homes Initiative, pursuant to sec-  
 18 tions 501 and 502 of the Housing and Urban Develop-  
 19 ment Act of 1970 that shall include research, studies, test-  
 20 ing, and demonstration efforts, including education and  
 21 outreach concerning lead-based paint poisoning and other  
 22 housing-related diseases and hazards: *Provided*, That for  
 23 purposes of environmental review, pursuant to the Na-  
 24 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
 25 et seq.) and other provisions of the law that further the

1 purposes of such Act, a grant under the Healthy Homes  
2 Initiative, or the Lead Technical Studies program under  
3 this heading or under prior appropriations Acts for such  
4 purposes under this heading, shall be considered to be  
5 funds for a special project for purposes of section 305(c)  
6 of the Multifamily Housing Property Disposition Reform  
7 Act of 1994: *Provided further*, That of the total amount  
8 made available under this heading, \$45,000,000 shall be  
9 made available on a competitive basis for areas with the  
10 highest lead paint abatement needs: *Provided further*,  
11 That each recipient of funds provided under the previous  
12 proviso shall contribute an amount not less than 25 per-  
13 cent of the total: *Provided further*, That each applicant  
14 shall certify adequate capacity that is acceptable to the  
15 Secretary to carry out the proposed use of funds pursuant  
16 to a notice of funding availability: *Provided further*, That  
17 amounts made available under this heading in this or prior  
18 appropriations Acts, and that still remain available, may  
19 be used for any purpose under this heading notwith-  
20 standing the purpose for which such amounts were appro-  
21 priated if a program competition is undersubscribed and  
22 there are other program competitions under this heading  
23 that are oversubscribed.

## 1 INFORMATION TECHNOLOGY FUND

2 For the development of, modifications to, and infra-  
3 structure for Department-wide and program-specific infor-  
4 mation technology systems, for the continuing operation  
5 and maintenance of both Department-wide and program-  
6 specific information systems, and for program-related  
7 maintenance activities, \$250,000,000, shall remain avail-  
8 able until September 30, 2017: *Provided*, That any  
9 amounts transferred to this Fund under this Act shall re-  
10 main available until expended: *Provided further*, That any  
11 amounts transferred to this Fund from amounts appro-  
12 priated by previously enacted appropriations Acts may be  
13 used for the purposes specified under this Fund, in addi-  
14 tion to any other information technology purposes for  
15 which such amounts were appropriated.

## 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, \$126,000,000: *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 RESCISSIONS)

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. 1437 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 funds made available under  
24 this title may be used during fiscal year 2016 to inves-  
25 tigate or prosecute under the Fair Housing Act any other-

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

6 SEC. 203. (a) Notwithstanding any other provision  
7 of law, the amount allocated for fiscal year 2016 under  
8 section 854(c) of the AIDS Housing Opportunity Act (42  
9 U.S.C. 12903(c)), to the city of New York, New York,  
10 on behalf of the New York–Wayne–White Plains, New  
11 York–New Jersey Metropolitan Division (hereafter “met-  
12 ropolitan division”) of the New York–Newark–Edison,  
13 NY–NJ–PA Metropolitan Statistical Area, shall be ad-  
14 justed by the Secretary of Housing and Urban Develop-  
15 ment by:

16 (1) allocating to the city of Jersey City, New  
17 Jersey, the proportion of the metropolitan area’s or  
18 division’s amount that is based on the number of  
19 persons living with HIV, poverty and fair market  
20 rents, in the portion of the metropolitan area or divi-  
21 sion that is located in Hudson County, New Jersey;  
22 and

23 (2) allocating to the city of Paterson, New Jer-  
24 sey, the proportion of the metropolitan area’s or di-  
25 vision’s amount that is based on the number of per-

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

10       (b) Notwithstanding any other provision of law, the  
11       amount allocated for fiscal year 2016 under section 854(c)  
12       of the AIDS Housing Opportunity Act (42 U.S.C.  
13       12903(c)), to the city of Wilmington, Delaware, on behalf  
14       of the Wilmington, Delaware–Maryland–New Jersey Met-  
15       ropolitan Division (hereafter “metropolitan division”),  
16       shall be adjusted by the Secretary of Housing and Urban  
17       Development by allocating to the State of New Jersey the  
18       proportion of the metropolitan division’s amount that is  
19       based on the number of persons living with HIV, poverty  
20       and fair market rents, in the portion of the metropolitan  
21       division that is located in New Jersey. The State of New  
22       Jersey shall use amounts allocated to the State under this  
23       subsection to carry out eligible activities under section 855  
24       of the AIDS Housing Opportunity Act (42 U.S.C. 12904)

1 in the portion of the metropolitan division that is located  
2 in New Jersey.

3 (c) Notwithstanding any other provision of law, the  
4 Secretary of Housing and Urban Development shall allo-  
5 cate to Wake County, North Carolina, the amounts that  
6 otherwise would be allocated for fiscal year 2016 under  
7 section 854(c) of the AIDS Housing Opportunity Act (42  
8 U.S.C. 12903(c)) to the city of Raleigh, North Carolina,  
9 on behalf of the Raleigh-Cary North Carolina Metropoli-  
10 tan Statistical Area. Any amounts allocated to Wake  
11 County shall be used to carry out eligible activities under  
12 section 855 of such Act (42 U.S.C. 12904) within such  
13 metropolitan statistical area.

14 (d) Notwithstanding section 854(c) of the AIDS  
15 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-  
16 retary of Housing and Urban Development may adjust the  
17 allocation of the amounts that otherwise would be allo-  
18 cated for fiscal year 2016 under section 854(c) of such  
19 Act, upon the written request of an applicant, in conjunc-  
20 tion with the State(s), for a formula allocation on behalf  
21 of a metropolitan statistical area, to designate the State  
22 or States in which the metropolitan statistical area is lo-  
23 cated as the eligible grantee(s) of the allocation. In the  
24 case that a metropolitan statistical area involves more  
25 than one State, such amounts allocated to each State shall

1 be based on the proportion of the metropolitan statistical  
2 area's amount that is based on the number of persons liv-  
3 ing with HIV, poverty and fair market rents, in the por-  
4 tion of the metropolitan statistical area that is located in  
5 that State. Any amounts allocated to a State under this  
6 section shall be used to carry out eligible activities within  
7 the portion of the metropolitan statistical area located in  
8 that State.

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

15       SEC. 205. Funds of the Department of Housing and  
16 Urban Development subject to the Government Corpora-  
17 tion Control Act or section 402 of the Housing Act of  
18 1950 shall be available, without regard to the limitations  
19 on administrative expenses, for legal services on a contract  
20 or fee basis, and for utilizing and making payment for  
21 services and facilities of the Federal National Mortgage  
22 Association, Government National Mortgage Association,  
23 Federal Home Loan Mortgage Corporation, Federal Fi-  
24 nancing Bank, Federal Reserve banks or any member  
25 thereof, Federal Home Loan banks, and any insured bank

1 within the meaning of the Federal Deposit Insurance Cor-  
2 poration Act, as amended (12 U.S.C. 1811–1).

3 SEC. 206. Unless otherwise provided for in this title  
4 or through a reprogramming of funds, no part of any ap-  
5 propriation for the Department of Housing and Urban  
6 Development shall be available for any program, project  
7 or activity in excess of amounts set forth in the budget  
8 estimates submitted to Congress.

