

Calendar No. 445

115TH CONGRESS
2^D SESSION

S. 3023

[Report No. 115–268]

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

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2018

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Transportation, and Housing and Urban

1 Development, and related agencies for the fiscal year end-
2 ing September 30, 2019, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,
8 \$113,535,000, of which not to exceed \$3,001,000 shall be
9 available for the immediate Office of the Secretary; not
10 to exceed \$1,040,000 shall be available for the immediate
11 Office of the Deputy Secretary; not to exceed \$20,428,000
12 shall be available for the Office of the General Counsel;
13 not to exceed \$10,265,000 shall be available for the Office
14 of the Under Secretary of Transportation for Policy; not
15 to exceed \$14,019,000 shall be available for the Office of
16 the Assistant Secretary for Budget and Programs; not to
17 exceed \$2,550,000 shall be available for the Office of the
18 Assistant Secretary for Governmental Affairs; not to ex-
19 ceed \$29,244,000 shall be available for the Office of the
20 Assistant Secretary for Administration; not to exceed
21 \$2,142,000 shall be available for the Office of Public Af-
22 fairs; not to exceed \$1,835,000 shall be available for the
23 Office of the Executive Secretariat; not to exceed
24 \$12,325,000 shall be available for the Office of Intel-
25 ligence, Security, and Emergency Response; and not to ex-

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

21 RESEARCH AND TECHNOLOGY

22 For necessary expenses related to the Office of the
 23 Assistant Secretary for Research and Technology,
 24 \$8,471,000, of which \$2,218,000 shall remain available
 25 until September 30, 2021: *Provided*, That there may be

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

10 NATIONAL INFRASTRUCTURE INVESTMENTS

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

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

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

1 ments program: *Provided further*, That none of the funds
 2 provided in the previous proviso may be used to hire addi-
 3 tional personnel: *Provided further*, That the Secretary
 4 shall consider and award projects based solely on the selec-
 5 tion criteria from the fiscal year 2016 Notice of Funding
 6 Opportunity: *Provided further*, That the Secretary shall
 7 not use the Federal share or an applicant's ability to gen-
 8 erate non-Federal revenue as a selection criteria in award-
 9 ing projects: *Provided further*, That the Secretary shall
 10 issue the Notice of Funding Opportunity no later than 60
 11 days after enactment of this Act: *Provided further*, That
 12 the Notice of Funding Opportunity shall require applica-
 13 tion submissions 90 days after the publishing of such No-
 14 tice: *Provided further*, That of the applications submitted
 15 under the previous two provisos, the Secretary shall make
 16 grants no later than 270 days after enactment of this Act
 17 in such amounts that the Secretary determines.

18 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE

19 FINANCE BUREAU

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

1 FINANCIAL MANAGEMENT CAPITAL

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

6 CYBER SECURITY INITIATIVES

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

17 OFFICE OF CIVIL RIGHTS

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

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

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

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

14 WORKING CAPITAL FUND

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

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

8 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

18 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND 19 OUTREACH

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

1 PAYMENTS TO AIR CARRIERS

2 (AIRPORT AND AIRWAY TRUST FUND)

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

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

3 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
4 SECRETARY OF TRANSPORTATION

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

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

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

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

14 FEDERAL AVIATION ADMINISTRATION

15 OPERATIONS

16 (AIRPORT AND AIRWAY TRUST FUND)

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

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

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

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

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, \$3,000,000,000, of which \$512,823,000 shall remain available until September 30, 2020, \$2,362,977,000 shall remain available until September 30, 2021, and \$124,200,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses in-

1 curred in the establishment, improvement, and moderniza-
 2 tion of national airspace systems: *Provided further*, That
 3 no later than March 31, the Secretary of Transportation
 4 shall transmit to the Congress an investment plan for the
 5 Federal Aviation Administration which includes funding
 6 for each budget line item for fiscal years 2020 through
 7 2024, with total funding for each year of the plan con-
 8 strained to the funding targets for those years as esti-
 9 mated and approved by the Office of Management and
 10 Budget.

11 RESEARCH, ENGINEERING, AND DEVELOPMENT

12 (AIRPORT AND AIRWAY TRUST FUND)

13 For necessary expenses, not otherwise provided for,
 14 for research, engineering, and development, as authorized
 15 under part A of subtitle VII of title 49, United States
 16 Code, including construction of experimental facilities and
 17 acquisition of necessary sites by lease or grant,
 18 \$191,000,000, to be derived from the Airport and Airway
 19 Trust Fund and to remain available until September 30,
 20 2021: *Provided*, That there may be credited to this appro-
 21 priation as offsetting collections, funds received from
 22 States, counties, municipalities, other public authorities,
 23 and private sources, which shall be available for expenses
 24 incurred for research, engineering, and development.

1 GRANTS-IN-AID FOR AIRPORTS
 2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
 3 (LIMITATION ON OBLIGATIONS)
 4 (AIRPORT AND AIRWAY TRUST FUND)
 5 (INCLUDING TRANSFER OF FUNDS)

6 For liquidation of obligations incurred for grants-in-
 7 aid for airport planning and development, and noise com-
 8 patibility planning and programs as authorized under sub-
 9 chapter I of chapter 471 and subchapter I of chapter 475
 10 of title 49, United States Code, and under other law au-
 11 thorizing such obligations; for procurement, installation,
 12 and commissioning of runway incursion prevention devices
 13 and systems at airports of such title; for grants authorized
 14 under section 41743 of title 49, United States Code; and
 15 for inspection activities and administration of airport safe-
 16 ty programs, including those related to airport operating
 17 certificates under section 44706 of title 49, United States
 18 Code, \$3,000,000,000, to be derived from the Airport and
 19 Airway Trust Fund and to remain available until ex-
 20 pended: *Provided*, That none of the funds under this head-
 21 ing shall be available for the planning or execution of pro-
 22 grams the obligations for which are in excess of
 23 \$3,350,000,000 in fiscal year 2019, notwithstanding sec-
 24 tion 47117(g) of title 49, United States Code: *Provided*
 25 *further*, That none of the funds under this heading shall

1 be available for the replacement of baggage conveyor sys-
2 tems, reconfiguration of terminal baggage areas, or other
3 airport improvements that are necessary to install bulk ex-
4 plosive detection systems: *Provided further*, That notwith-
5 standing section 47109(a) of title 49, United States Code,
6 the Government's share of allowable project costs under
7 paragraph (2) for subgrants or paragraph (3) of that sec-
8 tion shall be 95 percent for a project at other than a large
9 or medium hub airport that is a successive phase of a
10 multi-phased construction project for which the project
11 sponsor received a grant in fiscal year 2011 for the con-
12 struction project: *Provided further*, That notwithstanding
13 any other provision of law, of funds limited under this
14 heading, not more than \$112,600,000 shall be available
15 for administration, not less than \$15,000,000 shall be
16 available for the Airport Cooperative Research Program,
17 not less than \$33,210,000 shall be available for Airport
18 Technology Research, and \$10,000,000, to remain avail-
19 able until expended, shall be available and transferred to
20 "Office of the Secretary, Salaries and Expenses" to carry
21 out the Small Community Air Service Development Pro-
22 gram: *Provided further*, That in addition to airports eligi-
23 ble under section 41743 of title 49, United States Code,
24 such program may include the participation of an airport
25 that serves a community or consortium that is not larger

1 than a small hub airport, according to FAA hub classifica-
 2 tions effective at the time the Office of the Secretary
 3 issues a request for proposals.

4 GRANTS-IN-AID FOR AIRPORTS

5 For an additional amount for “Grants-In-Aid for Air-
 6 ports”, to enable the Secretary of Transportation to make
 7 grants for projects as authorized by subchapter 1 of chap-
 8 ter 471 and subchapter 1 of chapter 475 of title 49,
 9 United States Code, \$750,000,000, to remain available
 10 through September 30, 2021: *Provided*, That amounts
 11 made available under this heading shall be derived from
 12 the general fund, and such funds shall not be subject to
 13 apportionment formulas, special apportionment categories,
 14 or minimum percentages under chapter 471: *Provided fur-*
 15 *ther*, That the Secretary shall distribute funds provided
 16 under this heading as discretionary grants to airports:
 17 *Provided further*, That the amount made available under
 18 this heading shall not be subject to any limitation on obli-
 19 gations for the Grants-in-Aid for Airports program set
 20 forth in any Act: *Provided further*, That the Administrator
 21 of the Federal Aviation Administration may retain up to
 22 0.5 percent of the funds provided under this heading to
 23 fund the award and oversight by the Administrator of
 24 grants made under this heading.

1 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

2 ADMINISTRATION

3 SEC. 110. None of the funds in this Act may be used
4 to compensate in excess of 600 technical staff-years under
5 the federally funded research and development center con-
6 tract between the Federal Aviation Administration and the
7 Center for Advanced Aviation Systems Development dur-
8 ing fiscal year 2019.

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

22 SEC. 112. The Administrator of the Federal Aviation
23 Administration may reimburse amounts made available to
24 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
25 49 U.S.C. 45303 and any amount remaining in such ac-

1 count at the close of that fiscal year may be made available
2 to satisfy section 41742(a)(1) for the subsequent fiscal
3 year.

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

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

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

19 SEC. 116. None of the funds in this Act may be obli-
20 gated or expended for retention bonuses for an employee
21 of the Federal Aviation Administration without the prior
22 written approval of the Assistant Secretary for Adminis-
23 tration of the Department of Transportation.

24 SEC. 117. Notwithstanding any other provision of
25 law, none of the funds made available under this Act or

1 any prior Act may be used to implement or to continue
2 to implement any limitation on the ability of any owner
3 or operator of a private aircraft to obtain, upon a request
4 to the Administrator of the Federal Aviation Administra-
5 tion, a blocking of that owner's or operator's aircraft reg-
6 istration number from any display of the Federal Aviation
7 Administration's Aircraft Situational Display to Industry
8 data that is made available to the public, except data made
9 available to a Government agency, for the noncommercial
10 flights of that owner or operator.

11 SEC. 118. None of the funds in this Act shall be avail-
12 able for salaries and expenses of more than eight political
13 and Presidential appointees in the Federal Aviation Ad-
14 ministration.

15 SEC. 119. None of the funds made available under
16 this Act may be used to increase fees pursuant to section
17 44721 of title 49, United States Code, until the Federal
18 Aviation Administration provides to the House and Senate
19 Committees on Appropriations a report that justifies all
20 fees related to aeronautical navigation products and ex-
21 plains how such fees are consistent with Executive Order
22 13642.

23 SEC. 119A. 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 SEC. 119B. None of the funds appropriated or lim-
5 ited by this Act may be used to change weight restrictions
6 or prior permission rules at Teterboro airport in
7 Teterboro, New Jersey.

8 SEC. 119C. None of the funds provided under this
9 Act may be used by the Administrator of the Federal Avia-
10 tion Administration to withhold from consideration and
11 approval any new application for participation in the Con-
12 tract Tower Program, or for reevaluation of Cost-share
13 Program participants, as long as the Federal Aviation Ad-
14 ministration has received an application from the airport,
15 and as long as the Administrator determines such tower
16 is eligible using the factors set forth in the Federal Avia-
17 tion Administration report, Establishment and Dis-
18 continuance Criteria for Airport Traffic Control Towers
19 (FAA-APO-90-7 as of August, 1990).

20 SEC. 119D. Notwithstanding any other provision of
21 law, none of the funds made available in this Act may be
22 obligated or expended to limit the use of an Organization
23 Designation Authorization's (ODA) delegated functions
24 documented in its procedures manual on a type certifi-
25 cation project unless the Administrator documents a sys-

1 temic airworthiness noncompliance performance issue as
 2 a result of inspection or oversight that the safety of air
 3 commerce requires a limitation with regard to a specific
 4 authorization or where an ODA's capability has not been
 5 previously established in terms of a new compliance meth-
 6 od or design feature: *Provided*, That in such cases the
 7 Federal Aviation Administration shall work with the ODA
 8 holder if requested to develop the capability to execute
 9 that function safely, efficiently and effectively.

10 SEC. 119E. (a) TERMINAL AERODROME FORE-
 11 CAST.—The Administrator shall permit an air carrier op-
 12 eration under part 121 of title 14, Code of Federal Regu-
 13 lations, to operate to a destination determined to be under
 14 visual flight rules without a Terminal Aerodrome Forecast
 15 or Meteorological Aerodrome Report if a current Area
 16 Forecast, supplemented by other local weather observa-
 17 tions or reports, is available, and an alternate airport that
 18 has an available Terminal Aerodrome Forecast and weather
 19 report is specified. The air carrier shall have approved pro-
 20 cedures for dispatch and enroute weather evaluation and
 21 shall operate under instrument flight rules enroute to the
 22 destination.

23 (b) LIMITATION.—Without a written finding of neces-
 24 sity, based on objective and historical evidence of immi-
 25 nent threat to safety, the Administrator shall not promul-

1 gate any operation specification, policy, or guidance docu-
2 ment that is more restrictive than, or requires procedures
3 that are not expressly stated in, the regulations.

4 SEC. 119F. Of the funds provided under the heading
5 “Grants-in-aid for Airports”, up to \$3,500,000 shall be
6 for necessary expenses, including an independent
7 verification regime, to provide reimbursement to airport
8 sponsors that do not provide gateway operations and pro-
9 viders of general aviation ground support services located
10 at those airports closed during a temporary flight restric-
11 tion (TFR) for any residence of the President that is des-
12 ignated or identified to be secured by the United States
13 Secret Service, and for direct and incremental financial
14 losses incurred while such airports are closed solely due
15 to the actions of the Federal Government: *Provided*, That
16 no funds shall be obligated or distributed to airport spon-
17 sors that do not provide gateway operations and providers
18 of general aviation ground support services until an inde-
19 pendent audit is completed: *Provided further*, That losses
20 incurred as a result of violations of law, or through fault
21 or negligence, of such operators and service providers or
22 of third parties (including airports) are not eligible for re-
23 imbursements: *Provided further*, That obligation and ex-
24 penditure of funds are conditional upon full release of the

1 United States Government for all claims for financial
 2 losses resulting from such actions.

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

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

14 FEDERAL-AID HIGHWAYS
 15 (LIMITATION ON OBLIGATIONS)
 16 (HIGHWAY TRUST FUND)

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

1 and project finance to assist in the underwriting and serv-
 2 icing of Federal credit instruments and all or a portion
 3 of the costs to the Federal Government of servicing such
 4 credit instruments: *Provided further*, That such fees are
 5 available until expended to pay for such costs: *Provided*
 6 *further*, That such amounts are in addition to administra-
 7 tive expenses that are also available for such purpose, and
 8 are not subject to any obligation limitation or the limita-
 9 tion on administrative expenses under section 608 of title
 10 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 highway and highway safety construction
 15 programs authorized under title 23, United States Code,
 16 \$46,007,596,000 derived from the Highway Trust Fund
 17 (other than the Mass Transit Account), to remain avail-
 18 able until expended.

19 HIGHWAY INFRASTRUCTURE PROGRAMS

20 There is hereby appropriated to the Secretary of
 21 Transportation \$3,300,000,000: *Provided*, That the
 22 amounts made available under this heading shall be de-
 23 rived from the general fund, shall be in addition to any
 24 funds provided for fiscal year 2019 in this or any other
 25 Act for “Federal-aid Highways” under chapter 1 of title

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

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

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

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

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

11 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

12 ADMINISTRATION

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

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

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

20 (B) amounts authorized for the Bureau of
 21 Transportation Statistics;

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

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

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

11 (3) determine the proportion that—

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

16 (B) the total of the sums authorized to be
17 appropriated for the Federal-aid highway and
18 highway safety construction programs (other
19 than sums authorized to be appropriated for
20 provisions of law described in paragraphs (1)
21 through (11) of subsection (b) and sums au-
22 thorized to be appropriated for section 119 of
23 title 23, United States Code, equal to the
24 amount referred to in subsection (b)(12) for
25 such fiscal year), less the aggregate of the

1 amounts not distributed under paragraphs (1)
2 and (2) of this subsection;

3 (4) distribute the obligation limitation for Fed-
4 eral-aid highways, less the aggregate amounts not
5 distributed under paragraphs (1) and (2), for each
6 of the programs (other than programs to which
7 paragraph (1) applies) that are allocated by the Sec-
8 retary under the Fixing America's Surface Trans-
9 portation Act and title 23, United States Code, or
10 apportioned by the Secretary under sections 202 or
11 204 of that title, by multiplying—

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

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

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

1 States Code, that are exempt from the limitation
 2 under subsection (b)(12) and the amounts appor-
 3 tioned under sections 202 and 204 of that title) in
 4 the proportion that—

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (11) section 1603 of SAFETEA-LU (23
25 U.S.C. 118 note; 119 Stat. 1248), to the extent that

1 funds obligated in accordance with that section were
2 not subject to a limitation on obligations at the time
3 at which the funds were initially made available for
4 obligation; and

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

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

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

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

23 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
24 TRANSPORTATION RESEARCH PROGRAMS.—

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

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

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

9 (2) EXCEPTION.—Obligation authority made
 10 available under paragraph (1) shall—

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

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

17 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
 18 FUNDS.—

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

1 (A) are authorized to be appropriated for
 2 such fiscal year for Federal-aid highway pro-
 3 grams; and

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

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

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

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

1 tion limitation for Federal-aid highway and highway safety
2 construction programs.