9 SEC. 207. Corporations and agencies of the Depart-  
10 ment of Housing and Urban Development which are sub-  
11 ject to the Government Corporation Control Act are here-  
12 by authorized to make such expenditures, within the limits  
13 of funds and borrowing authority available to each such  
14 corporation or agency and in accordance with law, and to  
15 make such contracts and commitments without regard to  
16 fiscal year limitations as provided by section 104 of such  
17 Act as may be necessary in carrying out the programs set  
18 forth in the budget for fiscal year 2016 for such corpora-  
19 tion or agency except as hereinafter provided: *Provided,*  
20 That collections of these corporations and agencies may  
21 be used for new loan or mortgage purchase commitments  
22 only to the extent expressly provided for in this Act (unless  
23 such loans are in support of other forms of assistance pro-  
24 vided for in this or prior appropriations Acts), except that  
25 this proviso shall not apply to the mortgage insurance or

1 guaranty operations of these corporations, or where loans  
2 or mortgage purchases are necessary to protect the finan-  
3 cial interest of the United States Government.

4       SEC. 208. The Secretary of Housing and Urban De-  
5 velopment shall provide quarterly reports to the House  
6 and Senate Committees on Appropriations regarding all  
7 uncommitted, unobligated, recaptured and excess funds in  
8 each program and activity within the jurisdiction of the  
9 Department and shall submit additional, updated budget  
10 information to these Committees upon request.

11       SEC. 209. A public housing agency or such other enti-  
12 ty that administers Federal housing assistance for the  
13 Housing Authority of the county of Los Angeles, Cali-  
14 fornia, and the States of Alaska, Iowa, and Mississippi  
15 shall not be required to include a resident of public hous-  
16 ing or a recipient of assistance provided under section 8  
17 of the United States Housing Act of 1937 on the board  
18 of directors or a similar governing board of such agency  
19 or entity as required under section (2)(b) of such Act.  
20 Each public housing agency or other entity that admin-  
21 isters Federal housing assistance under section 8 for the  
22 Housing Authority of the county of Los Angeles, Cali-  
23 fornia and the States of Alaska, Iowa and Mississippi that  
24 chooses not to include a resident of public housing or a  
25 recipient of section 8 assistance on the board of directors

1 or a similar governing board shall establish an advisory  
2 board of not less than six residents of public housing or  
3 recipients of section 8 assistance to provide advice and  
4 comment to the public housing agency or other admin-  
5 istering entity on issues related to public housing and sec-  
6 tion 8. Such advisory board shall meet not less than quar-  
7 terly.

8       SEC. 210. No funds provided under this title may be  
9 used for an audit of the Government National Mortgage  
10 Association that makes applicable requirements under the  
11 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

12       SEC. 211. (a) Notwithstanding any other provision  
13 of law, subject to the conditions listed under this section,  
14 for fiscal years 2016 and 2017, the Secretary of Housing  
15 and Urban Development may authorize the transfer of  
16 some or all project-based assistance, debt held or insured  
17 by the Secretary and statutorily required low-income and  
18 very low-income use restrictions if any, associated with one  
19 or more multifamily housing project or projects to another  
20 multifamily housing project or projects.

21       (b) PHASED TRANSFERS.—Transfers of project-  
22 based assistance under this section may be done in phases  
23 to accommodate the financing and other requirements re-  
24 lated to rehabilitating or constructing the project or  
25 projects to which the assistance is transferred, to ensure



1 that such project or projects meet the standards under  
2 subsection (c).

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

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

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

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

23 (2) The transferring project shall, as deter-  
24 mined by the Secretary, be either physically obsolete  
25 or economically nonviable.

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

4           (4) The owner or mortgagor of the transferring  
5           project shall notify and consult with the tenants re-  
6           siding in the transferring project and provide a cer-  
7           tification of approval by all appropriate local govern-  
8           mental officials.

9           (5) The tenants of the transferring project who  
10          remain eligible for assistance to be provided by the  
11          receiving project or projects shall not be required to  
12          vacate their units in the transferring project or  
13          projects until new units in the receiving project are  
14          available for occupancy.

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

17          (7) If either the transferring project or the re-  
18          ceiving project or projects meets the condition speci-  
19          fied in subsection (d)(2)(A), any lien on the receiv-  
20          ing project resulting from additional financing ob-  
21          tained by the owner shall be subordinate to any  
22          FHA-insured mortgage lien transferred to, or placed  
23          on, such project by the Secretary, except that the  
24          Secretary may waive this requirement upon deter-  
25          mination that such a waiver is necessary to facilitate

1 the financing of acquisition, construction, and/or re-  
2 habilitation of the receiving project or projects.

3 (8) If the transferring project meets the re-  
4 quirements of subsection (d)(2), the owner or mort-  
5 gator of the receiving project or projects shall exe-  
6 cute and record either a continuation of the existing  
7 use agreement or a new use agreement for the  
8 project where, in either case, any use restrictions in  
9 such agreement are of no lesser duration than the  
10 existing use restrictions.

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

17 (d) For purposes of this section—

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

22 (2) the term “multifamily housing project”  
23 means housing that meets one of the following con-  
24 ditions—

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

3 (B) housing that has project-based assist-  
4 ance attached to the structure including  
5 projects undergoing mark to market debt re-  
6 structuring under the Multifamily Assisted  
7 Housing Reform and Affordability Housing Act;

8 (C) housing that is assisted under section  
9 202 of the Housing Act of 1959, as amended  
10 by section 801 of the Cranston-Gonzales Na-  
11 tional Affordable Housing Act;

12 (D) housing that is assisted under section  
13 202 of the Housing Act of 1959, as such sec-  
14 tion existed before the enactment of the Cran-  
15 ston-Gonzales National Affordable Housing Act;

16 (E) housing that is assisted under section  
17 811 of the Cranston-Gonzales National Afford-  
18 able Housing Act; or

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

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

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

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

6 (C) rent supplement payments under sec-  
7 tion 101 of the Housing and Urban Develop-  
8 ment Act of 1965;

9 (D) interest reduction payments under sec-  
10 tion 236 and/or additional assistance payments  
11 under section 236(f)(2) of the National Hous-  
12 ing Act;

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

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

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

23 (5) the term “transferring project” means the  
24 multifamily housing project which is transferring  
25 some or all of the project-based assistance, debt, and

1 the statutorily required low-income and very low-in-  
 2 come use restrictions to the receiving project or  
 3 projects; and

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

6 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

7 (1) The Secretary shall publish by notice in the  
 8 Federal Register the terms and conditions, including  
 9 criteria for HUD approval, of transfers pursuant to  
 10 this section no later than 30 days before the effec-  
 11 tive date of such notice.

12 (2) The Secretary shall conduct an evaluation  
 13 of the transfer authority under this section, includ-  
 14 ing the effect of such transfers on the operational ef-  
 15 ficiency, contract rents, physical and financial condi-  
 16 tions, and long-term preservation of the affected  
 17 properties.

18 SEC. 212. (a) No assistance shall be provided under  
 19 section 8 of the United States Housing Act of 1937 (42  
 20 U.S.C. 1437f) to any individual who—

21 (1) is enrolled as a student at an institution of  
 22 higher education (as defined under section 102 of  
 23 the Higher Education Act of 1965 (20 U.S.C.  
 24 1002));

25 (2) is under 24 years of age;

1           (3) is not a veteran;

2           (4) is unmarried;

3           (5) does not have a dependent child;

4           (6) is not a person with disabilities, as such  
5 term is defined in section 3(b)(3)(E) of the United  
6 States Housing Act of 1937 (42 U.S.C.  
7 1437a(b)(3)(E)) and was not receiving assistance  
8 under such section 8 as of November 30, 2005; and

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

13       (b) For purposes of determining the eligibility of a  
14 person to receive assistance under section 8 of the United  
15 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-  
16 cial assistance (in excess of amounts received for tuition  
17 and any other required fees and charges) that an indi-  
18 vidual receives under the Higher Education Act of 1965  
19 (20 U.S.C. 1001 et seq.), from private sources, or an insti-  
20 tution of higher education (as defined under the Higher  
21 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-  
22 ered income to that individual, except for a person over  
23 the age of 23 with dependent children.

24       SEC. 213. The funds made available under  
25 NAHASDA for Native Alaskans under the heading “In-

1 dian Block Grants'' in title II of this Act shall be allocated  
2 to the same Native Alaskan housing block grant recipients  
3 that received funds in fiscal year 2005.

4 SEC. 214. Notwithstanding the limitation in the first  
5 sentence of section 255(g) of the National Housing Act  
6 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and  
7 Urban Development may, until September 30, 2016, in-  
8 sure and enter into commitments to insure mortgages  
9 under such section 255.

10 SEC. 215. Notwithstanding any other provision of  
11 law, in fiscal year 2016, in managing and disposing of any  
12 multifamily property that is owned or has a mortgage held  
13 by the Secretary of Housing and Urban Development, and  
14 during the process of foreclosure on any property with a  
15 contract for rental assistance payments under section 8  
16 of the United States Housing Act of 1937 or other Fed-  
17 eral programs, the Secretary shall maintain any rental as-  
18 sistance payments under section 8 of the United States  
19 Housing Act of 1937 and other programs that are at-  
20 tached to any dwelling units in the property. To the extent  
21 the Secretary determines, in consultation with the tenants  
22 and the local government, that such a multifamily prop-  
23 erty owned or held by the Secretary is not feasible for con-  
24 tinued rental assistance payments under such section 8  
25 or other programs, based on consideration of (1) the costs



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

22       SEC. 216. The commitment authority funded by fees  
23 as provided under the heading “Community Development  
24 Loan Guarantees Program Account” may be used to guar-  
25 antee, or make commitments to guarantee, notes, or other

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

9       SEC. 217. Public housing agencies that own and oper-  
 10 ate 400 or fewer public housing units may elect to be ex-  
 11 empt from any asset management requirement imposed by  
 12 the Secretary of Housing and Urban Development in con-  
 13 nection with the operating fund rule: *Provided*, That an  
 14 agency seeking a discontinuance of a reduction of subsidy  
 15 under the operating fund formula shall not be exempt  
 16 from asset management requirements.

17       SEC. 218. With respect to the use of amounts pro-  
 18 vided in this Act and in future Acts for the operation, cap-  
 19 ital improvement and management of public housing as  
 20 authorized by sections 9(d) and 9(e) of the United States  
 21 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the  
 22 Secretary shall not impose any requirement or guideline  
 23 relating to asset management that restricts or limits in  
 24 any way the use of capital funds for central office costs  
 25 pursuant to section 9(g)(1) or 9(g)(2) of the United States

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

7 SEC. 219. No official or employee of the Department  
8 of Housing and Urban Development shall be designated  
9 as an allotment holder unless the Office of the Chief Fi-  
10 nancial Officer has determined that such allotment holder  
11 has implemented an adequate system of funds control and  
12 has received training in funds control procedures and di-  
13 rectives. The Chief Financial Officer shall ensure that  
14 there is a trained allotment holder for each HUD sub-  
15 office under the accounts “Executive Offices” and “Ad-  
16 ministrative Support Offices,” as well as each account re-  
17 ceiving appropriations for “Program Office Salaries and  
18 Expenses”, “Government National Mortgage Associa-  
19 tion—Guarantees of Mortgage-Backed Securities Loan  
20 Guarantee Program Account”, and “Office of Inspector  
21 General” within the Department of Housing and Urban  
22 Development.

23 SEC. 220. The Secretary of the Department of Hous-  
24 ing and Urban Development shall, for fiscal year 2016 and  
25 subsequent fiscal years, notify the public through the Fed-

1 eral Register and other means, as determined appropriate,  
2 of the issuance of a notice of the availability of assistance  
3 or notice of funding availability (NOFA) for any program  
4 or discretionary fund administered by the Secretary that  
5 is to be competitively awarded. Notwithstanding any other  
6 provision of law, for fiscal year 2016 and subsequent fiscal  
7 years, the Secretary may make the NOFA available only  
8 on the Internet at the appropriate Government Web site  
9 or through other electronic media, as determined by the  
10 Secretary.

11 SEC. 221. 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 and ap-  
20 proval a spending plan for such costs to the House and  
21 Senate Committees on Appropriations.

22 SEC. 222. The Secretary of the Department of Hous-  
23 ing and Urban Development is authorized to transfer up  
24 to 5 percent or \$5,000,000, whichever is less, of the funds  
25 appropriated for any office funded under the heading “Ad-

1 ministrative Support Offices” to any other office funded  
2 under such heading: *Provided*, That no appropriation for  
3 any office funded under the heading “Administrative Sup-  
4 port Offices” shall be increased or decreased by more than  
5 5 percent or \$5,000,000, whichever is less, without prior  
6 written approval of the House and Senate Committees on  
7 Appropriations: *Provided further*, That the Secretary is  
8 authorized to transfer up to 5 percent or \$5,000,000,  
9 whichever is less, of the funds appropriated for any ac-  
10 count funded under the general heading “Program Office  
11 Salaries and Expenses” to any other account funded  
12 under such heading: *Provided further*, That no appropria-  
13 tion for any account funded under the general heading  
14 “Program Office Salaries and Expenses” shall be in-  
15 creased or decreased by more than 5 percent or  
16 \$5,000,000, whichever is less, without prior written ap-  
17 proval of the House and Senate Committees on Appropria-  
18 tions: *Provided further*, That the Secretary may transfer  
19 funds made available for salaries and expenses between  
20 any office funded under the heading “Administrative Sup-  
21 port Offices” and any account funded under the general  
22 heading “Program Office Salaries and Expenses”, but  
23 only with the prior written approval of the House and Sen-  
24 ate Committees on Appropriations.

1        SEC. 223. The Disaster Housing Assistance Pro-  
2 grams, administered by the Department of Housing and  
3 Urban Development, shall be considered a “program of  
4 the Department of Housing and Urban Development”  
5 under section 904 of the McKinney Act for the purpose  
6 of income verifications and matching.

7        SEC. 224. (a) The Secretary of Housing and Urban  
8 Development shall take the required actions under sub-  
9 section (b) when a multifamily housing project with a sec-  
10 tion 8 contract or contract for similar project-based assist-  
11 ance:

12            (1) receives a Real Estate Assessment Center  
13            (REAC) score of 30 or less; or

14            (2) receives a REAC score between 31 and 59  
15            and:

16                    (A) fails to certify in writing to HUD with-  
17                    in 60 days that all deficiencies have been cor-  
18                    rected; or

19                    (B) receives consecutive scores of less than  
20                    60 on REAC inspections.

21 Such requirements shall apply to insured and noninsured  
22 projects with assistance attached to the units under sec-  
23 tion 8 of the United States Housing Act of 1937 (42  
24 U.S.C. 1437f), but do not apply to such units assisted  
25 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to

1 public housing units assisted with capital or operating  
2 funds under section 9 of the United States Housing Act  
3 of 1937 (42 U.S.C. 1437g).