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

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

1 it assistance will be provided as a direct loan, loan guar-
2 antee, or line of credit; and the amount of credit assist-
3 ance.

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

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

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

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

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

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

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

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

16 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

17 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in the implemen-
 22 tation, execution and administration of motor carrier safe-
 23 ty operations and programs pursuant to section 31110 of
 24 title 49, United States Code, as amended by the Fixing
 25 America's Surface Transportation Act, \$284,000,000, to

1 be derived from the Highway Trust Fund (other than the
 2 Mass Transit Account), together with advances and reim-
 3 bursements received by the Federal Motor Carrier Safety
 4 Administration, the sum of which shall remain available
 5 until expended: *Provided*, That funds available for imple-
 6 mentation, execution or administration of motor carrier
 7 safety operations and programs authorized under title 49,
 8 United States Code, shall not exceed total obligations of
 9 \$284,000,000 for “Motor Carrier Safety Operations and
 10 Programs” for fiscal year 2019, of which \$9,073,000, to
 11 remain available for obligation until September 30, 2021,
 12 is for the research and technology program, and of which
 13 \$34,824,000, to remain available for obligation until Sep-
 14 tember 30, 2021, is for information management.

15 MOTOR CARRIER SAFETY GRANTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

19 (INCLUDING TRANSFER OF FUNDS)

20 For payment of obligations incurred in carrying out
 21 sections 31102, 31103, 31104, and 31313 of title 49,
 22 United States Code, as amended by the Fixing America’s
 23 Surface Transportation Act, \$382,800,000, to be derived
 24 from the Highway Trust Fund (other than the Mass Tran-
 25 sit Account) and to remain available until expended: *Pro-*

1 *vided*, That funds available for the implementation or exe-
 2 cution of motor carrier safety programs shall not exceed
 3 total obligations of \$382,800,000 in fiscal year 2019 for
 4 “Motor Carrier Safety Grants”; of which \$304,300,000
 5 shall be available for the motor carrier safety assistance
 6 program, \$32,500,000 shall be available for the commer-
 7 cial driver’s license program implementation program,
 8 \$44,000,000 shall be available for the high priority activi-
 9 ties program, and \$2,000,000 shall be made available for
 10 commercial motor vehicle operators grants, of which
 11 \$1,000,000 is to be made available from prior year unobli-
 12 gated contract authority provided for Motor Carrier Safe-
 13 ty grants in the Transportation Equity Act for the 21st
 14 Century (Public Law 105–178), SAFETEA-LU (Public
 15 Law 109–59), or other appropriations or authorization
 16 acts.

17 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

18 CARRIER SAFETY ADMINISTRATION

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

23 SEC. 131. The Federal Motor Carrier Safety Admin-
 24 istration shall send notice of 49 CFR section 385.308 vio-
 25 lations by certified mail, registered mail, or another man-

ner of delivery, which records the receipt of the notice by
the persons responsible for the violations.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of
the Secretary, with respect to traffic and highway safety
authorized under chapter 301 and part C of subtitle VI
of title 49, United States Code, \$190,000,000, of which
\$40,000,000 shall remain available through September
30, 2020.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out
the provisions of 23 U.S.C. 403, section 4011 of the
FAST Act (Public Law 114–94), and chapter 303 of title
49, United States Code, \$152,100,000, to be derived from
the Highway Trust Fund (other than the Mass Transit
Account) and to remain available until expended: *Pro-*
vided, That none of the funds in this Act shall be available
for the planning or execution of programs the total obliga-
tions for which, in fiscal year 2019, are in excess of
\$152,100,000, of which \$146,700,000 shall be for pro-
grams authorized under 23 U.S.C. 403 and \$5,400,000

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

8 HIGHWAY TRAFFIC SAFETY GRANTS

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (LIMITATION ON OBLIGATIONS)

11 (HIGHWAY TRUST FUND)

12 For payment of obligations incurred in carrying out
 13 provisions of 23 U.S.C. 402, 404, and 405, and section
 14 4001(a)(6) of the Fixing America's Surface Transpor-
 15 tation Act, to remain available until expended,
 16 \$610,208,000, to be derived from the Highway Trust
 17 Fund (other than the Mass Transit Account): *Provided*,
 18 That none of the funds in this Act shall be available for
 19 the planning or execution of programs the total obligations
 20 for which, in fiscal year 2019, are in excess of
 21 \$610,208,000 for programs authorized under 23 U.S.C.
 22 402, 404, and 405, and section 4001(a)(6) of the Fixing
 23 America's Surface Transportation Act, of which
 24 \$270,400,000 shall be for "Highway Safety Programs"
 25 under 23 U.S.C. 402; \$283,000,000 shall be for "National

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

1 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY
2 TRAFFIC SAFETY ADMINISTRATION

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

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

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

1 FEDERAL RAILROAD ADMINISTRATION

2 SAFETY AND OPERATIONS

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

6 RAILROAD RESEARCH AND DEVELOPMENT

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

10 RAILROAD REHABILITATION AND IMPROVEMENT

11 FINANCING PROGRAM

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

18 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

19 REPAIR

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

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

13 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
 14 IMPROVEMENTS

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

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

23 RESTORATION AND ENHANCEMENT

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

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

12 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
 13 RAILROAD PASSENGER CORPORATION

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

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

14 NATIONAL NETWORK GRANTS TO THE NATIONAL
 15 RAILROAD PASSENGER CORPORATION

16 To enable the Secretary of Transportation to make
 17 grants to the National Railroad Passenger Corporation for
 18 activities associated with the National Network as author-
 19 ized by section 11101(b) of the Fixing America’s Surface
 20 Transportation Act (division A of Public Law 114–94),
 21 \$1,291,600,000, to remain available until expended: *Pro-*
 22 *vided*, That the Secretary may retain up to an additional
 23 \$2,000,000 of the funds provided under this heading to
 24 fund expenses associated with the State-Supported Route
 25 Committee established under section 24712 of title 49,

1 United States Code: *Provided further*, That at least
 2 \$50,000,000 of the amount provided under this heading
 3 shall be available for the development, installation and op-
 4 eration of railroad safety technology, including the imple-
 5 mentation of a positive train control system, on State-sup-
 6 ported routes as defined under section 24102(13) of title
 7 49, United States Code, on which positive train control
 8 systems are not required by law or regulation.

9 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

10 ADMINISTRATION

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

ees receiving waivers for each month for 2018 and for the three prior calendar years.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$113,165,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2020 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2020.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141,

1 and section 3006(b) of the Fixing America's Surface
 2 Transportation Act, \$9,900,000,000, to be derived from
 3 the Mass Transit Account of the Highway Trust Fund
 4 and to remain available until expended: *Provided*, That
 5 funds available for the implementation or execution of pro-
 6 grams authorized under 49 U.S.C. 5305, 5307, 5310,
 7 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
 8 and 5340, as amended by the Fixing America's Surface
 9 Transportation Act, section 20005(b) of Public Law 112–
 10 141, and section 3006(b) of the Fixing America's Surface
 11 Transportation Act, shall not exceed total obligations of
 12 \$9,939,380,030 in fiscal year 2019: *Provided further*, That
 13 the Federal share of the cost of activities carried out under
 14 49 U.S.C. section 5312 shall not exceed 80 percent, except
 15 that if there is substantial public interest or benefit, the
 16 Secretary may approve a greater Federal share.

17 TRANSIT INFRASTRUCTURE GRANTS

18 For an additional amount for buses and bus facilities
 19 grants under section 5339 of title 49, United States Code,
 20 state of good repair grants under section 5337 of such
 21 title, high density state apportionments under section
 22 5340(d) of such title, and the bus testing facilities under
 23 sections 5312 and 5318 of such title, \$800,000,000 to re-
 24 main available until expended: *Provided*, That
 25 \$400,000,000 shall be available for grants as authorized

1 under section 5339 of such title, of which \$209,104,000
2 shall be available for the buses and bus facilities formula
3 grants as authorized under section 5339(a) of such title,
4 \$161,446,000 shall be available for the buses and bus fa-
5 cilities competitive grants as authorized under section
6 5339(b) of such title, and \$29,450,000 shall be available
7 for the low or no emission grants as authorized under sec-
8 tion 5339(c) of such title: *Provided further*, That
9 \$362,000,000 shall be available for the state of good re-
10 pair grants as authorized under section 5337 of such title:
11 *Provided further*, That \$30,000,000 shall be available for
12 the high density state apportionments as authorized under
13 section 5340(d) of such title: *Provided further*, That
14 \$2,000,000 shall be available for the bus testing facility
15 as authorized under section 5318 of such title: *Provided*
16 *further*, That notwithstanding section 5318(a) of such
17 title, \$6,000,000 shall be available for the operation and
18 maintenance of bus testing facilities by institutions of
19 higher education selected pursuant to section 5312(h) of
20 such title: *Provided further*, That the Secretary shall enter
21 into a contract or cooperative agreement with, or make
22 a grant to, each institution of higher education selected
23 pursuant to section 5312(h) of such title, to operate and
24 maintain a facility to conduct the testing of low or no
25 emission vehicle new bus models using the standards es-

1 tablished pursuant to section 5318(e)(2) of such title: *Pro-*
2 *vided further*, That the term “low or no emission vehicle”
3 has the meaning given the term in section 5312(e)(6) of
4 such title: *Provided further*, That the Secretary shall pay
5 80 percent of the cost of testing a low or no emission vehi-
6 cle new bus model at each selected institution of higher
7 education: *Provided further*, That the entity having the ve-
8 hicle tested shall pay 20 percent of the cost of testing:
9 *Provided further*, That a low or no emission vehicle new
10 bus model tested that receives a passing aggregate test
11 score in accordance with the standards established under
12 section 5318(e)(2) of such title, shall be deemed to be in
13 compliance with the requirements of section 5318(e) of
14 such title: *Provided further*, That amounts made available
15 by this heading shall be derived from the general fund:
16 *Provided further*, That the amounts made available under
17 this heading shall not be subject to any limitation on obli-
18 gations for transit programs set forth in any Act.

19 TECHNICAL ASSISTANCE AND TRAINING

20 For necessary expenses to carry out 49 U.S.C. 5314,
21 \$5,000,000, of which up to \$1,500,000 shall be for a coop-
22 erative agreement through which the Federal Transit Ad-
23 ministration assists small-urban, rural and tribal public
24 transit recipients and planning organizations with applied
25 innovation and capacity-building: *Provided*, That the as-

1 sistance provided under this heading not duplicate the ac-
 2 tivities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

3 CAPITAL INVESTMENT GRANTS

4 For necessary expenses to carry out fixed guideway
 5 capital investment grants under section 5309 of title 49,
 6 United States Code, and section 3005(b) of the Fixing
 7 America's Surface Transportation Act, \$2,552,687,000, to
 8 remain available until September 30, 2022: *Provided*,
 9 That of the amounts made available under this heading,
 10 \$1,315,670,000 shall be available for projects authorized
 11 under section 5309(d) of title 49, United States Code,
 12 \$543,500,000 shall be available for projects authorized
 13 under section 5309(e) of title 49, United States Code,
 14 \$568,000,000 shall be available for projects authorized
 15 under section 5309(h) of title 49, United States Code, and
 16 \$100,000,000 shall be available for projects authorized
 17 under section 3005(b) of the Fixing America's Surface
 18 Transportation Act: *Provided further*, That the Secretary
 19 shall continue to administer the capital investment grants
 20 program in accordance with the procedural and sub-
 21 stantive requirements of section 5309 of title 49, United
 22 States Code, and of section 3005(b) of the Fixing Amer-
 23 ica's Surface Transportation Act.

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 the Secretary shall determine that
17 the Washington Metropolitan Area Transit Authority has
18 placed the highest priority on those investments that will
19 improve the safety of the system before approving such
20 grants: *Provided further*, That the Secretary, in order to
21 ensure safety throughout the rail system, may waive the
22 requirements of section 601(e)(1) of division B of Public
23 Law 110–432.

1 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

2 ADMINISTRATION

3 (INCLUDING RESCISSION)

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

9 SEC. 161. Notwithstanding any other provision of
10 law, any funds appropriated before October 1, 2018, under
11 any section of chapter 53 of title 49, United States Code,
12 that remain available for expenditure, may be transferred
13 to and administered under the most recent appropriation
14 heading for any such section.

15 SEC. 162. Of the unobligated amounts made available
16 for fiscal years 2005 or prior fiscal years to “Transit For-
17 mula Grants”, a total of \$46,560,000 is hereby perma-
18 nently rescinded.

19 SAINT LAWRENCE SEAWAY DEVELOPMENT

20 CORPORATION

21 The Saint Lawrence Seaway Development Corpora-
22 tion is hereby authorized to make such expenditures, with-
23 in the limits of funds and borrowing authority available
24 to the Corporation, and in accord with law, and to make
25 such contracts and commitments without regard to fiscal

1 year limitations, as provided by section 104 of the Govern-
 2 ment Corporation Control Act, as amended, as may be
 3 necessary in carrying out the programs set forth in the
 4 Corporation's budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE

6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses to conduct the operations,
 8 maintenance, and capital asset renewal activities on those
 9 portions of the Saint Lawrence Seaway owned, operated,
 10 and maintained by the Saint Lawrence Seaway Develop-
 11 ment Corporation, \$36,000,000, to be derived from the
 12 Harbor Maintenance Trust Fund, pursuant to Public Law
 13 99-662: *Provided*, That of the amounts made available
 14 under this heading, not less than \$16,000,000 shall be
 15 used on capital asset renewal activities.

16 MARITIME ADMINISTRATION

17 MARITIME SECURITY PROGRAM

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

22 OPERATIONS AND TRAINING

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of operations and training ac-
 25 tivities authorized by law, \$149,442,000, to remain avail-

1 able until September 30, 2020, of which \$71,000,000 shall
 2 be for the operations of the United States Merchant Ma-
 3 rine Academy, and of which \$18,000,000 shall remain
 4 available until expended for the maintenance and repair,
 5 equipment, and capital improvements at the United States
 6 Merchant Marine Academy: *Provided*, That not later than
 7 January 12, 2020, the Administrator of the Maritime Ad-
 8 ministration shall transmit to the House and Senate Com-
 9 mittees on Appropriations the annual report on sexual as-
 10 sault and sexual harassment at the United States Mer-
 11 chant Marine Academy as required pursuant to section
 12 3507 of Public Law 110–417: *Provided further*, That of
 13 the amounts made available under this heading,
 14 \$3,000,000 shall be for the Maritime Environment and
 15 Technology Assistance program authorized under section
 16 50307 of title 46, United States Code: *Provided further*,
 17 That of the amounts made available under this heading,
 18 \$7,000,000, shall remain available until expended for the
 19 Short Sea Transportation Program (America’s Marine
 20 Highways) to make grants for the purposes authorized
 21 under sections 55601(b)(1) and (3) of title 46, United
 22 States Code: *Provided further*, That available balances
 23 under this heading for the Short Sea Transportation Pro-
 24 gram (America’s Marine Highways) from prior year recov-
 25 eries shall be available to carry out activities authorized

1 under sections 55601(b)(1) and (3) of title 46, United
 2 States Code: *Provided further*, That from funds provided
 3 under the previous two provisos, the Secretary of Trans-
 4 portation shall make grants no later than 180 days after
 5 enactment of this Act in such amounts as the Secretary
 6 determines: *Provided further*, That any unobligated bal-
 7 ances available from previous appropriations for programs
 8 and activities supporting State Maritime Academies shall
 9 be transferred to and merged with the appropriations for
 10 “Maritime Administration, State Maritime Academy Op-
 11 erations” and shall be made available for the same pur-
 12 poses.