4 (b) The Secretary shall take the following required  
5 actions as authorized under subsection (a)—

6 (1) The Secretary shall notify the owner and  
7 provide an opportunity for response within 30 days.  
8 If the violations remain, the Secretary shall develop  
9 a Compliance, Disposition and Enforcement Plan  
10 within 60 days, with a specified timetable for cor-  
11 recting all deficiencies. The Secretary shall provide  
12 notice of the Plan to the owner, tenants, the local  
13 government, any mortgagees, and any contract ad-  
14 ministrator.

15 (2) At the end of the term of the Compliance,  
16 Disposition and Enforcement Plan, if the owner fails  
17 to fully comply with such plan, the Secretary may  
18 require immediate replacement of project manage-  
19 ment with a management agent approved by the  
20 Secretary, and shall take one or more of the fol-  
21 lowing actions, and provide additional notice of those  
22 actions to the owner and the parties specified above:

23 (A) impose civil money penalties;

1 (B) abate the section 8 contract, including  
2 partial abatement, as determined by the Sec-  
3 retary, until all deficiencies have been corrected;

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

10 (D) seek judicial appointment of a receiver  
11 to manage the property and cure all project de-  
12 ficiencies or seek a judicial order of specific per-  
13 formance requiring the owner to cure all project  
14 deficiencies.

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



1 and operating the property and all available Federal,  
2 State, and local resources, including rent adjustments  
3 under section 524 of the Multifamily Assisted Housing  
4 Reform and Affordability Act of 1997 (“MAHRAA”) and  
5 (2) environmental conditions that cannot be remedied in  
6 a cost-effective fashion, the Secretary may, in consultation  
7 with the tenants of that property, contract for project-  
8 based rental assistance payments with an owner or owners  
9 of other existing housing properties, or provide other rent-  
10 al assistance. The Secretary shall report semi-annually on  
11 all properties covered by this section that are assessed  
12 through the Real Estate Assessment Center and have  
13 physical inspection scores of less than 30 or have consecu-  
14 tive physical inspection scores of less than 60. The report  
15 shall include:

16           (1) The enforcement actions being taken to ad-  
17 dress such conditions, including imposition of civil  
18 money penalties and termination of subsidies, and  
19 identify properties that have such conditions mul-  
20 tiple times; and

21           (2) Actions that the Department of Housing  
22 and Urban Development is taking to protect tenants  
23 of such identified properties.

24 SEC. 225. None of the funds made available by this  
25 Act, or any other Act, for purposes authorized under sec-

tion 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

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

(1) in subsection (m)(1), by striking “fiscal year” and all that follows through the period at the end and inserting “fiscal year 2016.”; and

(2) in subsection (o), by striking “September” and all that follows through the period at the end and inserting “September 30, 2016.”.

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project,

1 State, locality, housing authority, tribe, nonprofit organi-  
2 zation, or other entity selected to receive a grant award  
3 is announced by the Department or its offices.

4 SEC. 229. Of the amounts made available for salaries  
5 and expenses under all accounts under this title (except  
6 for the Office of Inspector General account), a total of  
7 up to \$5,000,000 may be transferred to and merged with  
8 amounts made available in the “Information Technology  
9 Fund” account under this title.

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

15 SEC. 231. None of the funds made available in this  
16 Act shall be used by the Federal Housing Administration,  
17 the Government National Mortgage Administration, or the  
18 Department of Housing and Urban Development to in-  
19 sure, securitize, or establish a Federal guarantee of any  
20 mortgage or mortgage backed security that refinances or  
21 otherwise replaces a mortgage that has been subject to  
22 eminent domain condemnation or seizure, by a State, mu-  
23 nicipality, or any other political subdivision of a State.

24 SEC. 232. None of the funds made available by this  
25 Act may be used to terminate the status of a unit of gen-

1 eral local government as a metropolitan city (as defined  
2 in section 102 of the Housing and Community Develop-  
3 ment Act of 1974 (42 U.S.C. 5302)) with respect to  
4 grants under section 106 of such Act (42 U.S.C. 5306).

5 SEC. 233. Subsection (b) of section 225 of the Cran-  
6 ston-Gonzalez National Affordable Housing Act (42  
7 U.S.C. 12755) is amended by adding at the end the fol-  
8 lowing new sentence: “Such 30-day waiting period is not  
9 required if the grounds for the termination or refusal to  
10 renew involve a direct threat to the safety of the tenants  
11 or employees of the housing, or an imminent and serious  
12 threat to the property (and the termination or refusal to  
13 renew is in accordance with the requirements of State or  
14 local law).”.

15 SEC. 234. None of the funds under this title may be  
16 used for awards, including performance, special act, or  
17 spot, for any employee of the Department of Housing and  
18 Urban Development who is subject to administrative dis-  
19 cipline in fiscal year 2016, including suspension from  
20 work.

21 SEC. 235. The language under the heading “Rental  
22 Assistance Demonstration” in the Department of Housing  
23 and Urban Development Appropriations Act, 2012 (Public  
24 Law 112–55) is amended:

1 (1) in proviso four, by striking “185,000” and  
 2 inserting “200,000”;

3 (2) in proviso eighteen, by inserting “for fiscal  
 4 year 2012 and hereafter,” after “*Provided further,*  
 5 *That*”; and

6 (3) In proviso nineteen, by striking “, which  
 7 may extend beyond fiscal year 2016 as necessary to  
 8 allow processing of all timely applications,”.

9 SEC. 236. Section 9 of the United States Housing  
 10 Act of 1937 (42 U.S.C. 1437g) is amended by—

11 (1) inserting at the end of subsection (j)—

12 “(7) TREATMENT OF REPLACEMENT RE-  
 13 SERVE.—The requirements of this subsection shall  
 14 not apply to funds held in replacement reserves es-  
 15 tablished in subsection (9)(n).”; and

16 (2) inserting at the end of subsection (m)—

17 “(n) ESTABLISHMENT OF REPLACEMENT RE-  
 18 SERVES.—

19 “(1) IN GENERAL.—Public Housing authorities  
 20 shall be permitted to establish a Replacement Re-  
 21 serve to fund any of the capital activities listed in  
 22 subparagraph (d)(1).

23 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-  
 24 PLACEMENT RESERVE.—At any time, a public hous-  
 25 ing authority may deposit funds from that agency’s

1 Capital Fund into a replacement reserve subject to  
2 the following:

3 “(A) At the discretion of the Secretary,  
4 public housing agencies may transfer and hold  
5 in a Replacement Reserve, funds originating  
6 from additional sources.

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

9 “(C) At any time, a public housing author-  
10 ity may not hold in a replacement reserve more  
11 than the amount the public housing authority  
12 has determined necessary to satisfy the antici-  
13 pated capital needs of properties in its portfolio  
14 assisted under 42 U.S.C. 1437g as outlined in  
15 its Capital Fund 5 Year Action Plan, or a com-  
16 parable plan, as determined by the Secretary.

17 “(D) The Secretary may establish by regu-  
18 lation a maximum replacement reserve level or  
19 levels that are below amounts determined under  
20 subparagraph (C), which may be based upon  
21 the size of the portfolio assisted under 42  
22 U.S.C. 1437g or other factors.

23 “(3) In first establishing a replacement reserve,  
24 the Secretary may allow public housing agencies to

1 transfer more than 20 percent of its operating funds  
2 into its replacement reserve.

3 “(4) EXPENDITURE.—Funds in a replacement  
4 reserve may be used for purposes authorized by sub-  
5 paragraph (d)(1) and contained in its Capital Fund  
6 5 Year Action Plan.

7 “(5) MANAGEMENT AND REPORT.—The Sec-  
8 retary shall establish appropriate accounting and re-  
9 porting requirements to ensure that public housing  
10 agencies are spending funds on eligible projects and  
11 that funds in the replacement reserve are connected  
12 to capital needs.”.

13 SEC. 237. Section 9(g)(1) of the United States Hous-  
14 ing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

15 (1) inserting “(A)” immediately after the para-  
16 graph designation;

17 (2) by striking the period and inserting the fol-  
18 lowing at the end: “; and”; and

19 (3) inserting the following new paragraph:

20 “(B) FLEXIBILITY FOR OPERATING FUND  
21 AMOUNTS.—Of any amounts appropriated for  
22 fiscal year 2016 or any fiscal year thereafter  
23 that are allocated for fiscal year 2016 or any  
24 fiscal year thereafter from the Operating Fund  
25 for any public housing agency, the agency may

1           use not more than 20 percent for activities that  
2           are eligible under subsection (d) for assistance  
3           with amounts from the Capital Fund, but only  
4           if the public housing plan for the agency pro-  
5           vides for such use.”.

6           SEC. 238. Section 526 (12 U.S.C. 1735f-4) of the  
7   National Housing Act is amended by inserting at the end  
8   of subsection (b)—

9           “(c) The Secretary may establish an exception to any  
10   minimum property standard established under this section  
11   in order to address alternative water systems, including  
12   cisterns, which meet requirements of State and local build-  
13   ing codes that ensure health and safety standards.”.

14          SEC. 239. The Secretary of Housing and Urban De-  
15   velopment shall increase, pursuant to this section, the  
16   number of Moving-to-Work agencies authorized under sec-  
17   tion 204, title II, of the Departments of Veterans Affairs  
18   and Housing and Urban Development and Independent  
19   Agencies Appropriations Act, 1996 (Public Law 104-134;  
20   110 Stat. 1321) by adding to the program 300 public  
21   housing agencies that are designated as high performing  
22   agencies under the Public Housing Assessment System  
23   (PHAS). No public housing agency shall be granted this  
24   designation through this section that administers in excess  
25   of 22,000 aggregate housing vouchers and public housing



1 units. Of the agencies selected under this section, no less  
2 than 150 shall administer 600 or fewer aggregate housing  
3 voucher and public housing units, no less than 125 shall  
4 administer 601–5,000 aggregate housing voucher and  
5 public housing units, and no more than 20 shall admin-  
6 ister 5,001–22,000 aggregate housing voucher and public  
7 housing units. Of the 300 agencies selected under this sec-  
8 tion, five shall be agencies with portfolio awards under the  
9 Rental Assistance Demonstration that meet the other re-  
10 quirements of this section. Selection of agencies under this  
11 section shall be based on ensuring the geographic diversity  
12 of Moving-to-Work agencies. The Secretary may, at the  
13 request of a Moving-to-Work agency and one or more ad-  
14 jacent public housing agencies in the same area, designate  
15 that Moving-to-Work agency as a regional agency. A re-  
16 gional Moving-to-Work agency may administer the assist-  
17 ance under sections 8 and 9 of the United States Housing  
18 Act of 1937 (42 U.S.C. 1437f and g) for the participating  
19 agencies within its region pursuant to the terms of its  
20 Moving-to-Work agreement with the Secretary. The Sec-  
21 retary may agree to extend the term of the agreement and  
22 to make any necessary changes to accommodate regional-  
23 ization. A Moving-to-Work agency may be selected as a  
24 regional agency if the Secretary determines that unified  
25 administration of assistance under sections 8 and 9 by

1 that agency across multiple jurisdictions will lead to effi-  
2 ciencies and to greater housing choice for low-income per-  
3 sons in the region. For purposes of this expansion, in addi-  
4 tion to the provisions of the Act retained in section 204,  
5 section 8(r)(1) of the Act shall continue to apply unless  
6 the Secretary determines that waiver of this section is nec-  
7 essary to implement comprehensive rent reform and occu-  
8 pancy policies subject to evaluation by the Secretary, and  
9 the waiver contains, at a minimum, exceptions for requests  
10 to port due to employment, education, health and safety.  
11 No public housing agency granted this designation  
12 through this section shall receive more funding under sec-  
13 tions 8 or 9 of the United States Housing Act of 1937  
14 than it otherwise would have received absent this designa-  
15 tion. The Secretary shall extend the current Moving-to-  
16 Work agreements of previously designated participating  
17 agencies until the end of each such agency's fiscal year  
18 2028 under the same terms and conditions of such current  
19 agreements, except for any changes to such terms or con-  
20 ditions otherwise mutually agreed upon by the Secretary  
21 and any such agency and such extension agreements shall  
22 prohibit any statutory offset of any reserve balances equal  
23 to four months of operating expenses. Any such reserve  
24 balances that exceed such amount shall remain available  
25 to any such agency for all permissible purposes under such

1 agreement unless subject to a statutory offset. In addition  
 2 to other reporting requirements, all Moving-to-Work agen-  
 3 cies shall report financial data to the Department of Hous-  
 4 ing and Urban Development as specified by the Secretary,  
 5 so that the effect of Moving-to-Work policy changes can  
 6 be measured.

7 SEC. 240. Section 3(a) of the United States Housing  
 8 Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding  
 9 at the end the following new paragraph:

10 “(6) REVIEWS OF FAMILY INCOME.—

11 “(A) FREQUENCY.—Reviews of family in-  
 12 come for purposes of this section shall be  
 13 made—

14 “(i) in the case of all families, upon  
 15 the initial provision of housing assistance  
 16 for the family; and

17 “(ii) no less than annually thereafter,  
 18 except as provided in subparagraph (B)(i);

19 “(B) FIXED-INCOME FAMILIES.—

20 “(i) SELF CERTIFICATION AND 3-YEAR  
 21 REVIEW.—In the case of any family de-  
 22 scribed in clause (ii), after the initial re-  
 23 view of the family’s income pursuant to  
 24 subparagraph (A)(i), the public housing  
 25 agency or owner shall not be required to

1           conduct a review of the family's income  
 2           pursuant to subparagraph (A)(ii) for any  
 3           year for which such family certifies, in ac-  
 4           cordance with such requirements as the  
 5           Secretary shall establish, that the income  
 6           of the family meets the requirements of  
 7           clause (ii) of this subparagraph and that  
 8           the sources of such income have not  
 9           changed since the previous year, except  
 10          that the public housing agency or owner  
 11          shall conduct a review of each such fam-  
 12          ily's income not less than once every 3  
 13          years.

14               “(ii) ELIGIBLE FAMILIES.—A family  
 15          described in this clause is a family who has  
 16          an income, as of the most recent review  
 17          pursuant to subparagraph (A) or clause (i)  
 18          of this subparagraph, of which 90 percent  
 19          or more consists of fixed income, as such  
 20          term is defined in clause (iii).

21               “(iii) FIXED INCOME.—For purposes  
 22          of this subparagraph, the term ‘fixed in-  
 23          come’ includes income from—

24                       “(I) the supplemental security in-  
 25                       come program under title XVI of the

1 Social Security Act, including supple-  
 2 mentary payments pursuant to an  
 3 agreement for Federal administration  
 4 under section 1616(a) of the Social  
 5 Security Act and payments pursuant  
 6 to an agreement entered into under  
 7 section 212(b) of Public Law 93-66;

8 “(II) Social Security payments;

9 “(III) Federal, State, local and  
 10 private pension plans; and

11 “(IV) other periodic payments re-  
 12 ceived from annuities, insurance poli-  
 13 cies, retirement funds, disability or  
 14 death benefits, and other similar types  
 15 of periodic receipts that are of sub-  
 16 stantially the same amounts from year  
 17 to year.