13 STATE MARITIME ACADEMY OPERATIONS

14 For necessary expenses of operations, support and
 15 training activities for State Maritime Academies,
 16 \$340,200,000, of which \$30,000,000, to remain available
 17 until expended, shall be for maintenance, repair, life exten-
 18 sion, and capacity improvement of National Defense Re-
 19 serve Fleet training ships in support of State Maritime
 20 Academies, as well as other expenses related to training
 21 mariners, as determined by the Secretary, of which
 22 \$300,000,000, to remain available until expended shall be
 23 for the National Security Multi-Mission Vessel Program,
 24 including funds for construction, planning, administration,
 25 and design of school ships, of which \$2,400,000 shall re-

1 main available through September 30, 2020, for the Stu-
2 dent Incentive Program, of which \$1,800,000 shall remain
3 available until expended for training ship fuel assistance,
4 and of which \$6,000,000 shall remain available until Sep-
5 tember 30, 2020, for direct payments for State Maritime
6 Academies.

7 ASSISTANCE TO SMALL SHIPYARDS

8 To make grants to qualified shipyards as authorized
9 under section 54101 of title 46, United States Code, as
10 amended by Public Law 113–281, \$20,000,000, to remain
11 available until expended.

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, \$5,000,000, to remain available
16 until expended.

17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

18 ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

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

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 SEC. 170. Notwithstanding any other provision of
4 this Act, in addition to any existing authority, the Mari-
5 time Administration is authorized to furnish utilities and
6 services and make necessary repairs in connection with
7 any lease, contract, or occupancy involving Government
8 property under control of the Maritime Administration:
9 *Provided*, That payments received therefor shall be cred-
10 ited to the appropriation charged with the cost thereof and
11 shall remain available until expended: *Provided further*,
12 That rental payments under any such lease, contract, or
13 occupancy for items other than such utilities, services, or
14 repairs shall be covered into the Treasury as miscellaneous
15 receipts.

16 PIPELINE AND HAZARDOUS MATERIALS SAFETY

17 ADMINISTRATION

18 OPERATIONAL EXPENSES

19 For necessary operational expenses of the Pipeline
20 and Hazardous Materials Safety Administration,
21 \$23,710,000: *Provided*, That the Secretary of Transpor-
22 tation shall issue a final rule to expand the applicability
23 of comprehensive oil spill response plans within 45 days
24 of enactment of this Act: *Provided further*, That the
25 amounts appropriated under this heading shall be reduced

1 by \$100,000 per day for each day that such rule has not
 2 been issued following the expiration of the period set forth
 3 in the previous proviso.

4 HAZARDOUS MATERIALS SAFETY

5 For expenses necessary to discharge the hazardous
 6 materials safety functions of the Pipeline and Hazardous
 7 Materials Safety Administration, \$58,000,000, of which
 8 \$7,570,000 shall remain available until September 30,
 9 2021: *Provided*, That up to \$800,000 in fees collected
 10 under 49 U.S.C. 5108(g) shall be deposited in the general
 11 fund of the Treasury as offsetting receipts: *Provided fur-*
 12 *ther*, That there may be credited to this appropriation, to
 13 remain available until expended, funds received from
 14 States, counties, municipalities, other public authorities,
 15 and private sources for expenses incurred for training, for
 16 reports publication and dissemination, and for travel ex-
 17 penses incurred in the performance of hazardous materials
 18 exemptions and approvals functions.

19 PIPELINE SAFETY

20 (PIPELINE SAFETY FUND)

21 (OIL SPILL LIABILITY TRUST FUND)

22 For expenses necessary to conduct the functions of
 23 the pipeline safety program, for grants-in-aid to carry out
 24 a pipeline safety program, as authorized by 49 U.S.C.
 25 60107, and to discharge the pipeline program responsibil-

ities of the Oil Pollution Act of 1990, \$165,000,000, to remain available until September 30, 2021, of which \$23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$134,000,000 shall be derived from the Pipeline Safety Fund; and of which \$8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: *Provided*, That not less than \$1,058,000 of the funds provided under this heading shall be for the one-call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

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

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$92,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF
TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating

1 in foreign countries on official department business; and
2 uniforms or allowances therefor, as authorized by law (5
3 U.S.C. 5901–5902).

4 (b) During the current fiscal year, applicable appro-
5 priations to the Department and its operating administra-
6 tions shall be available for the purchase, maintenance, op-
7 eration, and deployment of unmanned aircraft systems
8 that advance the Department’s, or its operating adminis-
9 trations’, missions.

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

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

18 SEC. 182. (a) No recipient of funds made available
19 in this Act shall disseminate personal information (as de-
20 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
21 ment of motor vehicles in connection with a motor vehicle
22 record as defined in 18 U.S.C. 2725(1), except as provided
23 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
24 2721.

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

4 SEC. 183. None of the funds in this Act shall be avail-
5 able for salaries and expenses of more than 110 political
6 and Presidential appointees in the Department of Trans-
7 portation: *Provided*, That none of the personnel covered
8 by this provision may be assigned on temporary detail out-
9 side the Department of Transportation.

10 SEC. 184. Funds received by the Federal Highway
11 Administration and Federal Railroad Administration from
12 States, counties, municipalities, other public authorities,
13 and private sources for expenses incurred for training may
14 be credited respectively to the Federal Highway Adminis-
15 tration's "Federal-Aid Highways" account and to the Fed-
16 eral Railroad Administration's "Safety and Operations"
17 account, except for State rail safety inspectors partici-
18 pating in training pursuant to 49 U.S.C. 20105.

19 SEC. 185. (a) None of the funds provided in this Act
20 to the Department of Transportation may be used to make
21 a loan, loan guarantee, line of credit, or discretionary
22 grant unless the Secretary of Transportation notifies the
23 House and Senate Committees on Appropriations not less
24 than 3 full business days before any project competitively
25 selected to receive any discretionary grant award, letter

1 of intent, loan commitment, loan guarantee commitment,
2 line of credit commitment, or full funding grant agreement
3 is announced by the Department or its modal administra-
4 tions: *Provided*, That the Secretary gives concurrent noti-
5 fication to the House and Senate Committees on Appro-
6 priations for any “quick release” of funds from the emer-
7 gency relief program: *Provided further*, That no notifica-
8 tion shall involve funds that are not available for obliga-
9 tion.

10 (b) In addition to the notification required in sub-
11 section (a), none of the funds made available in this Act
12 to the Department of Transportation may be used to make
13 a loan, loan guarantee, line of credit, cooperative agree-
14 ment or discretionary grant unless the Secretary of Trans-
15 portation provides the House and Senate Committees on
16 Appropriations a comprehensive list of all such loans, loan
17 guarantees, lines of credit, cooperative agreement or dis-
18 cretionary grants that will be announced not less the 3
19 full business days before such announcement: *Provided*,
20 That the requirement to provide a list in this subsection
21 does not apply to any “quick release” of funds from the
22 emergency relief program: *Provided further*, That no list
23 shall involve funds that are not available for obligation.

24 SEC. 186. Rebates, refunds, incentive payments,
25 minor fees and other funds received by the Department

1 of Transportation from travel management centers,
2 charge card programs, the subleasing of building space,
3 and miscellaneous sources are to be credited to appropria-
4 tions of the Department of Transportation and allocated
5 to elements of the Department of Transportation using
6 fair and equitable criteria and such funds shall be avail-
7 able until expended.

8 SEC. 187. Amounts made available in this or any
9 prior Act that the Secretary determines represent im-
10 proper payments by the Department of Transportation to
11 a third-party contractor under a financial assistance
12 award, which are recovered pursuant to law, shall be avail-
13 able—

14 (1) to reimburse the actual expenses incurred
15 by the Department of Transportation in recovering
16 improper payments: *Provided*, That amounts made
17 available in this Act shall be available until ex-
18 pended; and

19 (2) to pay contractors for services provided in
20 recovering improper payments or contractor support
21 in the implementation of the Improper Payments In-
22 formation Act of 2002: *Provided*, That amounts in
23 excess of that required for paragraphs (1) and (2)—

24 (A) shall be credited to and merged with
25 the appropriation from which the improper pay-

1 ments were made, and shall be available for the
2 purposes and period for which such appropria-
3 tions are available: *Provided further*, That
4 where specific project or accounting information
5 associated with the improper payment or pay-
6 ments is not readily available, the Secretary
7 may credit an appropriate account, which shall
8 be available for the purposes and period associ-
9 ated with the account so credited; or

10 (B) if no such appropriation remains avail-
11 able, shall be deposited in the Treasury as mis-
12 cellaneous receipts: *Provided further*, That prior
13 to the transfer of any such recovery to an ap-
14 propriations account, the Secretary shall notify
15 the House and Senate Committees on Appro-
16 priations of the amount and reasons for such
17 transfer: *Provided further*, That for purposes of
18 this section, the term “improper payments” has
19 the same meaning as that provided in section
20 2(d)(2) of Public Law 107–300.

21 SEC. 188. Notwithstanding any other provision of
22 law, if any funds provided in or limited by this Act are
23 subject to a reprogramming action that requires notice to
24 be provided to the House and Senate Committees on Ap-
25 propriations, transmission of said reprogramming notice

1 shall be provided solely to the House and Senate Commit-
2 tees on Appropriations, and said reprogramming action
3 shall be approved or denied solely by the House and Sen-
4 ate Committees on Appropriations: *Provided*, That the
5 Secretary of Transportation may provide notice to other
6 congressional committees of the action of the House and
7 Senate Committees on Appropriations on such reprogram-
8 ming but not sooner than 30 days following the date on
9 which the reprogramming action has been approved or de-
10 nied by the House and Senate Committees on Appropria-
11 tions.

12 SEC. 189. Funds appropriated in this Act to the
13 modal administrations may be obligated for the Office of
14 the Secretary for the costs related to assessments or reim-
15 bursable agreements only when such amounts are for the
16 costs of goods and services that are purchased to provide
17 a direct benefit to the applicable modal administration or
18 administrations.

19 SEC. 190. The Secretary of Transportation is author-
20 ized to carry out a program that establishes uniform
21 standards for developing and supporting agency transit
22 pass and transit benefits authorized under section 7905
23 of title 5, United States Code, including distribution of
24 transit benefits by various paper and electronic media.

1 SEC. 191. The Department of Transportation may
2 use funds provided by this Act, or any other Act, to assist
3 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
4 geographic, economic, or any other hiring preference not
5 otherwise authorized by law, or to amend a rule, regula-
6 tion, policy or other measure that forbids a recipient of
7 a Federal Highway Administration or Federal Transit Ad-
8 ministration grant from imposing such hiring preference
9 on a contract or construction project with which the De-
10 partment of Transportation is assisting, only if the grant
11 recipient certifies the following:

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

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

22 (3) that any increase in the cost of labor, train-
23 ing, or delays resulting from the use of such hiring
24 preference does not delay or displace any transpor-
25 tation project in the applicable Statewide Transpor-

1 tation Improvement Program or Transportation Im-
2 provement Program.

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

1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 MANAGEMENT AND ADMINISTRATION
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$14,898,000: *Provided*, That not to exceed \$25,000 of the
13 amount made available under this heading shall be avail-
14 able to the Secretary for official reception and representa-
15 tion expenses as the Secretary may determine.

16 ADMINISTRATIVE SUPPORT OFFICES

17 For necessary salaries and expenses for Administra-
18 tive Support Offices, \$556,000,000, of which \$76,600,000
19 shall be available for the Office of the Chief Financial Offi-
20 cer, (and of which \$25,000,000, to remain available until
21 September 30, 2021, shall be for the financial trans-
22 formation initiative); \$98,000,000 shall be available for
23 the Office of the General Counsel, of which not less than
24 \$15,000,000 shall be for the Departmental Enforcement
25 Center; \$213,300,000 shall be available for the Office of

1 Administration; \$40,200,000 shall be available for the Of-
 2 fice of the Chief Human Capital Officer; \$54,000,000
 3 shall be available for the Office of Field Policy and Man-
 4 agement; \$20,000,000 shall be available for the Office of
 5 the Chief Procurement Officer; \$3,600,000 shall be avail-
 6 able for the Office of Departmental Equal Employment
 7 Opportunity; \$4,300,000 shall be available for the Office
 8 of Business Transformation; and \$46,00,000 shall be
 9 available for the Office of the Chief Information Officer:
 10 *Provided*, That funds provided under this heading may be
 11 used for necessary administrative and non-administrative
 12 expenses of the Department of Housing and Urban Devel-
 13 opment, not otherwise provided for, including purchase of
 14 uniforms, or allowances therefor, as authorized by 5
 15 U.S.C. 5901–5902; hire of passenger motor vehicles; and
 16 services as authorized by 5 U.S.C. 3109: *Provided further*,
 17 That notwithstanding any other provision of law, funds
 18 appropriated under this heading may be used for adver-
 19 tising and promotional activities that directly support pro-
 20 gram activities funded in this title: *Provided further*, That
 21 the Secretary shall provide the House and Senate Commit-
 22 tees on Appropriations quarterly written notification re-
 23 garding the status of pending congressional reports: *Pro-*
 24 *vided further*, That the Secretary shall provide in elec-
 25 tronic form all signed reports required by Congress: *Pro-*

1 *vided further*, That not more than 10 percent of the funds
 2 made available under this heading for the Office of Chief
 3 Financial Officer for the financial transformation initia-
 4 tive may be obligated until the Secretary submits to the
 5 House and Senate Committees on Appropriations, for ap-
 6 proval, a plan for expenditure that includes the financial
 7 and internal control capabilities to be delivered and the
 8 mission benefits to be realized, key milestones to be met,
 9 and the relationship between the proposed use of funds
 10 made available under this heading and the projected total
 11 cost and scope of the initiative.

12 PROGRAM OFFICE SALARIES AND EXPENSES

13 PUBLIC AND INDIAN HOUSING

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

16 COMMUNITY PLANNING AND DEVELOPMENT

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

19 HOUSING

20 For necessary salaries and expenses of the Office of
 21 Housing, \$390,000,000, of which not less than
 22 \$12,500,000 shall be for the Office of Recapitalization.

23 POLICY DEVELOPMENT AND RESEARCH

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

1 FAIR HOUSING AND EQUAL OPPORTUNITY

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

4 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
5 HOMES

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

8 WORKING CAPITAL FUND

9 (INCLUDING TRANSFER OF FUNDS)

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

1 “Program Office Salaries and Expenses”, and “Govern-
 2 ment National Mortgage Association”, the Secretary shall
 3 transfer to the Fund such amounts, to remain available
 4 until expended, as are necessary to fund services, specified
 5 in the matter preceding the first proviso, for which the
 6 appropriation would otherwise have been available, and
 7 may transfer not to exceed an additional \$5,000,000, in
 8 aggregate, from all such appropriations, to be merged with
 9 the Fund and to remain available until expended for any
 10 purpose under this heading: *Provided further*, That
 11 amounts in the Fund shall be the only amounts available
 12 to each office or agency of the Department for the serv-
 13 ices, or portion of services, specified in the matter pre-
 14 ceding the first proviso: *Provided further*, That with re-
 15 spect to the Fund, the authorities and conditions under
 16 this heading shall supplement the authorities and condi-
 17 tions provided under section 7(f).