18 “(C) INFLATIONARY ADJUSTMENT FOR  
 19 FIXED INCOME FAMILIES.—

20 “(i) IN GENERAL.—In any year in  
 21 which a public housing agency or owner  
 22 does not conduct a review of income for  
 23 any family described in clause (ii) of sub-  
 24 paragraph (B) pursuant to the authority  
 25 under clause (i) of such paragraph to

1 waive such a review, such family's prior  
 2 year's income determination shall, subject  
 3 to clauses (ii) and (iii), be adjusted by ap-  
 4 plying an inflationary factor as the Sec-  
 5 retary shall, by regulation or notice, estab-  
 6 lish.

7 “(ii) EXEMPTION FROM ADJUST-  
 8 MENT.—A public housing agency or owner  
 9 may exempt from an adjustment pursuant  
 10 to clause (i) any income source for which  
 11 income does not increase from year to  
 12 year.”.

13 SEC. 241. Section 8(x)(2) of the United States Hous-  
 14 ing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by  
 15 striking “18 months” and inserting “36 months”.

16 SEC. 242. (a) ESTABLISHMENT.—The Secretary of  
 17 Housing and Urban Development shall establish a dem-  
 18 onstration program during the period beginning on the  
 19 date of enactment of this Act, and ending on September  
 20 30, 2020, entering into budget-neutral, performance-based  
 21 agreements that result in a reduction in energy or water  
 22 costs with such entities as the Secretary determines to be  
 23 appropriate under which the entities shall carry out  
 24 projects for energy or water conservation improvements at

1 not more than 150,000 residential units in multifamily  
2 buildings participating in—

3 (1) the Project-Based Rental Assistance pro-  
4 gram under section 8 of the United States Housing  
5 Act of 1937 (42 U.S.C. 1437f), other than assist-  
6 ance provided under section 8(o) of that Act;

7 (2) the supportive Housing for the Elderly pro-  
8 gram under section 202 of the Housing Act of 1959  
9 (12 U.S.C. 1701q); or

10 (3) the supportive Housing for Persons with  
11 Disabilities program under section 811(d)(2) of the  
12 Cranston-Gonzalez National Affordable Housing Act  
13 (42 U.S.C. 8013(d)(2)).

14 (b) REQUIREMENTS.—

15 (1) PAYMENTS CONTINGENT ON SAVINGS.—

16 (A) IN GENERAL.—The Secretary shall  
17 provide to an entity a payment under an agree-  
18 ment under this section only during applicable  
19 years for which an energy or water cost savings  
20 is achieved with respect to the applicable multi-  
21 family portfolio of properties, as determined by  
22 the Secretary, in accordance with subparagraph  
23 (B).

24 (B) PAYMENT METHODOLOGY.—

1 (i) IN GENERAL.—Each agreement  
2 under this section shall include a pay-for-  
3 success provision—

4 (I) that will serve as a payment  
5 threshold for the term of the agree-  
6 ment; and

7 (II) pursuant to which the De-  
8 partment of Housing and Urban De-  
9 velopment shall share a percentage of  
10 the savings at a level determined by  
11 the Secretary that is sufficient to  
12 cover the administrative costs of car-  
13 rying out this section.

14 (ii) LIMITATIONS.—A payment made  
15 by the Secretary under an agreement  
16 under this section shall—

17 (I) be contingent on documented  
18 utility savings; and

19 (II) not exceed the utility savings  
20 achieved by the date of the payment,  
21 and not previously paid, as a result of  
22 the improvements made under the  
23 agreement.

24 (C) THIRD PARTY VERIFICATION.—Savings  
25 payments made by the Secretary under this sec-



tion shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

1 (i) financing and operating properties  
2 receiving assistance under a program de-  
3 scribed in subsection (a);

4 (ii) oversight of energy and water con-  
5 servation programs, including oversight of  
6 contractors; and

7 (iii) raising capital for energy and  
8 water conservation improvements from  
9 charitable organizations or private inves-  
10 tors.

11 (4) GEOGRAPHICAL DIVERSITY.—Each agree-  
12 ment entered into under this section shall provide  
13 for the inclusion of properties with the greatest fea-  
14 sible regional and State variance.

15 (c) PLAN AND REPORTS.—

16 (1) PLAN.—Not later than 90 days after the  
17 date of enactment of this Act, the Secretary shall  
18 submit to the House and Senate Committees on Ap-  
19 propriations a detailed plan for the implementation  
20 of this section.

21 (2) REPORTS.—Not later than 1 year after the  
22 date of enactment of this Act, and annually there-  
23 after, the Secretary shall—

24 (A) conduct an evaluation of the program  
25 under this section; and

1 (B) submit to the House and Senate Com-  
2 mittees on Appropriations a report describing  
3 each evaluation conducted under subparagraph  
4 (A).

5 (d) FUNDING.—For each fiscal year during which an  
6 agreement under this section is in effect, the Secretary  
7 may use to carry out this section any funds appropriated  
8 for the renewal of contracts under a program described  
9 in subsection (a).

10 SEC. 243. (a) ESTABLISHMENT.—The Secretary of  
11 Housing and Urban Development may establish, through  
12 notice in the Federal Register, a demonstration program  
13 to incent public housing agencies, as defined in section  
14 3(b)(6) of the United States Housing Act of 1937 (in this  
15 section referred to as “the Act”), to implement measures  
16 to reduce their energy and water consumption.

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

21 (c) INCENTIVE.—The Secretary may provide an in-  
22 centive to an eligible public housing agency that uses cap-  
23 ital funds, operating funds, grants, utility rebates, and  
24 other resources to reduce its energy and/or water con-

1 sumption in accordance with a plan approved by the Sec-  
2 retary.

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

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

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

22 (4) USE OF UTILITY COST SAVINGS.—The pub-  
23 lic housing agency may use the funds resulting from  
24 the energy conservation measures, in accordance  
25 with paragraphs (2) and (3), for either operating ex-

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

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

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

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

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

23      SEC. 244. (a) AUTHORITY.—Subject to the conditions  
24      in subsection (d), the Secretary of Housing and Urban De-  
25      velopment may authorize, in response to requests received

1 in fiscal years 2016 through 2020, the transfer of some  
2 or all project-based assistance, tenant-based assistance,  
3 capital advances, debt, and statutorily required use re-  
4 strictions from housing assisted under section 811 of the  
5 Cranston-Gonzalez National Affordable Housing Act (42  
6 U.S.C. 8013) to other new or existing housing, which may  
7 include projects, units, and other types of housing, as per-  
8 mitted by the Secretary.

9 (b) CAPITAL ADVANCES.—Interest shall not be due  
10 and repayment of a capital advance shall not be triggered  
11 by a transfer pursuant to this section.

12 (c) PHASED AND PROPORTIONAL TRANSFERS.—

13 (1) Transfers under this section may be done in  
14 phases to accommodate the financing and other re-  
15 quirements related to rehabilitating or constructing  
16 the housing to which the assistance is transferred, to  
17 ensure that such housing meets the conditions under  
18 subsection (d).

19 (2) The capital advance repayment require-  
20 ments, use restrictions, rental assistance, and debt  
21 shall transfer proportionally from the transferring  
22 housing to the receiving housing.