18 PUBLIC AND INDIAN HOUSING

19 TENANT-BASED RENTAL ASSISTANCE

20 For activities and assistance for the provision of ten-
 21 ant-based rental assistance authorized under the United
 22 States Housing Act of 1937, as amended (42 U.S.C. 1437
 23 et seq.) (“the Act” herein), not otherwise provided for,
 24 \$18,780,987,000, to remain available until expended, shall
 25 be available on October 1, 2018 (in addition to the

1 \$4,000,000,000 previously appropriated under this head-
 2 ing that shall be available on October 1, 2018), and
 3 \$4,000,000,000, to remain available until expended, shall
 4 be available on October 1, 2019: *Provided*, That the
 5 amounts made available under this heading are provided
 6 as follows:

7 (1) \$20,520,000,000 shall be available for re-
 8 newals of expiring section 8 tenant-based annual
 9 contributions contracts (including renewals of en-
 10 hanced vouchers under any provision of law author-
 11 izing such assistance under section 8(t) of the Act)
 12 and including renewal of other special purpose incre-
 13 mental vouchers: *Provided*, That notwithstanding
 14 any other provision of law, from amounts provided
 15 under this paragraph and any carryover, the Sec-
 16 retary for the calendar year 2019 funding cycle shall
 17 provide renewal funding for each public housing
 18 agency based on validated voucher management sys-
 19 tem (VMS) leasing and cost data for the prior cal-
 20 endar year and by applying an inflation factor as es-
 21 tablished by the Secretary, by notice published in
 22 the Federal Register, and by making any necessary
 23 adjustments for the costs associated with the first-
 24 time renewal of vouchers under this paragraph in-
 25 cluding tenant protection and Choice Neighborhoods

1 vouchers: *Provided further*, That none of the funds
2 provided under this paragraph may be used to fund
3 a total number of unit months under lease which ex-
4 ceeds a public housing agency's authorized level of
5 units under contract, except for public housing agen-
6 cies participating in the MTW demonstration, which
7 are instead governed by the terms and conditions of
8 their MTW agreements: *Provided further*, That the
9 Secretary shall, to the extent necessary to stay with-
10 in the amount specified under this paragraph (ex-
11 cept as otherwise modified under this paragraph),
12 prorate each public housing agency's allocation oth-
13 erwise established pursuant to this paragraph: *Pro-*
14 *vided further*, That except as provided in the fol-
15 lowing provisos, the entire amount specified under
16 this paragraph (except as otherwise modified under
17 this paragraph) shall be obligated to the public hous-
18 ing agencies based on the allocation and pro rata
19 method described above, and the Secretary shall no-
20 tify public housing agencies of their annual budget
21 by the latter of 60 days after enactment of this Act
22 or March 1, 2019: *Provided further*, That the Sec-
23 retary may extend the notification period with the
24 prior written approval of the House and Senate
25 Committees on Appropriations: *Provided further*,

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

1 only: (1) for adjustments in the allocations for public
 2 housing agencies, after application for an adjust-
 3 ment by a public housing agency that experienced a
 4 significant increase, as determined by the Secretary,
 5 in renewal costs of vouchers resulting from unfore-
 6 seen circumstances or from portability under section
 7 8(r) of the Act; (2) for vouchers that were not in use
 8 during the previous 12-month period in order to be
 9 available to meet a commitment pursuant to section
 10 8(o)(13) of the Act; (3) for adjustments for costs as-
 11 sociated with HUD-Veterans Affairs Supportive
 12 Housing (HUD-VASH) vouchers; and (4) for public
 13 housing agencies that despite taking reasonable cost
 14 savings measures, as determined by the Secretary,
 15 would otherwise be required to terminate rental as-
 16 sistance for families as a result of insufficient fund-
 17 ing: *Provided further*, That the Secretary shall allo-
 18 cate amounts under the previous proviso based on
 19 need, as determined by the Secretary;

20 (2) \$85,000,000 shall be for section 8 rental as-
 21 sistance for relocation and replacement of housing
 22 units that are demolished or disposed of pursuant to
 23 section 18 of the Act, conversion of section 23
 24 projects to assistance under section 8, the family
 25 unification program under section 8(x) of the Act,

1 relocation of witnesses in connection with efforts to
2 combat crime in public and assisted housing pursu-
3 ant to a request from a law enforcement or prosecu-
4 tion agency, enhanced vouchers under any provision
5 of law authorizing such assistance under section 8(t)
6 of the Act, Choice Neighborhood vouchers, manda-
7 tory and voluntary conversions, and tenant protec-
8 tion assistance including replacement and relocation
9 assistance or for project-based assistance to prevent
10 the displacement of unassisted elderly tenants cur-
11 rently residing in section 202 properties financed be-
12 tween 1959 and 1974 that are refinanced pursuant
13 to Public Law 106–569, as amended, or under the
14 authority as provided under this Act: *Provided*, That
15 when a public housing development is submitted for
16 demolition or disposition under section 18 of the
17 Act, the Secretary may provide section 8 rental as-
18 sistance when the units pose an imminent health
19 and safety risk to residents: *Provided further*, That
20 the Secretary may only provide replacement vouch-
21 ers for units that were occupied within the previous
22 24 months that cease to be available as assisted
23 housing, subject only to the availability of funds:
24 *Provided further*, That of the amounts made avail-
25 able under this paragraph, \$5,000,000 may be avail-

1 able to provide tenant protection assistance, not oth-
2 erwise provided under this paragraph, to residents
3 residing in low vacancy areas and who may have to
4 pay rents greater than 30 percent of household in-
5 come, as the result of: (A) the maturity of a HUD-
6 insured, HUD-held or section 202 loan that requires
7 the permission of the Secretary prior to loan prepay-
8 ment; (B) the expiration of a rental assistance con-
9 tract for which the tenants are not eligible for en-
10 hanced voucher or tenant protection assistance
11 under existing law; or (C) the expiration of afford-
12 ability restrictions accompanying a mortgage or
13 preservation program administered by the Secretary:
14 *Provided further*, That such tenant protection assist-
15 ance made available under the previous proviso may
16 be provided under the authority of section 8(t) or
17 section 8(o)(13) of the United States Housing Act
18 of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That
19 the Secretary shall issue guidance to implement the
20 previous provisos, including, but not limited to, re-
21 quirements for defining eligible at-risk households
22 within 60 days of the enactment of this Act: *Pro-*
23 *vided further*, That any tenant protection voucher
24 made available from amounts under this paragraph
25 shall not be reissued by any public housing agency,

1 except the replacement vouchers as defined by the
2 Secretary by notice, when the initial family that re-
3 ceived any such voucher no longer receives such
4 voucher, and the authority for any public housing
5 agency to issue any such voucher shall cease to exist:
6 *Provided further*, That the Secretary may provide
7 section 8 rental assistance from amounts made
8 available under this paragraph for units assisted
9 under a project-based subsidy contract funded under
10 the “Project-Based Rental Assistance” heading
11 under this title where the owner has received a No-
12 tice of Default and the units pose an imminent
13 health and safety risk to residents: *Provided further*,
14 That to the extent that the Secretary determines
15 that such units are not feasible for continued rental
16 assistance payments or transfer of the subsidy con-
17 tract associated with such units to another project
18 or projects and owner or owners, any remaining
19 amounts associated with such units under such con-
20 tract shall be recaptured and used to reimburse
21 amounts used under this paragraph for rental assist-
22 ance under the preceding proviso;

23 (3) \$1,956,987,000 shall be for administrative
24 and other expenses of public housing agencies in ad-
25 ministering the section 8 tenant-based rental assist-

1 ance program, of which up to \$30,000,000 shall be
2 available to the Secretary to allocate to public hous-
3 ing agencies that need additional funds to admin-
4 ister their section 8 programs, including fees associ-
5 ated with section 8 tenant protection rental assist-
6 ance, the administration of disaster related vouchers,
7 HUD-VASH vouchers, and other special purpose in-
8 cremental vouchers: *Provided*, That no less than
9 \$1,926,987,000 of the amount provided in this para-
10 graph shall be allocated to public housing agencies
11 for the calendar year 2019 funding cycle based on
12 section 8(q) of the Act (and related Appropriation
13 Act provisions) as in effect immediately before the
14 enactment of the Quality Housing and Work Re-
15 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
16 *vided further*, That if the amounts made available
17 under this paragraph are insufficient to pay the
18 amounts determined under the previous proviso, the
19 Secretary may decrease the amounts allocated to
20 agencies by a uniform percentage applicable to all
21 agencies receiving funding under this paragraph or
22 may, to the extent necessary to provide full payment
23 of amounts determined under the previous proviso,
24 utilize unobligated balances, including recaptures
25 and carryovers, remaining from funds appropriated

1 to the Department of Housing and Urban Develop-
2 ment under this heading from prior fiscal years, ex-
3 cluding special purpose vouchers, notwithstanding
4 the purposes for which such amounts were appro-
5 priated: *Provided further*, That all public housing
6 agencies participating in the MTW demonstration
7 shall be funded pursuant to their MTW agreements,
8 and shall be subject to the same uniform percentage
9 decrease as under the previous proviso: *Provided fur-*
10 *ther*, That amounts provided under this paragraph
11 shall be only for activities related to the provision of
12 tenant-based rental assistance authorized under sec-
13 tion 8, including related development activities;

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

1 provided under this paragraph in this Act or prior
2 Acts, remaining available after funding renewals and
3 administrative expenses under this paragraph, shall
4 be available for incremental tenant-based assistance
5 contracts under such section 811, including nec-
6 essary administrative expenses;

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

1 Secretary administers in connection with the use of
2 funds made available under this paragraph (except
3 for requirements related to fair housing, non-
4 discrimination, labor standards, and the environ-
5 ment), upon a finding by the Secretary that any
6 such waivers or alternative requirements are nec-
7 essary for the effective delivery and administration
8 of such assistance: *Provided further*, That grant re-
9 cipients shall report to the Secretary on utilization
10 of such rental assistance and other program data, as
11 prescribed by the Secretary: *Provided further*, That
12 the Secretary may reallocate, as determined by the
13 Secretary, amounts returned or recaptured from
14 awards under prior acts;

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

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

24 (7) \$20,000,000 shall be made available for
25 new incremental voucher assistance through the

1 family unification program as authorized by section
 2 8(x) of the Act: *Provided*, That the assistance made
 3 available under this paragraph shall continue to re-
 4 main available for family unification upon turnover:
 5 *Provided further*, That for any public housing agency
 6 administering voucher assistance appropriated in a
 7 prior Act under the family unification program that
 8 determines that it no longer has an identified need
 9 for such assistance upon turnover, such agency shall
 10 notify the Secretary, and the Secretary shall recap-
 11 ture such assistance from the agency and reallocate
 12 it to any other public housing agency or agencies
 13 based on need for voucher assistance in connection
 14 with such program; and

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

17 HOUSING CERTIFICATE FUND

18 (INCLUDING RESCISSIONS)

19 Unobligated balances, including recaptures and car-
 20 ryover, remaining from funds appropriated to the Depart-
 21 ment of Housing and Urban Development under this
 22 heading, the heading “Annual Contributions for Assisted
 23 Housing” and the heading “Project-Based Rental Assist-
 24 ance”, for fiscal year 2019 and prior years may be used
 25 for renewal of or amendments to section 8 project-based

1 contracts and for performance-based contract administra-
 2 tors, notwithstanding the purposes for which such funds
 3 were appropriated: *Provided*, That any obligated balances
 4 of contract authority from fiscal year 1974 and prior that
 5 have been terminated shall be rescinded: *Provided further*,
 6 That amounts heretofore recaptured, or recaptured during
 7 the current fiscal year, from section 8 project-based con-
 8 tracts from source years fiscal year 1975 through fiscal
 9 year 1987 are hereby rescinded, and an amount of addi-
 10 tional new budget authority, equivalent to the amount re-
 11 scinded is hereby appropriated, to remain available until
 12 expended, for the purposes set forth under this heading,
 13 in addition to amounts otherwise available.

14 PUBLIC HOUSING CAPITAL FUND

15 For the Public Housing Capital Fund Program to
 16 carry out capital and management activities for public
 17 housing agencies, as authorized under section 9 of the
 18 United States Housing Act of 1937 (42 U.S.C. 1437g)
 19 (the “Act”) \$2,775,000,000, to remain available until
 20 September 30, 2022: *Provided*, That notwithstanding any
 21 other provision of law or regulation, during fiscal year
 22 2019, the Secretary of Housing and Urban Development
 23 may not delegate to any Department official other than
 24 the Deputy Secretary and the Assistant Secretary for
 25 Public and Indian Housing any authority under paragraph

1 (2) of section 9(j) regarding the extension of the time peri-
2 ods under such section: *Provided further*, That for pur-
3 poses of such section 9(j), the term “obligate” means, with
4 respect to amounts, that the amounts are subject to a
5 binding agreement that will result in outlays, immediately
6 or in the future: *Provided further*, That up to \$14,000,000
7 shall be to support ongoing public housing financial and
8 physical assessment activities: *Provided further*, That up
9 to \$1,000,000 shall be to support the costs of administra-
10 tive and judicial receiverships: *Provided further*, That of
11 the total amount provided under this heading, not to ex-
12 ceed \$25,000,000 shall be available for the Secretary to
13 make grants, notwithstanding section 203 of this Act, to
14 public housing agencies for emergency capital needs in-
15 cluding safety and security measures necessary to address
16 crime and drug-related activity as well as needs resulting
17 from unforeseen or unpreventable emergencies and nat-
18 ural disasters excluding Presidentially declared emer-
19 gencies and natural disasters under the Robert T. Stafford
20 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
21 seq.) occurring in fiscal year 2019: *Provided further*, That
22 of the amount made available under the previous proviso,
23 not less than \$5,000,000 shall be for safety and security
24 measures: *Provided further*, That in addition to the
25 amount in the previous proviso for such safety and secu-

1 rity measures, any amounts that remain available, after
2 all applications received on or before September 30, 2020,
3 for emergency capital needs have been processed, shall be
4 allocated to public housing agencies for such safety and
5 security measures: *Provided further*, That of the total
6 amount provided under this heading, up to \$35,000,000
7 shall be for supportive services, service coordinators and
8 congregate services as authorized by section 34 of the Act
9 (42 U.S.C. 1437z-6) and the Native American Housing
10 Assistance and Self-Determination Act of 1996 (25 U.S.C.
11 4101 et seq.): *Provided further*, That of the total amount
12 made available under this heading, \$15,000,000 shall be
13 for a Jobs-Plus initiative modeled after the Jobs-Plus
14 demonstration: *Provided further*, That funding provided
15 under the previous proviso shall be available for competi-
16 tive grants to partnerships between public housing au-
17 thorities, local workforce investment boards established
18 under section 107 of the Workforce Innovation and Oppor-
19 tunity Act of 2014 (29 U.S.C. 3122), and other agencies
20 and organizations that provide support to help public
21 housing residents obtain employment and increase earn-
22 ings: *Provided further*, That applicants must demonstrate
23 the ability to provide services to residents, partner with
24 workforce investment boards, and leverage service dollars:
25 *Provided further*, That the Secretary may allow public

1 housing agencies to request exemptions from rent and in-
2 come limitation requirements under sections 3 and 6 of
3 the United States Housing Act of 1937 (42 U.S.C. 1437a
4 and 1437d), as necessary to implement the Jobs-Plus pro-
5 gram, on such terms and conditions as the Secretary may
6 approve upon a finding by the Secretary that any such
7 waivers or alternative requirements are necessary for the
8 effective implementation of the Jobs-Plus initiative as a
9 voluntary program for residents: *Provided further*, That
10 the Secretary shall publish by notice in the Federal Reg-
11 ister any waivers or alternative requirements pursuant to
12 the preceding proviso no later than 10 days before the ef-
13 fective date of such notice: *Provided further*, That for
14 funds provided under this heading, the limitation in sec-
15 tion 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
16 *ther*, That the Secretary may waive the limitation in the
17 previous proviso to allow public housing agencies to fund
18 activities authorized under section 9(e)(1)(C) of the Act:
19 *Provided further*, That the Secretary shall notify public
20 housing agencies requesting waivers under the previous
21 proviso if the request is approved or denied within 14 days
22 of submitting the request: *Provided further*, That from the
23 funds made available under this heading, the Secretary
24 shall provide bonus awards in fiscal year 2019 to public
25 housing agencies that are designated high performers:

1 *Provided further*, That the Department shall notify public
 2 housing agencies of their formula allocation within 60
 3 days of enactment of this Act: *Provided further*, That of
 4 the total amount provided under this heading,
 5 \$25,000,000 shall be available for competitive grants to
 6 public housing agencies to evaluate and reduce lead-based
 7 paint hazards in public housing by carrying out the activi-
 8 ties of risk assessments, abatement, and interim controls
 9 (as those terms are defined in section 1004 of the Residen-
 10 tial Lead-Based Paint Hazard Reduction Act of 1992 (42
 11 U.S.C. 4851b)): *Provided further*, That for purposes of en-
 12 vironmental review, a grant under the previous proviso
 13 shall be considered funds for projects or activities under
 14 title I of the United States Housing Act of 1937 (42
 15 U.S.C. 1437 et seq.) for purposes of section 26 of such
 16 Act (42 U.S.C. 1437x) and shall be subject to the regula-
 17 tions implementing such section.

18 PUBLIC HOUSING OPERATING FUND

19 For 2019 payments to public housing agencies for the
 20 operation and management of public housing, as author-
 21 ized by section 9(e) of the United States Housing Act of
 22 1937 (42 U.S.C. 1437g(e)), \$4,756,000,000, to remain
 23 available until September 30, 2020.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$100,000,000, to remain available until September 30, 2021: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and non-profits: *Provided further*, That for-profit developers may

1 apply jointly with a public entity: *Provided further*, That
2 for purposes of environmental review, a grantee shall be
3 treated as a public housing agency under section 26 of
4 the United States Housing Act of 1937 (42 U.S.C.
5 1437x), and grants under this heading shall be subject
6 to the regulations issued by the Secretary to implement
7 such section: *Provided further*, That of the amount pro-
8 vided, not less than \$50,000,000 shall be awarded to pub-
9 lic housing agencies: *Provided further*, That such grantees
10 shall create partnerships with other local organizations in-
11 cluding assisted housing owners, service agencies, and
12 resident organizations: *Provided further*, That the Sec-
13 retary shall consult with the Secretaries of Education,
14 Labor, Transportation, Health and Human Services, Agri-
15 culture, and Commerce, the Attorney General, and the Ad-
16 ministrator of the Environmental Protection Agency to co-
17 ordinate and leverage other appropriate Federal resources:
18 *Provided further*, That no more than \$5,000,000 of funds
19 made available under this heading may be provided as
20 grants to undertake comprehensive local planning with
21 input from residents and the community: *Provided further*,
22 That unobligated balances, including recaptures, remain-
23 ing from funds appropriated under the heading “Revital-
24 ization of Severely Distressed Public Housing (HOPE
25 VI)” in fiscal year 2011 and prior fiscal years may be used

1 for purposes under this heading, notwithstanding the pur-
 2 poses for which such amounts were appropriated: *Provided*
 3 *further*, That the Secretary shall issue the Notice of Fund-
 4 ing Availability for funds made available under this head-
 5 ing no later than 60 days after enactment of this Act: *Pro-*
 6 *vided further*, That the Secretary shall make grant awards
 7 no later than one year from the date of enactment of this
 8 Act in such amounts that the Secretary determines: *Pro-*
 9 *vided further*, That notwithstanding section 24(o) of the
 10 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
 11 the Secretary may, until September 30, 2019, obligate any
 12 available unobligated balances made available under this
 13 heading in this, or any prior Act.

14 FAMILY SELF-SUFFICIENCY

15 For the Family Self-Sufficiency program to support
 16 family self-sufficiency coordinators under section 23 of the
 17 United States Housing Act of 1937, to promote the devel-
 18 opment of local strategies to coordinate the use of assist-
 19 ance under sections 8(o) and 9 of such Act with public
 20 and private resources, and enable eligible families to
 21 achieve economic independence and self-sufficiency,
 22 \$80,000,000, to remain available until September 30,
 23 2020: *Provided*, That the Secretary may, by Federal Reg-
 24 ister notice, waive or specify alternative requirements
 25 under subsections b(3), b(4), b(5), or c(1) of section 23

1 of such Act in order to facilitate the operation of a unified
 2 self-sufficiency program for individuals receiving assist-
 3 ance under different provisions of the Act, as determined
 4 by the Secretary: *Provided further*, That owners of a pri-
 5 vately owned multifamily property with a section 8 con-
 6 tract may voluntarily make a Family Self-Sufficiency pro-
 7 gram available to the assisted tenants of such property
 8 in accordance with procedures established by the Sec-
 9 retary: *Provided further*, That such procedures established
 10 pursuant to the previous proviso shall permit participating
 11 tenants to accrue escrow funds in accordance with section
 12 23(d)(2) and shall allow owners to use funding from resid-
 13 ual receipt accounts to hire coordinators for their own
 14 Family Self-Sufficiency program.

15 NATIVE AMERICAN HOUSING BLOCK GRANTS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Native American Housing Block Grants pro-
 18 gram, as authorized under title I of the Native American
 19 Housing Assistance and Self-Determination Act of 1996
 20 (NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to
 21 remain available until September 30, 2023: *Provided*,
 22 That, notwithstanding NAHASDA, to determine the
 23 amount of the allocation under title I of such Act for each
 24 Indian tribe, the Secretary shall apply the formula under
 25 section 302 of such Act with the need component based

1 on single-race census data and with the need component
2 based on multi-race census data, and the amount of the
3 allocation for each Indian tribe shall be the greater of the
4 two resulting allocation amounts: *Provided further*, That
5 of the amounts made available under this heading,
6 \$7,000,000 shall be for providing training and technical
7 assistance to Indian housing authorities and tribally des-
8 ignated housing entities, to support the inspection of In-
9 dian housing units, contract expertise, and for training
10 and technical assistance related to funding provided under
11 this heading and other headings under this Act for the
12 needs of Native American families and Indian country:
13 *Provided further*, That amounts made available under the
14 previous proviso may be used, contracted, or competed as
15 determined by the Secretary: *Provided further*, That of the
16 amount provided under this heading, \$2,000,000 shall be
17 made available for the cost of guaranteed notes and other
18 obligations, as authorized by title VI of NAHASDA: *Pro-*
19 *vided further*, That such costs, including the costs of modi-
20 fying such notes and other obligations, shall be as defined
21 in section 502 of the Congressional Budget Act of 1974,
22 as amended: *Provided further*, That these funds are avail-
23 able to subsidize the total principal amount of any notes
24 and other obligations, any part of which is to be guaran-
25 teed, not to exceed \$17,761,989: *Provided further*, That

1 the Department will notify grantees of their formula allo-
 2 cation within 60 days of the date of enactment of this Act:
 3 *Provided further*, That for an additional amount for the
 4 Native American Housing Block Grants program, as au-
 5 thorized under title I of NAHASDA, \$100,000,000 to re-
 6 main available until September 30, 2023: *Provided further*,
 7 That the Secretary shall obligate this additional amount
 8 for competitive grants to eligible recipients authorized
 9 under NAHASDA that apply for funds: *Provided further*,
 10 That in awarding this additional amount, the Secretary
 11 shall consider need and administrative capacity, and shall
 12 give priority to projects that will spur construction and
 13 rehabilitation: *Provided further*, That up to 1 percent of
 14 this additional amount may be transferred, in aggregate,
 15 to “Program Office Salaries and Expenses—Public and
 16 Indian Housing” for necessary costs of administering and
 17 overseeing the obligation and expenditure of this addi-
 18 tional amount: *Provided further*, That any funds trans-
 19 ferred pursuant to the previous proviso shall remain avail-
 20 able until September 30, 2024.

21 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

22 ACCOUNT

23 For the cost of guaranteed loans, as authorized by
 24 section 184 of the Housing and Community Development
 25 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-

1 main available until expended: *Provided*, That such costs,
 2 including the costs of modifying such loans, shall be as
 3 defined in section 502 of the Congressional Budget Act
 4 of 1974: *Provided further*, That these funds are available
 5 to subsidize total loan principal, any part of which is to
 6 be guaranteed, up to \$553,846,154, to remain available
 7 until expended: *Provided further*, That up to \$750,000 of
 8 this amount may be for administrative contract expenses
 9 including management processes and systems to carry out
 10 the loan guarantee program.

11 NATIVE HAWAIIAN HOUSING BLOCK GRANT

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

1 COMMUNITY PLANNING AND DEVELOPMENT

2 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

3 For carrying out the Housing Opportunities for Per-
4 sons with AIDS program, as authorized by the AIDS
5 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
6 \$375,000,000, to remain available until September 30,
7 2020, except that amounts allocated pursuant to section
8 854(c)(5) of such Act shall remain available until Sep-
9 tember 30, 2021: *Provided*, That the Secretary shall renew
10 all expiring contracts for permanent supportive housing
11 that initially were funded under section 854(c)(5) of such
12 Act from funds made available under this heading in fiscal
13 year 2010 and prior fiscal years that meet all program
14 requirements before awarding funds for new contracts
15 under such section: *Provided further*, That the Depart-
16 ment shall notify grantees of their formula allocation with-
17 in 60 days of enactment of this Act.

18 COMMUNITY DEVELOPMENT FUND

19 For assistance to units of State and local govern-
20 ment, and to other entities, for economic and community
21 development activities, and for other purposes,
22 \$3,365,000,000, to remain available until September 30,
23 2021, unless otherwise specified: *Provided*, That of the
24 total amount provided, \$3,300,000,000 is for carrying out
25 the community development block grant program under

1 title I of the Housing and Community Development Act
2 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
3 et seq.): *Provided further*, That unless explicitly provided
4 for under this heading, not to exceed 20 percent of any
5 grant made with funds appropriated under this heading
6 shall be expended for planning and management develop-
7 ment and administration: *Provided further*, That a metro-
8 politan city, urban county, unit of general local govern-
9 ment, Indian tribe, or insular area that directly or indi-
10 rectly receives funds under this heading may not sell,
11 trade, or otherwise transfer all or any portion of such
12 funds to another such entity in exchange for any other
13 funds, credits or non-Federal considerations, but must use
14 such funds for activities eligible under title I of the Act:
15 *Provided further*, That notwithstanding section 105(e)(1)
16 of the Act, no funds provided under this heading may be
17 provided to a for-profit entity for an economic develop-
18 ment project under section 105(a)(17) unless such project
19 has been evaluated and selected in accordance with guide-
20 lines required under subsection (e)(2): *Provided further*,
21 That the Department shall notify grantees of their for-
22 mula allocation within 60 days of enactment of this Act:
23 *Provided further*, That of the total amount provided under
24 this heading, \$65,000,000 shall be for grants to Indian
25 tribes notwithstanding section 106(a)(1) of such Act, of

1 which, notwithstanding any other provision of law (includ-
 2 ing section 203 of this Act), up to \$4,000,000 may be
 3 used for emergencies that constitute imminent threats to
 4 health and safety.

5 COMMUNITY DEVELOPMENT LOAN GUARANTEES

6 PROGRAM ACCOUNT

7 Subject to section 502 of the Congressional Budget
 8 Act of 1974, during fiscal year 2019, commitments to
 9 guarantee loans under section 108 of the Housing and
 10 Community Development Act of 1974 (42 U.S.C. 5308),
 11 any part of which is guaranteed, shall not exceed a total
 12 principal amount of \$300,000,000, notwithstanding any
 13 aggregate limitation on outstanding obligations guaran-
 14 teed in subsection (k) of such section 108: *Provided*, That
 15 the Secretary shall collect fees from borrowers, notwith-
 16 standing subsection (m) of such section 108, to result in
 17 a credit subsidy cost of zero for guaranteeing such loans,
 18 and any such fees shall be collected in accordance with
 19 section 502(7) of the Congressional Budget Act of 1974.

20 HOME INVESTMENT PARTNERSHIPS PROGRAM

21 For the HOME Investment Partnerships program, as
 22 authorized under title II of the Cranston-Gonzalez Na-
 23 tional Affordable Housing Act, as amended,
 24 \$1,362,000,000, to remain available until September 30,
 25 2022: *Provided*, That notwithstanding the amount made

1 available under this heading, the threshold reduction re-
 2 quirements in sections 216(10) and 217(b)(4) of such Act
 3 shall not apply to allocations of such amount: *Provided*
 4 *further*, That the Department shall notify grantees of their
 5 formula allocation within 60 days of enactment of this Act.

6 SELF-HELP AND ASSISTED HOMEOWNERSHIP

7 OPPORTUNITY PROGRAM

8 For the Self-Help and Assisted Homeownership Op-
 9 portunity Program, as authorized under section 11 of the
 10 Housing Opportunity Program Extension Act of 1996, as
 11 amended, \$54,000,000, to remain available until Sep-
 12 tember 30, 2021: *Provided*, That of the total amount pro-
 13 vided under this heading, \$10,000,000 shall be made
 14 available to the Self-Help Homeownership Opportunity
 15 Program as authorized under section 11 of the Housing
 16 Opportunity Program Extension Act of 1996, as amended:
 17 *Provided further*, That of the total amount provided under
 18 this heading, \$35,000,000 shall be made available for the
 19 second, third, and fourth capacity building activities au-
 20 thorized under section 4(a) of the HUD Demonstration
 21 Act of 1993 (42 U.S.C. 9816 note), of which not less than
 22 \$5,000,000 shall be made available for rural capacity
 23 building activities: *Provided further*, That of the total
 24 amount provided under this heading, \$5,000,000 shall be
 25 made available for capacity building by national rural

1 housing organizations with experience assessing national
 2 rural conditions and providing financing, training, tech-
 3 nical assistance, information, and research to local non-
 4 profits, local governments, and Indian Tribes serving high
 5 need rural communities: *Provided further*, That of the
 6 total amount provided under this heading, \$4,000,000,
 7 shall be made available for a program to rehabilitate and
 8 modify the homes of disabled or low-income veterans, as
 9 authorized under section 1079 of Public Law 113–291:
 10 *Provided further*, That funds provided under the previous
 11 proviso shall be awarded within 180 days of enactment
 12 of this Act: *Provided further*, That funds provided for such
 13 program in fiscal years 2016, 2017, and 2018 shall be
 14 awarded within 60 days of enactment of this Act.

15 HOMELESS ASSISTANCE GRANTS

16 For the Emergency Solutions Grants program as au-
 17 thorized under subtitle B of title IV of the McKinney-
 18 Vento Homeless Assistance Act, as amended; the Con-
 19 tinuum of Care program as authorized under subtitle C
 20 of title IV of such Act; and the Rural Housing Stability
 21 Assistance program as authorized under subtitle D of title
 22 IV of such Act, \$2,612,000,000, to remain available until
 23 September 30, 2021: *Provided*, That any rental assistance
 24 amounts that are recaptured under such Continuum of
 25 Care program shall remain available until expended: *Pro-*

1 *vided further*, That not less than \$270,000,000 of the
2 funds appropriated under this heading shall be available
3 for such Emergency Solutions Grants program: *Provided*
4 *further*, That not less than \$2,205,000,000 of the funds
5 appropriated under this heading shall be available for such
6 Continuum of Care and Rural Housing Stability Assist-
7 ance programs: *Provided further*, That of the amounts
8 made available under this heading, up to \$50,000,000
9 shall be made available for grants for rapid re-housing
10 projects and supportive service projects providing coordi-
11 nated entry, and for eligible activities the Secretary deter-
12 mines to be critical in order to assist survivors of domestic
13 violence, dating violence, and stalking: *Provided further*,
14 That such projects shall be eligible for renewal under the
15 continuum of care program subject to the same terms and
16 conditions as other renewal applicants: *Provided further*,
17 That up to \$7,000,000 of the funds appropriated under
18 this heading shall be available for the national homeless
19 data analysis project: *Provided further*, That all funds
20 awarded for supportive services under the Continuum of
21 Care program and the Rural Housing Stability Assistance
22 program shall be matched by not less than 25 percent in
23 cash or in kind by each grantee: *Provided further*, That
24 for all match requirements applicable to funds made avail-
25 able under this heading for this fiscal year and prior fiscal

1 years, a grantee may use (or could have used) as a source
2 of match funds other funds administered by the Secretary
3 and other Federal agencies unless there is (or was) a spe-
4 cific statutory prohibition on any such use of any such
5 funds: *Provided further*, That the Secretary shall collect
6 system performance measures for each continuum of care,
7 and that relative to fiscal year 2015, under the Continuum
8 of Care competition with respect to funds made available
9 under this heading, the Secretary shall base an increasing
10 share of the score on performance criteria: *Provided fur-*
11 *ther*, That none of the funds provided under this heading
12 shall be available to provide funding for new projects, ex-
13 cept for projects created through reallocation, unless the
14 Secretary determines that the continuum of care has dem-
15 onstrated that projects are evaluated and ranked based
16 on the degree to which they improve the continuum of
17 care's system performance: *Provided further*, That the
18 Secretary shall prioritize funding under the Continuum of
19 Care program to continuums of care that have dem-
20 onstrated a capacity to reallocate funding from lower per-
21 forming projects to higher performing projects: *Provided*
22 *further*, That all awards of assistance under this heading
23 shall be required to coordinate and integrate homeless pro-
24 grams with other mainstream health, social services, and
25 employment programs for which homeless populations

1 may be eligible: *Provided further*, That any unobligated
2 amounts remaining from funds appropriated under this
3 heading in fiscal year 2012 and prior years for project-
4 based rental assistance for rehabilitation projects with 10-
5 year grant terms may be used for purposes under this
6 heading, notwithstanding the purposes for which such
7 funds were appropriated: *Provided further*, That all bal-
8 ances for Shelter Plus Care renewals previously funded
9 from the Shelter Plus Care Renewal account and trans-
10 ferred to this account shall be available, if recaptured, for
11 Continuum of Care renewals in fiscal year 2019: *Provided*
12 *further*, That the Department shall notify grantees of their
13 formula allocation from amounts allocated (which may
14 represent initial or final amounts allocated) for the Emer-
15 gency Solutions Grant program within 60 days of enact-
16 ment of this Act: *Provided further*, That up to
17 \$80,000,000 of the funds appropriated under this heading
18 shall be to implement projects to demonstrate how a com-
19 prehensive approach to serving homeless youth, age 24
20 and under, in up to 25 communities, including at least
21 five communities with substantial rural populations, can
22 dramatically reduce youth homelessness: *Provided further*,
23 That of the amount made available under the previous
24 proviso, up to \$5,000,000 shall be available to provide
25 technical assistance on youth homelessness, and collection,

1 analysis, and reporting of data and performance measures
 2 under the comprehensive approaches to serve homeless
 3 youth, in addition to and in coordination with other tech-
 4 nical assistance funds provided under this title: *Provided*
 5 *further*, That such projects shall be eligible for renewal
 6 under the continuum of care program subject to the same
 7 terms and conditions as other renewal applicants: *Pro-*
 8 *vided further*, That youth aged 24 and under seeking as-
 9 sistance under this heading shall not be required to pro-
 10 vide third party documentation to establish their eligibility
 11 under 42 U.S.C. 11302(a) or (b) to receive services: *Pro-*
 12 *vided further*, That unaccompanied youth aged 24 and
 13 under or families headed by youth aged 24 and under who
 14 are living in unsafe situations may be served by youth-
 15 serving providers funded under this heading.