23 (d) CONDITIONS.—The transfers authorized by this  
24 section shall be subject to the following conditions:

1           (1) the owner of the transferring housing shall  
2       demonstrate that the transfer is in compliance with  
3       applicable Federal, State, and local requirements re-  
4       garding Housing for Persons with Disabilities and  
5       shall provide the Secretary with evidence of obtain-  
6       ing any approvals related to housing disabled per-  
7       sons that are necessary under Federal, State, and  
8       local government requirements;

9           (2) the owner of the transferring housing shall  
10      demonstrate to the Secretary that any transfer is in  
11      the best interest of the disabled residents by offering  
12      opportunities for increased integration or less con-  
13      centration of individuals with disabilities;

14          (3) the owner of the transferring housing shall  
15      continue to provide the same number of units as ap-  
16      proved for rental assistance by the Secretary in the  
17      receiving housing;

18          (4) the owner of the transferring housing shall  
19      consult with the disabled residents in the transfer-  
20      ring housing about any proposed transfer under this  
21      section and shall notify the residents of the transfer-  
22      ring housing who are eligible for assistance to be  
23      provided in the receiving housing that they shall not  
24      be required to vacate the transferring housing until  
25      the receiving housing is available for occupancy;

1           (5) the receiving housing shall meet or exceed  
2       applicable physical standards established or adopted  
3       by the Secretary; and

4           (6) if the receiving housing has a mortgage in-  
5       sured under title II of the National Housing Act,  
6       any lien on the receiving housing resulting from ad-  
7       ditional financing shall be subordinate to any feder-  
8       ally insured mortgage lien transferred to, or placed  
9       on, such housing, except that the Secretary may  
10      waive this requirement upon determination that such  
11      a waiver is necessary to facilitate the financing of  
12      acquisition, construction, or rehabilitation of the re-  
13      ceiving housing.

14      (e) PUBLIC NOTICE.—The Secretary shall publish a  
15      notice in the Federal Register of the terms and conditions,  
16      including criteria for the Department’s approval of trans-  
17      fers pursuant to this section no later than 30 days before  
18      the effective date of such notice.

19      SEC. 245. (a) Of the unobligated balances, including  
20      recaptures and carryover, remaining from funds appro-  
21      priated to the Department of Housing and Urban Devel-  
22      opment under the heading “General and Special Risk Pro-  
23      gram Account”, and for the cost of guaranteed notes and  
24      other obligations under the heading “Native American  
25      Housing Block Grants”, \$12,000,000 is hereby rescinded.



1       (b) All unobligated balances, including recaptures  
2 and carryover, remaining from funds appropriated to the  
3 Department of Housing and Urban Development under  
4 the headings “Rural Housing and Economic Develop-  
5 ment”, and “Homeownership and Opportunity for People  
6 Everywhere Grants” are hereby rescinded.

7       SEC. 246. Funds made available in this title under  
8 the heading “Homeless Assistance Grants” may be used  
9 to participate in Performance Partnership Pilots author-  
10 ized under section 526 of division H of Public Law 113–  
11 76, section 524 of division G of Public Law 113–235, and  
12 such authorities enacted for Performance Partnership Pi-  
13 lots in an appropriations Act for fiscal year 2016. Such  
14 participation shall be targeted to improving the housing  
15 situation of disconnected youth.

16       SEC. 247. Unobligated balances, including recaptures  
17 and carryover, remaining from funds appropriated to the  
18 Department of Housing and Urban Development for ad-  
19 ministrative costs associated with funds appropriated to  
20 the Department for specific disaster relief and related pur-  
21 poses and designated by Congress as an emergency re-  
22 quirement pursuant to a Concurrent Resolution on the  
23 Budget or the Balanced Budget and Emergency Deficit  
24 Control Act, including information technology costs and  
25 costs for administering and overseeing such specific dis-

1 aster related funds, shall be transferred to the Program  
2 Office Salaries and Expenses, Community Planning and  
3 Development account for the Department, shall remain  
4 available until expended, and may be used for such admin-  
5 istrative costs for administering any funds appropriated  
6 to the Department for any disaster relief and related pur-  
7 poses in any prior or future act, notwithstanding the pur-  
8 poses for which such funds were appropriated: *Provided*,  
9 That amounts transferred pursuant to this section that  
10 were previously designated by the Congress as an emer-  
11 gency requirement pursuant to a Concurrent Resolution  
12 on the Budget or the Balanced Budget and Emergency  
13 Deficit Control Act are designated by the Congress as an  
14 emergency requirement pursuant to section  
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985 and shall be transferred only  
17 if the President subsequently so designates the entire  
18 transfer and transmits such designation to the Congress.

19 SEC. 248. None of the funds made available under  
20 this title shall be used to enforce compliance with the  
21 Green Physical Needs Assessment for public housing  
22 agencies with 250 housing units or less.

23 This title may be cited as the “Department of Hous-  
24 ing and Urban Development Appropriations Act, 2016”.

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

5 For expenses necessary for the Access Board, as au-  
6 thorized by section 502 of the Rehabilitation Act of 1973,  
7 as amended, \$8,023,000: *Provided*, That, notwithstanding  
8 any other provision of law, there may be credited to this  
9 appropriation funds received for publications and training  
10 expenses.

11 FEDERAL MARITIME COMMISSION  
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime  
14 Commission as authorized by section 201(d) of the Mer-  
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-  
16 cluding services as authorized by 5 U.S.C. 3109; hire of  
17 passenger motor vehicles as authorized by 31 U.S.C.  
18 1343(b); and uniforms or allowances therefor, as author-  
19 ized by 5 U.S.C. 5901–5902, \$25,660,000: *Provided*, That  
20 not to exceed \$2,000 shall be available for official recep-  
21 tion and representation expenses.

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

4        For necessary expenses of the Office of Inspector  
5 General for the National Railroad Passenger Corporation  
6 to carry out the provisions of the Inspector General Act  
7 of 1978, as amended, \$23,999,000: *Provided*, That the In-  
8 spector General shall have all necessary authority, in car-  
9 rying out the duties specified in the Inspector General Act,  
10 as amended (5 U.S.C. App. 3), to investigate allegations  
11 of fraud, including false statements to the government (18  
12 U.S.C. 1001), by any person or entity that is subject to  
13 regulation by the National Railroad Passenger Corpora-  
14 tion: *Provided further*, That the Inspector General may  
15 enter into contracts and other arrangements for audits,  
16 studies, analyses, and other services with public agencies  
17 and with private persons, subject to the applicable laws  
18 and regulations that govern the obtaining of such services  
19 within the National Railroad Passenger Corporation: *Pro-*  
20 *vided further*, That the Inspector General may select, ap-  
21 point, and employ such officers and employees as may be  
22 necessary for carrying out the functions, powers, and du-  
23 ties of the Office of Inspector General, subject to the appli-  
24 cable laws and regulations that govern such selections, ap-  
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget  
 2 request for fiscal year 2017, the Inspector General shall  
 3 submit to the House and Senate Committees on Appro-  
 4 priations a budget request for fiscal year 2017 in similar  
 5 format and substance to those submitted by executive  
 6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-  
 10 tation Safety Board, including hire of passenger motor ve-  
 11 hicles and aircraft; services as authorized by 5 U.S.C.  
 12 3109, but at rates for individuals not to exceed the per  
 13 diem rate equivalent to the rate for a GS-15; uniforms,  
 14 or allowances therefor, as authorized by law (5 U.S.C.  
 15 5901-5902), \$105,170,000, of which not to exceed \$2,000  
 16 may be used for official reception and representation ex-  
 17 penses. The amounts made available to the National  
 18 Transportation Safety Board in this Act include amounts  
 19 necessary to make lease payments on an obligation in-  
 20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
 23 CORPORATION

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

1 as authorized by the Neighborhood Reinvestment Corpora-  
 2 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which  
 3 \$5,000,000 shall be for a multi-family rental housing pro-  
 4 gram.