16 HOUSING PROGRAMS

17 PROJECT-BASED RENTAL ASSISTANCE

18 For activities and assistance for the provision of
 19 project-based subsidy contracts under the United States
 20 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
 21 Act”), not otherwise provided for, \$11,347,000,000, to re-
 22 main available until expended, shall be available on Octo-
 23 ber 1, 2018 (in addition to the \$400,000,000 previously
 24 appropriated under this heading that became available Oc-
 25 tober 1, 2018), and \$400,000,000, to remain available

1 until expended, shall be available on October 1, 2019: *Pro-*
 2 *vided*, That the amounts made available under this head-
 3 ing shall be available for expiring or terminating section
 4 8 project-based subsidy contracts (including section 8
 5 moderate rehabilitation contracts), for amendments to sec-
 6 tion 8 project-based subsidy contracts (including section
 7 8 moderate rehabilitation contracts), for contracts entered
 8 into pursuant to section 441 of the McKinney-Vento
 9 Homeless Assistance Act (42 U.S.C. 11401), for renewal
 10 of section 8 contracts for units in projects that are subject
 11 to approved plans of action under the Emergency Low In-
 12 come Housing Preservation Act of 1987 or the Low-In-
 13 come Housing Preservation and Resident Homeownership
 14 Act of 1990, and for administrative and other expenses
 15 associated with project-based activities and assistance
 16 funded under this paragraph: *Provided further*, That of
 17 the total amounts provided under this heading, not to ex-
 18 ceed \$245,000,000 shall be available for performance-
 19 based contract administrators for section 8 project-based
 20 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
 21 *further*, That the Secretary may also use such amounts
 22 in the previous proviso for performance-based contract ad-
 23 ministrators for the administration of: interest reduction
 24 payments pursuant to section 236(a) of the National
 25 Housing Act (12 U.S.C. 1715z–1(a)); rent supplement

1 payments pursuant to section 101 of the Housing and
 2 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
 3 tion 236(f)(2) rental assistance payments (12 U.S.C.
 4 1715z-1(f)(2)); project rental assistance contracts for the
 5 elderly under section 202(c)(2) of the Housing Act of
 6 1959 (12 U.S.C. 1701q); project rental assistance con-
 7 tracts for supportive housing for persons with disabilities
 8 under section 811(d)(2) of the Cranston-Gonzalez Na-
 9 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));
 10 project assistance contracts pursuant to section 202(h) of
 11 the Housing Act of 1959 (Public Law 86-372; 73 Stat.
 12 667); and loans under section 202 of the Housing Act of
 13 1959 (Public Law 86-372; 73 Stat. 667): *Provided fur-*
 14 *ther*, That amounts recaptured under this heading, the
 15 heading “Annual Contributions for Assisted Housing”, or
 16 the heading “Housing Certificate Fund”, may be used for
 17 renewals of or amendments to section 8 project-based con-
 18 tracts or for performance-based contract administrators,
 19 notwithstanding the purposes for which such amounts
 20 were appropriated: *Provided further*, That, notwith-
 21 standing any other provision of law, upon the request of
 22 the Secretary, project funds that are held in residual re-
 23 ceipts accounts for any project subject to a section 8
 24 project-based Housing Assistance Payments contract that
 25 authorizes HUD or a Housing Finance Agency to require

1 that surplus project funds be deposited in an interest-
 2 bearing residual receipts account and that are in excess
 3 of an amount to be determined by the Secretary, shall be
 4 remitted to the Department and deposited in this account,
 5 to be available until expended: *Provided further*, That
 6 amounts deposited pursuant to the previous proviso shall
 7 be available in addition to the amount otherwise provided
 8 by this heading for uses authorized under this heading.

9 HOUSING FOR THE ELDERLY

10 For capital advances, including amendments to cap-
 11 ital advance contracts, for housing for the elderly, as au-
 12 thorized by section 202 of the Housing Act of 1959, as
 13 amended, for project rental assistance for the elderly
 14 under section 202(c)(2) of such Act, including amend-
 15 ments to contracts for such assistance and renewal of ex-
 16 piring contracts for such assistance for up to a 1-year
 17 term, for senior preservation rental assistance contracts,
 18 including renewals, as authorized by section 811(e) of the
 19 American Housing and Economic Opportunity Act of
 20 2000, as amended, and for supportive services associated
 21 with the housing, \$678,000,000, to remain available until
 22 September 30, 2022: *Provided*, That of the amount pro-
 23 vided under this heading, up to \$90,000,000 shall be for
 24 service coordinators and the continuation of existing con-
 25 gregate service grants for residents of assisted housing

1 projects: *Provided further*, That amounts under this head-
2 ing shall be available for Real Estate Assessment Center
3 inspections and inspection-related activities associated
4 with section 202 projects: *Provided further*, That the Sec-
5 retary may waive the provisions of section 202 governing
6 the terms and conditions of project rental assistance, ex-
7 cept that the initial contract term for such assistance shall
8 not exceed 5 years in duration: *Provided further*, That
9 upon request of the Secretary, project funds which are
10 held in residual receipts accounts for any project subject
11 to a section 202 project rental assistance contract and,
12 upon termination of such contract, are in excess of an
13 amount to be determined by the Secretary shall be remit-
14 ted to the Department and deposited in this account, to
15 remain available until September 30, 2022: *Provided fur-*
16 *ther*, That amounts deposited in this account pursuant to
17 the previous proviso shall be available, in addition to the
18 amounts otherwise provided by this heading, for amend-
19 ments and renewals: *Provided further*, That unobligated
20 balances, including recaptures and carryover, remaining
21 from funds transferred to or appropriated under this
22 heading shall be available for amendments and renewals
23 notwithstanding the purposes for which such funds origi-
24 nally were appropriated: *Provided further*, That of the
25 total amount provided under this heading, \$10,000,000,

1 shall be for a program to be established by the Secretary
 2 to make grants to experienced non-profit organizations,
 3 States, local governments, or public housing agencies for
 4 safety and functional home modification repairs to meet
 5 the needs of low-income elderly persons to enable them
 6 to remain in their primary residence: *Provided further*,
 7 That of the total amount made available under the pre-
 8 vious proviso, no less than \$5,000,000 shall be available
 9 to meet such needs in communities with substantial rural
 10 populations.

11 HOUSING FOR PERSONS WITH DISABILITIES

12 For amendments to capital advance contracts, for
 13 supportive housing for persons with disabilities, as author-
 14 ized by section 811 of the Cranston-Gonzalez National Af-
 15 fordable Housing Act (42 U.S.C. 8013), as amended, for
 16 project rental assistance for supportive housing for per-
 17 sons with disabilities under section 811(d)(2) of such Act,
 18 for project assistance contracts pursuant to section 202(h)
 19 of the Housing Act of 1959 (Public Law 86–372; 73 Stat.
 20 667), including amendments to contracts for such assist-
 21 ance and renewal of expiring contracts for such assistance
 22 for up to a 1–year term, for project rental assistance to
 23 State housing finance agencies and other appropriate enti-
 24 ties as authorized under section 811(b)(3) of the Cran-
 25 ston-Gonzalez National Housing Act, and for supportive

1 services associated with the housing for persons with dis-
2 abilities as authorized by section 811(b)(1) of such Act,
3 \$154,000,000, to remain available until September 30,
4 2022: *Provided*, That amounts made available under this
5 heading shall be available for Real Estate Assessment
6 Center inspections and inspection-related activities associ-
7 ated with section 811 projects: *Provided further*, That,
8 upon the request of the Secretary, project funds which are
9 held in residual receipts accounts for any project subject
10 to a section 811 project rental assistance contract and,
11 upon termination of such contract, are in excess of an
12 amount to be determined by the Secretary shall be remit-
13 ted to the Department and deposited in this account, to
14 remain available until September 30, 2022: *Provided fur-*
15 *ther*, That amounts deposited in this account pursuant to
16 the previous proviso shall be available in addition to the
17 amounts otherwise provided by this heading for amend-
18 ments and renewals: *Provided further*, That unobligated
19 balances, including recaptures and carryover, remaining
20 from funds transferred to or appropriated under this
21 heading shall be used for amendments and renewals not-
22 withstanding the purposes for which such funds originally
23 were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$45,000,000, to remain available until September 30, 2020, including up to \$4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

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

1 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
 2 insured rental housing projects, \$5,000,000, to remain
 3 available until expended: *Provided*, That such amount, to-
 4 gether with unobligated balances from recaptured
 5 amounts appropriated prior to fiscal year 2006 from ter-
 6 minated contracts under such sections of law, and any un-
 7 obligated balances, including recaptures and carryover, re-
 8 maining from funds appropriated under this heading after
 9 fiscal year 2005, shall also be available for extensions of
 10 up to one year for expiring contracts under such sections
 11 of law.

12 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
 13 FUND

14 For necessary expenses as authorized by the National
 15 Manufactured Housing Construction and Safety Stand-
 16 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
 17 \$12,000,000, to remain available until expended, of which
 18 \$12,000,000 is to be derived from the Manufactured
 19 Housing Fees Trust Fund: *Provided*, That not to exceed
 20 the total amount appropriated under this heading shall be
 21 available from the general fund of the Treasury to the ex-
 22 tent necessary to incur obligations and make expenditures
 23 pending the receipt of collections to the Fund pursuant
 24 to section 620 of such Act: *Provided further*, That the
 25 amount made available under this heading from the gen-

1 eral fund shall be reduced as such collections are received
 2 during fiscal year 2019 so as to result in a final fiscal
 3 year 2019 appropriation from the general fund estimated
 4 at zero, and fees pursuant to section 620 of such Act shall
 5 be modified as necessary to ensure such a final fiscal year
 6 2019 appropriation: *Provided further*, That for the dispute
 7 resolution and installation programs, the Secretary may
 8 assess and collect fees from any program participant: *Pro-*
 9 *vided further*, That such collections shall be deposited into
 10 the Fund, and the Secretary, as provided herein, may use
 11 such collections, as well as fees collected under section 620
 12 of such Act, for necessary expenses of such Act: *Provided*
 13 *further*, That, notwithstanding the requirements of section
 14 620 of such Act, the Secretary may carry out responsibil-
 15 ities of the Secretary under such Act through the use of
 16 approved service providers that are paid directly by the
 17 recipients of their services.

18 FEDERAL HOUSING ADMINISTRATION

19 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

20 New commitments to guarantee single family loans
 21 insured under the Mutual Mortgage Insurance Fund shall
 22 not exceed \$400,000,000,000, to remain available until
 23 September 30, 2020: *Provided*, That during fiscal year
 24 2019, obligations to make direct loans to carry out the
 25 purposes of section 204(g) of the National Housing Act,

1 as amended, shall not exceed \$1,000,000: *Provided fur-*
2 *ther*, That the foregoing amount in the previous proviso
3 shall be for loans to nonprofit and governmental entities
4 in connection with sales of single family real properties
5 owned by the Secretary and formerly insured under the
6 Mutual Mortgage Insurance Fund: *Provided further*, That
7 for administrative contract expenses of the Federal Hous-
8 ing Administration, \$130,000,000, to remain available
9 until September 30, 2020: *Provided further*, That to the
10 extent guaranteed loan commitments exceed
11 \$200,000,000,000 on or before April 1, 2019, an addi-
12 tional \$1,400 for administrative contract expenses shall be
13 available for each \$1,000,000 in additional guaranteed
14 loan commitments (including a pro rata amount for any
15 amount below \$1,000,000), but in no case shall funds
16 made available by this proviso exceed \$30,000,000: *Pro-*
17 *vided further*, That notwithstanding the limitation in the
18 first sentence of section 255(g) of the National Housing
19 Act (12 U.S.C. 1715z-20(g)), during fiscal year 2019 the
20 Secretary may insure and enter into new commitments to
21 insure mortgages under section 255 of the National Hous-
22 ing Act only to the extent that the net credit subsidy cost
23 for such insurance does not exceed zero: *Provided further*,
24 That for fiscal year 2019, the Secretary shall not take any
25 action against a lender solely on the basis of compare ra-

1 tios that have been adversely affected by defaults on mort-
 2 gages secured by properties in areas where a major dis-
 3 aster was declared in 2017 or 2018 pursuant to the Rob-
 4 ert T. Stafford Disaster Relief and Emergency Assistance
 5 Act (42 U.S.C. 5121 et seq.).

6 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

7 New commitments to guarantee loans insured under
 8 the General and Special Risk Insurance Funds, as author-
 9 ized by sections 238 and 519 of the National Housing Act
 10 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
 11 \$30,000,000,000 in total loan principal, any part of which
 12 is to be guaranteed, to remain available until September
 13 30, 2020: *Provided*, That during fiscal year 2019, gross
 14 obligations for the principal amount of direct loans, as au-
 15 thorized by sections 204(g), 207(l), 238, and 519(a) of
 16 the National Housing Act, shall not exceed \$1,000,000,
 17 which shall be for loans to nonprofit and governmental en-
 18 tities in connection with the sale of single family real prop-
 19 erties owned by the Secretary and formerly insured under
 20 such Act.

21 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

22 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

23 GUARANTEE PROGRAM ACCOUNT

24 New commitments to issue guarantees to carry out
 25 the purposes of section 306 of the National Housing Act,

1 as amended (12 U.S.C. 1721(g)), shall not exceed
 2 \$550,000,000,000, to remain available until September
 3 30, 2020: *Provided*, That \$27,000,000 shall be available
 4 for necessary salaries and expenses of the Office of Gov-
 5 ernment National Mortgage Association: *Provided further*,
 6 That to the extent that guaranteed loan commitments ex-
 7 ceed \$155,000,000,000 on or before April 1, 2019, an ad-
 8 ditional \$100 for necessary salaries and expenses shall be
 9 available until expended for each \$1,000,000 in additional
 10 guaranteed loan commitments (including a pro rata
 11 amount for any amount below \$1,000,000), but in no case
 12 shall funds made available by this proviso exceed
 13 \$3,000,000: *Provided further*, That receipts from Commit-
 14 ment and Multiclass fees collected pursuant to title III of
 15 the National Housing Act, as amended, shall be credited
 16 as offsetting collections to this account.

17 POLICY DEVELOPMENT AND RESEARCH

18 RESEARCH AND TECHNOLOGY

19 For contracts, grants, and necessary expenses of pro-
 20 grams of research and studies relating to housing and
 21 urban problems, not otherwise provided for, as authorized
 22 by title V of the Housing and Urban Development Act
 23 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
 24 out the functions of the Secretary of Housing and Urban
 25 Development under section 1(a)(1)(i) of Reorganization

1 Plan No. 2 of 1968, and for technical assistance,
2 \$100,000,000, to remain available until September 30,
3 2020: *Provided*, That with respect to amounts made avail-
4 able under this heading, notwithstanding section 203 of
5 this title, the Secretary may enter into cooperative agree-
6 ments with philanthropic entities, other Federal agencies,
7 State or local governments and their agencies, or colleges
8 or universities for research projects: *Provided further*,
9 That with respect to the previous proviso, such partners
10 to the cooperative agreements must contribute at least a
11 50 percent match toward the cost of the project: *Provided*
12 *further*, That for non-competitive agreements entered into
13 in accordance with the previous two provisos, the Sec-
14 retary of Housing and Urban Development shall comply
15 with section 2(b) of the Federal Funding Accountability
16 and Transparency Act of 2006 (Public Law 109–282, 31
17 U.S.C. note) in lieu of compliance with section
18 102(a)(4)(C) with respect to documentation of award deci-
19 sions: *Provided further*, That prior to obligation of tech-
20 nical assistance funding, the Secretary shall submit a
21 plan, for approval, to the House and Senate Committees
22 on Appropriations on how it will allocate funding for this
23 activity: *Provided further*, That none of the funds provided
24 under this heading may be available for the doctoral dis-
25 sertation research grant program.

1 FAIR HOUSING AND EQUAL OPPORTUNITY

2 FAIR HOUSING ACTIVITIES

3 For contracts, grants, and other assistance, not oth-
4 erwise provided for, as authorized by title VIII of the Civil
5 Rights Act of 1968, as amended by the Fair Housing
6 Amendments Act of 1988, and section 561 of the Housing
7 and Community Development Act of 1987, as amended,
8 \$65,300,000, to remain available until September 30,
9 2020: *Provided*, That notwithstanding 31 U.S.C. 3302,
10 the Secretary may assess and collect fees to cover the costs
11 of the Fair Housing Training Academy, and may use such
12 funds to provide such training: *Provided further*, That no
13 funds made available under this heading shall be used to
14 lobby the executive or legislative branches of the Federal
15 Government in connection with a specific contract, grant,
16 or loan: *Provided further*, That of the funds made available
17 under this heading, \$300,000 shall be available to the Sec-
18 retary of Housing and Urban Development for the cre-
19 ation and promotion of translated materials and other pro-
20 grams that support the assistance of persons with limited
21 English proficiency in utilizing the services provided by
22 the Department of Housing and Urban Development.

•S 3023 PCS

1 of the Residential Lead-Based Paint Hazard Reduction
2 Act of 1992 shall be provided to areas with the highest
3 lead-based paint abatement needs: *Provided further*, That
4 \$45,000,000 of the funds appropriated under this heading
5 shall be for the implementation of projects to demonstrate
6 how intensive, extended multi-year interventions can dra-
7 matically reduce the presence of lead-based paint hazards
8 in communities containing high concentrations of both
9 pre-1940 housing and low-income families by achieving
10 economies of scale that substantially reduce the cost of
11 lead-based paint remediation activities and administrative
12 costs for grantees: *Provided further*, That such projects
13 in each of five communities shall be for five years and
14 serve no more than four contiguous census tracts in which
15 there are high concentrations of housing stock built before
16 1940, in which low-income families with children make up
17 a significantly higher proportion of the population as com-
18 pared to the State average, and that are located in juris-
19 dictions in which instances of elevated blood lead levels
20 reported to the State are significantly higher than the
21 State average: *Provided further*, That funding awarded for
22 such projects shall be made available for draw down con-
23 tingent upon the grantee meeting cost-savings, produc-
24 tivity, and grant compliance benchmarks established by
25 the Secretary: *Provided further*, That each recipient of

1 funds for such projects shall contribute an amount not less
 2 than 10 percent of the total award, and that the Secretary
 3 shall give priority to applicants that secure commitments
 4 for additional contributions from public and private
 5 sources: *Provided further*, That grantees currently receiv-
 6 ing grants made under this heading shall be eligible to
 7 apply for such projects, provided that they are deemed to
 8 be in compliance with program requirements established
 9 by the Secretary: *Provided further*, That each applicant
 10 shall certify adequate capacity that is acceptable to the
 11 Secretary to carry out the proposed use of funds pursuant
 12 to a notice of funding availability: *Provided further*, That
 13 amounts made available under this heading in this or prior
 14 appropriations Acts, still remaining available, may be used
 15 for any purpose under this heading notwithstanding the
 16 purpose for which such amounts were appropriated if a
 17 program competition is undersubscribed and there are
 18 other program competitions under this heading that are
 19 oversubscribed.

20 INFORMATION TECHNOLOGY FUND

21 For the development, modernization, and enhance-
 22 ment of, modifications to, and infrastructure for Depart-
 23 ment-wide and program-specific information technology
 24 systems, for the continuing operation and maintenance of
 25 both Department-wide and program-specific information

1 systems, and for program-related maintenance activities,
2 \$280,000,000, of which \$260,000,000 shall remain avail-
3 able until September 30, 2020, and of which \$20,000,000
4 shall remain available until September 30, 2021: *Provided*,
5 That any amounts transferred to this Fund under this Act
6 shall remain available until expended: *Provided further*,
7 That any amounts transferred to this Fund from amounts
8 appropriated by previously enacted appropriations Acts
9 may be used for the purposes specified under this Fund,
10 in addition to any other information technology purposes
11 for which such amounts were appropriated: *Provided fur-*
12 *ther*, That not more than 10 percent of the funds made
13 available under this heading for development, moderniza-
14 tion and enhancement may be obligated until the Sec-
15 retary submits to the House and Senate Committees on
16 Appropriations, for approval, a plan for expenditure
17 that—(A) identifies for each modernization project: (i) the
18 functional and performance capabilities to be delivered
19 and the mission benefits to be realized, (ii) the estimated
20 life-cycle cost, and (iii) key milestones to be met; and (B)
21 demonstrates that each modernization project is: (i) com-
22 pliant with the Department’s enterprise architecture, (ii)
23 being managed in accordance with applicable life-cycle
24 management policies and guidance, (iii) subject to the De-
25 partment’s capital planning and investment control re-

1 quirements, and (iv) supported by an adequately staffed
 2 project office.

3 OFFICE OF INSPECTOR GENERAL

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

9 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

10 URBAN DEVELOPMENT

11 (INCLUDING TRANSFER OF FUNDS)

12 (INCLUDING RESCISSION)

13 SEC. 201. Fifty percent of the amounts of budget au-
 14 thority, or in lieu thereof 50 percent of the cash amounts
 15 associated with such budget authority, that are recaptured
 16 from projects described in section 1012(a) of the Stewart
 17 B. McKinney Homeless Assistance Amendments Act of
 18 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
 19 case of cash, shall be remitted to the Treasury, and such
 20 amounts of budget authority or cash recaptured and not
 21 rescinded or remitted to the Treasury shall be used by
 22 State housing finance agencies or local governments or
 23 local housing agencies with projects approved by the Sec-
 24 retary of Housing and Urban Development for which set-
 25 tlement occurred after January 1, 1992, in accordance

1 with such section. Notwithstanding the previous sentence,
2 the Secretary may award up to 15 percent of the budget
3 authority or cash recaptured and not rescinded or remitted
4 to the Treasury to provide project owners with incentives
5 to refinance their project at a lower interest rate.

6 SEC. 202. None of the amounts made available under
7 this Act may be used during fiscal year 2019 to investigate
8 or prosecute under the Fair Housing Act any otherwise
9 lawful activity engaged in by one or more persons, includ-
10 ing the filing or maintaining of a nonfrivolous legal action,
11 that is engaged in solely for the purpose of achieving or
12 preventing action by a Government official or entity, or
13 a court of competent jurisdiction.

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

20 SEC. 204. Funds of the Department of Housing and
21 Urban Development subject to the Government Corpora-
22 tion Control Act or section 402 of the Housing Act of
23 1950 shall be available, without regard to the limitations
24 on administrative expenses, for legal services on a contract
25 or fee basis, and for utilizing and making payment for

1 services and facilities of the Federal National Mortgage
2 Association, Government National Mortgage Association,
3 Federal Home Loan Mortgage Corporation, Federal Fi-
4 nancing Bank, Federal Reserve banks or any member
5 thereof, Federal Home Loan banks, and any insured bank
6 within the meaning of the Federal Deposit Insurance Cor-
7 poration Act, as amended (12 U.S.C. 1811–1).

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

14 SEC. 206. Corporations and agencies of the Depart-
15 ment of Housing and Urban Development which are sub-
16 ject to the Government Corporation Control Act are here-
17 by authorized to make such expenditures, within the limits
18 of funds and borrowing authority available to each such
19 corporation or agency and in accordance with law, and to
20 make such contracts and commitments without regard to
21 fiscal year limitations as provided by section 104 of such
22 Act as may be necessary in carrying out the programs set
23 forth in the budget for 2019 for such corporation or agen-
24 cy except as hereinafter provided: *Provided*, That collec-
25 tions of these corporations and agencies may be used for

1 new loan or mortgage purchase commitments only to the
2 extent expressly provided for in this Act (unless such loans
3 are in support of other forms of assistance provided for
4 in this or prior appropriations Acts), except that this pro-
5 viso shall not apply to the mortgage insurance or guaranty
6 operations of these corporations, or where loans or mort-
7 gage purchases are necessary to protect the financial in-
8 terest of the United States Government.

9 SEC. 207. The Secretary of Housing and Urban De-
10 velopment shall provide quarterly reports to the House
11 and Senate Committees on Appropriations regarding all
12 uncommitted, unobligated, recaptured and excess funds in
13 each program and activity within the jurisdiction of the
14 Department and shall submit additional, updated budget
15 information to these Committees upon request.

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

23 SEC. 209. No funds provided under this title may be
24 used for an audit of the Government National Mortgage

1 Association that makes applicable requirements under the
2 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

3 SEC. 210. (a) Notwithstanding any other provision
4 of law, subject to the conditions listed under this section,
5 for fiscal years 2019 and 2020, the Secretary of Housing
6 and Urban Development may authorize the transfer of
7 some or all project-based assistance, debt held or insured
8 by the Secretary and statutorily required low-income and
9 very low-income use restrictions if any, associated with one
10 or more multifamily housing project or projects to another
11 multifamily housing project or projects.

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

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

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

22 (A) For occupied units in the transferring
23 project: The number of low-income and very
24 low-income units and the configuration (i.e.,
25 bedroom size) provided by the transferring

1 project shall be no less than when transferred
2 to the receiving project or projects and the net
3 dollar amount of Federal assistance provided to
4 the transferring project shall remain the same
5 in the receiving project or projects.

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

14 (2) The transferring project shall, as deter-
15 mined by the Secretary, be either physically obsolete
16 or economically nonviable.

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

20 (4) The owner or mortgagor of the transferring
21 project shall notify and consult with the tenants re-
22 siding in the transferring project and provide a cer-
23 tification of approval by all appropriate local govern-
24 mental officials.

1 (5) The tenants of the transferring project who
2 remain eligible for assistance to be provided by the
3 receiving project or projects shall not be required to
4 vacate their units in the transferring project or
5 projects until new units in the receiving project are
6 available for occupancy.

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

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

20 (8) If the transferring project meets the re-
21 quirements of subsection (d)(2), the owner or mort-
22 gagor of the receiving project or projects shall exe-
23 cute and record either a continuation of the existing
24 use agreement or a new use agreement for the
25 project where, in either case, any use restrictions in

1 such agreement are of no lesser duration than the
2 existing use restrictions.

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

9 (d) For purposes of this section—

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

14 (2) the term “multifamily housing project”
15 means housing that meets one of the following con-
16 ditions—

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

19 (B) housing that has project-based assist-
20 ance attached to the structure including
21 projects undergoing mark to market debt re-
22 structuring under the Multifamily Assisted
23 Housing Reform and Affordability Housing Act;

24 (C) housing that is assisted under section
25 202 of the Housing Act of 1959, as amended

1 by section 801 of the Cranston-Gonzales Na-
2 tional Affordable Housing Act;

3 (D) housing that is assisted under section
4 202 of the Housing Act of 1959, as such sec-
5 tion existed before the enactment of the Cran-
6 ston-Gonzales National Affordable Housing Act;

7 (E) housing that is assisted under section
8 811 of the Cranston-Gonzales National Afford-
9 able Housing Act; or

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

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

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

16 (B) assistance for housing constructed or
17 substantially rehabilitated pursuant to assist-
18 ance provided under section 8(b)(2) of such Act
19 (as such section existed immediately before Oc-
20 tober 1, 1983);

21 (C) rent supplement payments under sec-
22 tion 101 of the Housing and Urban Develop-
23 ment Act of 1965;

24 (D) interest reduction payments under sec-
25 tion 236 and/or additional assistance payments

1 under section 236(f)(2) of the National Hous-
2 ing Act;

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

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

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

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

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

21 (e) RESEARCH REPORT.—The Secretary shall con-
22 duct an evaluation of the transfer authority under this sec-
23 tion, including the effect of such transfers on the oper-
24 ational efficiency, contract rents, physical and financial

1 conditions, and long-term preservation of the affected
2 properties.

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

6 (1) is enrolled as a student at an institution of
7 higher education (as defined under section 102 of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1002));

10 (2) is under 24 years of age;

11 (3) is not a veteran;

12 (4) is unmarried;

13 (5) does not have a dependent child;

14 (6) is not a person with disabilities, as such
15 term is defined in section 3(b)(3)(E) of the United
16 States Housing Act of 1937 (42 U.S.C.
17 1437a(b)(3)(E)) and was not receiving assistance
18 under such section 8 as of November 30, 2005;

19 (7) is not a youth who left foster care at age
20 14 or older and is at risk of becoming homeless; and

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

1 (b) For purposes of determining the eligibility of a
2 person to receive assistance under section 8 of the United
3 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
4 cial assistance (in excess of amounts received for tuition
5 and any other required fees and charges) that an indi-
6 vidual receives under the Higher Education Act of 1965
7 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
8 tution of higher education (as defined under the Higher
9 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
10 ered income to that individual, except for a person over
11 the age of 23 with dependent children.

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

17 SEC. 213. Notwithstanding any other provision of
18 law, in fiscal year 2019, in managing and disposing of any
19 multifamily property that is owned or has a mortgage held
20 by the Secretary of Housing and Urban Development, and
21 during the process of foreclosure on any property with a
22 contract for rental assistance payments under section 8
23 of the United States Housing Act of 1937 or other Fed-
24 eral programs, the Secretary shall maintain any rental as-
25 sistance payments under section 8 of the United States

1 Housing Act of 1937 and other programs that are at-
2 tached to any dwelling units in the property. To the extent
3 the Secretary determines, in consultation with the tenants
4 and the local government, that such a multifamily prop-
5 erty owned or held by the Secretary is not feasible for con-
6 tinued rental assistance payments under such section 8
7 or other programs, based on consideration of (1) the costs
8 of rehabilitating and operating the property and all avail-
9 able Federal, State, and local resources, including rent ad-
10 justments under section 524 of the Multifamily Assisted
11 Housing Reform and Affordability Act of 1997
12 (“MAHRAA”) and (2) environmental conditions that can-
13 not be remedied in a cost-effective fashion, the Secretary
14 may, in consultation with the tenants of that property,
15 contract for project-based rental assistance payments with
16 an owner or owners of other existing housing properties,
17 or provide other rental assistance. The Secretary shall also
18 take appropriate steps to ensure that project-based con-
19 tracts remain in effect prior to foreclosure, subject to the
20 exercise of contractual abatement remedies to assist relo-
21 cation of tenants for imminent major threats to health and
22 safety after written notice to and informed consent of the
23 affected tenants and use of other available remedies, such
24 as partial abatements or receivership. After disposition of
25 any multifamily property described under this section, the

1 contract and allowable rent levels on such properties shall
2 be subject to the requirements under section 524 of
3 MAHRAA.