5 UNITED STATES INTERAGENCY COUNCIL ON

6 HOMELESSNESS

7 OPERATING EXPENSES

8 For necessary expenses (including payment of sala-  
 9 ries, authorized travel, hire of passenger motor vehicles,  
 10 the rental of conference rooms, and the employment of ex-  
 11 perts and consultants under section 3109 of title 5, United  
 12 States Code) of the United States Interagency Council on  
 13 Homelessness in carrying out the functions pursuant to  
 14 title II of the McKinney-Vento Homeless Assistance Act,  
 15 as amended, \$3,530,000. Title II of the McKinney-Vento  
 16 Homeless Assistance Act (42 U.S.C. 11314) is amended  
 17 in section 204(a) by striking “level V” and inserting “level  
 18 IV”.

19 TITLE IV

20 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

1           (4) contains any methods or content associated  
2       with religious or quasi-religious belief systems or  
3       “new age” belief systems as defined in Equal Em-  
4       ployment Opportunity Commission Notice N-  
5       915.022, dated September 2, 1988; or

6           (5) is offensive to, or designed to change, par-  
7       ticipants’ personal values or lifestyle outside the  
8       workplace.

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

12      SEC. 405. Except as otherwise provided in this Act,  
13      none of the funds provided in this Act, provided by pre-  
14      vious appropriations Acts to the agencies or entities fund-  
15      ed in this Act that remain available for obligation or ex-  
16      penditure in fiscal year 2016, or provided from any ac-  
17      counts in the Treasury derived by the collection of fees  
18      and available to the agencies funded by this Act, shall be  
19      available for obligation or expenditure through a re-  
20      programming of funds that:

21           (1) creates a new program;

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

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



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

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

7           (6) reduces existing programs, projects, or ac-  
8           tivities by \$5,000,000 or 10 percent, whichever is  
9           less; or

10          (7) creates, reorganizes, or restructures a  
11          branch, division, office, bureau, board, commission,  
12          agency, administration, or department different from  
13          the budget justifications submitted to the Commit-  
14          tees on Appropriations or the table accompanying  
15          the explanatory statement accompanying this Act,  
16          whichever is more detailed, unless prior approval is  
17          received from the House and Senate Committees on  
18          Appropriations: *Provided*, That not later than 60  
19          days after the date of enactment of this Act, each  
20          agency funded by this Act shall submit a report to  
21          the House and Senate Committees on Appropria-  
22          tions to establish the baseline for application of re-  
23          programming and transfer authorities for the cur-  
24          rent fiscal year: *Provided further*, That the report  
25          shall include:

1           (A) a table for each appropriation with a  
2           separate column to display the prior year en-  
3           acted level, the President's budget request, ad-  
4           justments made by Congress, adjustments due  
5           to enacted rescissions, if appropriate, and the  
6           fiscal year enacted level;

7           (B) a delineation in the table for each ap-  
8           propriation and its respective prior year enacted  
9           level by object class and program, project, and  
10          activity as detailed in the budget appendix for  
11          the respective appropriation; and

12          (C) an identification of items of special  
13          congressional interest: *Provided further*, That  
14          the amount appropriated or limited for salaries  
15          and expenses for an agency shall be reduced by  
16          \$100,000 per day for each day after the re-  
17          quired date that the report has not been sub-  
18          mitted to the House and Senate Committees on  
19          Appropriations.

20          SEC. 406. Except as otherwise specifically provided  
21          by law, not to exceed 50 percent of unobligated balances  
22          remaining available at the end of fiscal year 2016 from  
23          appropriations made available for salaries and expenses  
24          for fiscal year 2016 in this Act, shall remain available  
25          through September 30, 2017, for each such account for

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

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

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

3 SEC. 408. All Federal agencies and departments that  
4 are funded under this Act shall issue a report to the House  
5 and Senate Committees on Appropriations on all sole-  
6 source contracts by no later than July 30, 2016. Such re-  
7 port shall include the contractor, the amount of the con-  
8 tract and the rationale for using a sole-source contract.

9 SEC. 409. None of the funds made available in this  
10 Act may be transferred to any department, agency, or in-  
11 strumentality of the United States Government, except  
12 pursuant to a transfer made by, or transfer authority pro-  
13 vided in, this Act or any other appropriations Act.

14 SEC. 410. None of the funds made available in this  
15 Act shall be available to pay the salary for any person  
16 filling a position, other than a temporary position, for-  
17 merly held by an employee who has left to enter the Armed  
18 Forces of the United States and has satisfactorily com-  
19 pleted his or her period of active military or naval service,  
20 and has within 90 days after his or her release from such  
21 service or from hospitalization continuing after discharge  
22 for a period of not more than 1 year, made application  
23 for restoration to his or her former position and has been  
24 certified by the Office of Personnel Management as still

1 qualified to perform the duties of his or her former posi-  
2 tion and has not been restored thereto.

3 SEC. 411. None of the funds made available in this  
4 Act may be expended by an entity unless the entity agrees  
5 that in expending the assistance the entity will comply  
6 with sections 2 through 4 of the Act of March 3, 1933  
7 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-  
8 ican Act”).

9 SEC. 412. None of the funds made available in this  
10 Act shall be made available to any person or entity that  
11 has been convicted of violating the Buy American Act (41  
12 U.S.C. 10a–10c).

13 SEC. 413. None of the funds made available in this  
14 Act may be used for first-class airline accommodations in  
15 contravention of sections 301–10.122 and 301–10.123 of  
16 title 41, Code of Federal Regulations.

17 SEC. 414. (a) None of the funds made available in  
18 this Act may be used to approve a new foreign air carrier  
19 permit under sections 41301 through 41305 of title 49,  
20 United States Code, or exemption application under sec-  
21 tion 40109 of that title of an air carrier already holding  
22 an air operators certificate issued by a country that is  
23 party to the U.S.–E.U.–Iceland–Norway Air Transport  
24 Agreement where such approval would contravene United

1 States law or Article 17 bis of the U.S.–E.U.–Iceland–  
2 Norway Air Transport Agreement.

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

9 SEC. 415. None of the funds made available in this  
10 Act may be used to send or otherwise pay for the attend-  
11 ance of more than 50 employees of a single agency or de-  
12 partment of the United States Government, who are sta-  
13 tioned in the United States, at any single international  
14 conference unless the relevant Secretary reports to the  
15 House and Senate Committees on Appropriations at least  
16 5 days in advance that such attendance is important to  
17 the national interest: *Provided*, That for purposes of this  
18 section the term “international conference” shall mean a  
19 conference occurring outside of the United States attended  
20 by representatives of the United States Government and  
21 of foreign governments, international organizations, or  
22 nongovernmental organizations.

23 This division may be cited as the “Transportation,  
24 Housing and Urban Development, and Related Agencies  
25 Appropriations Act, 2016”.



**Calendar No. 248**

114TH CONGRESS  
1ST Session

**S. 2129**

**A BILL**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, Energy and Water Development, and Departments of Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

OCTOBER 6, 2015

Read the second time and placed on the calendar