4 SEC. 214. The commitment authority funded by fees
5 as provided under the heading “Community Development
6 Loan Guarantees Program Account” may be used to guar-
7 antee, or make commitments to guarantee, notes, or other
8 obligations issued by any State on behalf of non-entitle-
9 ment communities in the State in accordance with the re-
10 quirements of section 108 of the Housing and Community
11 Development Act of 1974: *Provided*, That any State re-
12 ceiving such a guarantee or commitment shall distribute
13 all funds subject to such guarantee to the units of general
14 local government in non-entitlement areas that received
15 the commitment.

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

24 SEC. 216. With respect to the use of amounts pro-
25 vided in this Act and in future Acts for the operation, cap-

1 ital improvement and management of public housing as
2 authorized by sections 9(d) and 9(e) of the United States
3 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
4 Secretary shall not impose any requirement or guideline
5 relating to asset management that restricts or limits in
6 any way the use of capital funds for central office costs
7 pursuant to section 9(g)(1) or 9(g)(2) of the United States
8 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
9 *vided*, That a public housing agency may not use capital
10 funds authorized under section 9(d) for activities that are
11 eligible under section 9(e) for assistance with amounts
12 from the operating fund in excess of the amounts per-
13 mitted under section 9(g)(1) or 9(g)(2).

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

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

5 SEC. 218. The Secretary of the Department of Hous-
6 ing and Urban Development shall, for fiscal year 2019,
7 notify the public through the Federal Register and other
8 means, as determined appropriate, of the issuance of a no-
9 tice of the availability of assistance or notice of funding
10 availability (NOFA) for any program or discretionary
11 fund administered by the Secretary that is to be competi-
12 tively awarded. Notwithstanding any other provision of
13 law, for fiscal year 2019, the Secretary may make the
14 NOFA available only on the Internet at the appropriate
15 Government web site or through other electronic media,
16 as determined by the Secretary.

17 SEC. 219. Payment of attorney fees in program-re-
18 lated litigation shall be paid from the individual program
19 office and Office of General Counsel salaries and expenses
20 appropriations. The annual budget submission for the pro-
21 gram offices and the Office of General Counsel shall in-
22 clude any such projected litigation costs for attorney fees
23 as a separate line item request. No funds provided in this
24 title may be used to pay any such litigation costs for attor-
25 ney fees until the Department submits for review a spend-

1 ing plan for such costs to the House and Senate Commit-
2 tees on Appropriations.

3 SEC. 220. The Secretary is authorized to transfer up
4 to 10 percent or \$5,000,000, whichever is less, of funds
5 appropriated for any office under the heading “Adminis-
6 trative Support Offices” or for any account under the gen-
7 eral heading “Program Office Salaries and Expenses” to
8 any other such office or account: *Provided*, That no appro-
9 priation for any such office or account shall be increased
10 or decreased by more than 10 percent or \$5,000,000,
11 whichever is less, without prior written approval of the
12 House and Senate Committees on Appropriations: *Pro-*
13 *vided further*, That the Secretary shall provide notification
14 to such Committees three business days in advance of any
15 such transfers under this section up to 10 percent or
16 \$5,000,000, whichever is less.

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

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

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

6 (2) fails to certify in writing to the Secretary
7 within 3 days that all Exigent Health and Safety de-
8 ficiencies identified by the inspector at the project
9 have been corrected.

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

18 (c)(1) Within 15 days of the issuance of the REAC
19 inspection, the Secretary must provide the owner with a
20 Notice of Default with a specified timetable, determined
21 by the Secretary, for correcting all deficiencies. The Sec-
22 retary must also provide a copy of the Notice of Default
23 to the tenants, the local government, any mortgagees, and
24 any contract administrator. If the owner's appeal results

1 in a UPCS score of 60 or above, the Secretary may with-
2 draw the Notice of Default.

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

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

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

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

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

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

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

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

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

10 (I) take any other regulatory or contractual
11 remedies available as deemed necessary and appro-
12 priate by the Secretary.

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

23 (1) the costs of rehabilitating and operating the
24 property and all available Federal, State, and local
25 resources, including rent adjustments under section

1 524 of the Multifamily Assisted Housing Reform
2 and Affordability Act of 1997 (“MAHRAA”); and

3 (2) environmental conditions that cannot be
4 remedied in a cost-effective fashion, the Secretary
5 may contract for project-based rental assistance pay-
6 ments with an owner or owners of other existing
7 housing properties, or provide other rental assist-
8 ance.

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

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

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

23 (3) any administrative or legislative rec-
24 ommendations to further improve the living condi-

1 tions at properties covered under a housing assist-
2 ance payment contract.

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

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

19 SEC. 223. None of the funds in this Act provided to
20 the Department of Housing and Urban Development may
21 be used to make a grant award unless the Secretary noti-
22 fies the House and Senate Committees on Appropriations
23 not less than 3 full business days before any project,
24 State, locality, housing authority, tribe, nonprofit organi-

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

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

6 SEC. 225. None of the funds made available in this
7 Act shall be used by the Federal Housing Administration,
8 the Government National Mortgage Administration, or the
9 Department of Housing and Urban Development to in-
10 sure, securitize, or establish a Federal guarantee of any
11 mortgage or mortgage backed security that refinances or
12 otherwise replaces a mortgage that has been subject to
13 eminent domain condemnation or seizure, by a State, mu-
14 nicipality, or any other political subdivision of a State.

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

21 SEC. 227. Amounts made available under this Act
22 which are either appropriated, allocated, advanced on a
23 reimbursable basis, or transferred to the Office of Policy
24 Development and Research in the Department of Housing
25 and Urban Development and functions thereof, for re-

1 search, evaluation, or statistical purposes, and which are
2 unexpended at the time of completion of a contract, grant,
3 or cooperative agreement, may be deobligated and shall
4 immediately become available and may be reobligated in
5 that fiscal year or the subsequent fiscal year for the re-
6 search, evaluation, or statistical purposes for which the
7 amounts are made available to that Office subject to re-
8 programming requirements in section 405 of this Act.

9 SEC. 228. None of the funds provided in this Act or
10 any other act may be used for awards, including perform-
11 ance, special act, or spot, for any employee of the Depart-
12 ment of Housing and Urban Development who has been
13 subject to administrative discipline in fiscal years 2018 or
14 2019, including suspension from work.

15 SEC. 229. Funds made available in this title under
16 the heading “Homeless Assistance Grants” may be used
17 by the Secretary to participate in Performance Partner-
18 ship Pilots authorized under section 526 of division H of
19 Public Law 113–76, section 524 of division G of Public
20 Law 113–235, section 525 of division H of Public Law
21 114–113, and such authorities as are enacted for Perform-
22 ance Partnership Pilots in an appropriations Act for fiscal
23 year 2019: *Provided*, That such participation shall be lim-
24 ited to no more than 10 continuums of care and housing
25 activities to improve outcomes for disconnected youth.

1 SEC. 230. With respect to grant amounts awarded
2 under the heading “Homeless Assistance Grants” for fis-
3 cal years 2015, 2016, 2017, 2018 and 2019 for the con-
4 tinuum of care (CoC) program as authorized under sub-
5 title C of title IV of the McKinney-Vento Homeless Assist-
6 ance Act, costs paid by program income of grant recipients
7 may count toward meeting the recipient’s matching re-
8 quirements, provided the costs are eligible CoC costs that
9 supplement the recipient’s CoC program.

10 SEC. 231. (a) From amounts made available under
11 this title under the heading “Homeless Assistance
12 Grants”, the Secretary may award 1-year transition
13 grants to recipients of funds for activities under subtitle
14 C of the McKinney-Vento Homeless Assistance Act (42
15 U.S.C. 11381 et seq.) to transition from one Continuum
16 of Care program component to another.

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

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

23 (d) In order to be eligible to receive a transition
24 grant, the funding recipient must have the consent of the

1 Continuum of Care and meet standards determined by the
2 Secretary.

3 SEC. 232. None of the funds made available by this
4 Act may be used by the Department of Housing and
5 Urban Development to direct a grantee to undertake spe-
6 cific changes to existing zoning laws as part of carrying
7 out the final rule entitled “Affirmatively Furthering Fair
8 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
9 notice entitled “Affirmatively Furthering Fair Housing
10 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
11 2014)).

12 SEC. 233. Section 218(g) of the Cranston-Gonzalez
13 National Affordable Housing Act (42 U.S.C. 12748(g))
14 shall not apply with respect to the right of a jurisdiction
15 to draw funds from its HOME Investment Trust Fund
16 that otherwise expired or would expire in 2016, 2017,
17 2018, 2019, 2020 or 2021 under that section.

18 SEC. 234. The Promise Zone designations and Prom-
19 ise Zone Designation Agreements entered into pursuant
20 to such designations, made by the Secretary of Housing
21 and Urban Development in prior fiscal years, shall remain
22 in effect in accordance with the terms and conditions of
23 such agreements.

24 SEC. 235. The Secretary shall initiate a comprehen-
25 sive review of existing public housing and tenant-based

1 rental assistance regulations and related notices and other
2 guidance documents to identify opportunities to streamline
3 the administration of such programs while also ensuring
4 compliance with Federal financial and internal control re-
5 quirements. The Secretary shall establish a regulatory ad-
6 visory committee, composed of program and research ex-
7 perts from the Department, a fair representation of public
8 housing agencies, and independent subject matter experts
9 in housing policy, property management, and Federal
10 grant management, which shall advise the Secretary with
11 respect to specific policy proposals to reduce administra-
12 tive burden. The Secretary, in consultation with the advi-
13 sory committee, shall submit a report on the results of
14 such regulatory review to the House and Senate Commit-
15 tees on Appropriations no later than one year after the
16 date of enactment of this Act.

17 SEC. 236. None of the funds made available by this
18 Act may be used to establish and apply a ranking factor
19 in the selection and award of any funds made available
20 and requiring competitive selection under this Act, includ-
21 ing preference or bonus points or other incentives for par-
22 ticipation in or coordination with EnVision Centers.

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

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, \$8,400,000: *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 therefore, as author-
19 ized by 5 U.S.C. 5901–5902, \$27,490,000: *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, \$23,274,000: *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 2020, the Inspector General shall
 3 submit to the House and Senate Committees on Appro-
 4 priations a budget request for fiscal year 2020 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), \$110,400,000, 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), \$145,000,000, of which
 3 \$5,000,000 shall be for a multi-family rental housing pro-
 4 gram: *Provided*, That an additional \$2,000,000, to remain
 5 available until September 30, 2023, shall be for the pro-
 6 motion and development of shared equity housing models.

7 SURFACE TRANSPORTATION BOARD

8 SALARIES AND EXPENSES

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

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$3,600,000: *Provided*, That the first proviso
12 in Public Law 115–141 under the heading “United States
13 Interagency Council on Homelessness—Operating Ex-
14 penses” is amended by striking “2020” and inserting
15 “2021”.

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Em-
10 ployment Opportunity Commission Notice N-
11 915.022, dated September 2, 1988; or

12 (5) is offensive to, or designed to change, par-
13 ticipants’ personal values or lifestyle outside the
14 workplace.

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2019, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-
2 programming of funds that—

3 (1) creates a new program;

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

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

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

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

14 (6) reduces existing programs, projects, or ac-
15 tivities by \$5,000,000 or 10 percent, whichever is
16 less; or

17 (7) creates, reorganizes, or restructures a
18 branch, division, office, bureau, board, commission,
19 agency, administration, or department different from
20 the budget justifications submitted to the Commit-
21 tees on Appropriations or the table accompanying
22 the report accompanying this Act, whichever is more
23 detailed, unless prior approval is received from the
24 House and Senate Committees on Appropriations:
25 *Provided*, That not later than 60 days after the date

1 of enactment of this Act, each agency funded by this
2 Act shall submit a report to the Committees on Ap-
3 propriations of the Senate and of the House of Rep-
4 resentatives to establish the baseline for application
5 of reprogramming and transfer authorities for the
6 current fiscal year: *Provided further*, That the report
7 shall include—

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

14 (B) a delineation in the table for each ap-
15 propriation and its respective prior year enacted
16 level by object class and program, project, and
17 activity as detailed in the budget appendix for
18 the respective appropriation; and

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

21 SEC. 406. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2019 from
24 appropriations made available for salaries and expenses
25 for fiscal year 2019 in this Act, shall remain available

1 through September 30, 2020, for each such account for
2 the purposes authorized: *Provided*, That a request shall
3 be submitted to the House and Senate Committees on Ap-
4 propriations for approval prior to the expenditure of such
5 funds: *Provided further*, That these requests shall be made
6 in compliance with reprogramming guidelines under sec-
7 tion 405 of this Act.

8 SEC. 407. No funds in this Act may be used to sup-
9 port any Federal, State, or local projects that seek to use
10 the power of eminent domain, unless eminent domain is
11 employed only for a public use: *Provided*, That for pur-
12 poses of this section, public use shall not be construed to
13 include economic development that primarily benefits pri-
14 vate entities: *Provided further*, That any use of funds for
15 mass transit, railroad, airport, seaport or highway
16 projects, as well as utility projects which benefit or serve
17 the general public (including energy-related, communica-
18 tion-related, water-related and wastewater-related infra-
19 structure), other structures designated for use by the gen-
20 eral public or which have other common-carrier or public-
21 utility functions that serve the general public and are sub-
22 ject to regulation and oversight by the government, and
23 projects for the removal of an immediate threat to public
24 health and safety or brownfields as defined in the Small
25 Business Liability Relief and Brownfields Revitalization

1 Act (Public Law 107–118) shall be considered a public
2 use for purposes of eminent domain.

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

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

21 SEC. 410. No funds appropriated pursuant to this
22 Act may be expended by an entity unless the entity agrees
23 that in expending the assistance the entity will comply
24 with sections 2 through 4 of the Act of March 3, 1933

1 (41 U.S.C. 8301–8305, popularly known as the “Buy
2 American Act”).

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

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

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

21 (b) Nothing in this section shall prohibit, restrict or
22 otherwise preclude the Secretary of Transportation from
23 granting a foreign air carrier permit or an exemption to
24 such an air carrier where such authorization is consistent

1 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
2 ment and United States law.

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

17 SEC. 415. None of the funds appropriated or other-
18 wise made available under this Act may be used by the
19 Surface Transportation Board to charge or collect any fil-
20 ing fee for rate or practice complaints filed with the Board
21 in an amount in excess of the amount authorized for dis-
22 trict court civil suit filing fees under section 1914 of title
23 28, United States Code.

24 SEC. 416. None of the funds made available by this
25 Act may be used by the Department of Transportation,

1 the Department of Housing and Urban Development, or
2 any other Federal agency to lease or purchase new light
3 duty vehicles for any executive fleet, or for an agency's
4 fleet inventory, except in accordance with Presidential
5 Memorandum—Federal Fleet Performance, dated May
6 24, 2011.

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

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

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

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

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

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

14 SEC. 419. None of the funds appropriated or other-
15 wise made available by this Act may be used to pay award
16 or incentive fees for contractors whose performance has
17 been judged to be below satisfactory, behind schedule, over
18 budget, or has failed to meet the basic requirements of
19 a contract, unless the Agency determines that any such
20 deviations are due to unforeseeable events, government-
21 driven scope changes, or are not significant within the
22 overall scope of the project and/or program unless such
23 awards or incentive fees are consistent with 16.401(e)(2)
24 of the FAR.

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

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

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

21 (3) in consultation with the Federal Bureau of
22 Investigation or other appropriate Federal entity,
23 conducted an assessment of any risk of cyber-espio-
24 nage or sabotage associated with the acquisition of
25 such system, including any risk associated with such

1 system being produced, manufactured, or assembled
2 by one or more entities identified by the United
3 States Government as posing a cyber threat, includ-
4 ing but not limited to, those that may be owned, di-
5 rected, or subsidized by the People's Republic of
6 China, the Islamic Republic of Iran, the Democratic
7 People's Republic of Korea, or the Russian Federa-
8 tion.

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

14 (1) developed, in consultation with NIST and
15 supply chain risk management experts, a mitigation
16 strategy for any identified risks;

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

21 (3) reported that determination to the Commit-
22 tees on Appropriations of the House of Representa-
23 tives and the Senate in a manner that identifies the
24 system intended for acquisition and a detailed de-
25 scription of the mitigation strategies identified in

1 (1), provided that such report may include a classi-
2 fied annex as necessary.

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

Calendar No. 445

115TH CONGRESS
2^D Session

S. 3023

[Report No. 115–268]

A BILL

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

JUNE 7, 2018

Read twice and placed on the calendar