

Resolved by the Senate (the House of Representatives concurring), That Congress recognizes the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

Mr. KAINE. Mr. President, I would like to recognize the George C. Marshall Foundation's museum and library as the National George C. Marshall Museum. General George C. Marshall was born in Uniontown, PA, to a Virginia family. He is a distant relative of Chief Justice John Marshall, the fourth Supreme Court Justice of the United States. General Marshall graduated from the Virginia Military Institute in 1901 as senior first captain of the Corps of Cadets.

General Marshall served in a variety of posts in the Philippines, the United States, France, and China, distinguishing himself as a military leader. In 1939 he was named Chief of Staff by President Roosevelt and was responsible for building, supplying, and deploying over 8 million soldiers. Marshall also urged military readiness prior to the attack on Pearl Harbor.

After World War II, President Truman sent General Marshall to China to broker a coalition government between the Nationalist allies under Generalissimo Chiang Kai-shek and the Communists under Mao Zedong. In 1946, General Marshall received the Congressional Gold Medal of Honor. President Truman appointed Marshall Secretary of State in 1947. In what became known as the Marshall Plan, as Secretary of State Marshall oversaw the post-war European economic recovery strategy. In 1953, General Marshall received the Nobel Peace Prize for his post-war work, the only career officer in the United States Army to ever receive this honor.

The George C. Marshall Foundation was established in 1953 and officially opened in 1964. The Foundation's museum is located in Lexington, VA, and is dedicated to educating the public and the military and diplomatic career of General George C. Marshall. The foundation has devoted its mission to educating the public about the important contributions of General Marshall through its museum and research Library. The Museum has five extensive exhibits and houses General Marshall's Nobel Peace Prize.

I am proud to submit this resolution which will recognize and honor General George C. Marshall.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3896. Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3897. Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for

herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3898. Mr. MCCONNELL (for Mr. NELSON (for himself and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3899. Mr. MCCONNELL (for Mr. CORNYN (for himself, Mr. JOHNSON, and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3900. Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3901. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3902. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3903. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3904. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3905. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3906. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3907. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3908. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3896. Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$116,396,000, of which not to exceed \$2,758,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,772,000 shall be available for the Office of the General Counsel; not to exceed \$11,108,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$16,020,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,569,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$30,054,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,142,000 shall be available for the Office of Public Affairs; not to exceed \$1,760,000 shall be available for the Office of the Executive Secretariat; not to exceed \$11,089,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$17,084,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,044,000, of which \$8,218,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$525,000,000, to remain available through September 30, 2020:

Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than \$5,000,000 and not greater than \$25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses for the establishment and administration of a new National Surface Transportation and Innovative Finance Bureau (the Bureau) within the Office of the Secretary of Transportation, \$3,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall use such amount for the necessary expenses to establish the Bureau and to fulfill the responsibilities of the Bureau, as detailed in section 9001 of the Fixing America's Surface Transportation

(FAST) Act (Public Law 114-94) (49 U.S.C. 116): *Provided further*, That the Secretary is required to receive the advance approval of the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h): *Provided further*, That the program be available to other Federal agencies, States, municipalities and project sponsors seeking Federal transportation expertise in obtaining financing.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$4,000,000, to remain available through September 30, 2018.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, \$15,000,000, to remain available through September 30, 2018.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,751,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$12,043,000: *Provided*, That of such amount, \$3,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,389,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$339,000, as authorized by 49 U.S.C. 332: *Provided*, That

such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

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

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For the necessary expenses to establish Small and Disadvantaged Business Utilization and Outreach, that will ensure small and disadvantaged business policies of the Secretary of Transportation are developed and implemented in a fair, efficient and effective manner, \$4,646,000, to remain available until September 30, 2018: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

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

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

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

SEC. 102. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 103. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the

Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$10,048,352,000 of which \$9,190,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,593,785,000 shall be available for air traffic organization activities; not to exceed \$1,286,982,000 shall be available for aviation safety activities; not to exceed \$19,826,000 shall be available for commercial space transportation activities; not to exceed \$771,342,000 shall be available for finance and management activities; not to exceed \$60,155,000 shall be available for NextGen and operations planning activities; not to exceed \$107,161,000 shall be available for security and hazardous materials safety; and not to exceed \$209,101,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts

for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$159,000,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,838,000,000, of which \$489,000,000 shall remain available until September 30, 2017, and \$2,349,000,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2018 through 2022, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$176,002,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,750,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2017, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$107,691,000 shall be available for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,375,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

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

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not

apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

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

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

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

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

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

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

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

SEC. 119B. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administra-

tion or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

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

SEC. 119D. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any application for participation in the Contract Tower Program, pending as of January 1, 2016, including applications from Cost-share Program participants if the Administrator determines such tower is eligible under the criteria set forth in the Federal Aviation report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA-APO-90-7).

SEC. 119E. For fiscal year 2017, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2017 under section 116; and

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

SEC. 119F. Section 47109(c)(2) of title 49, United States Code, is amended to read as follows: “The Government's share of allowable project costs determined under this subsection shall not exceed the lesser of 93.75 percent or the highest percentage Government share applicable to any project in any State under subsection (b), except that at a primary non-hub and non-primary commercial service airport located in a State as set forth in paragraph (1) of this subsection that is within 15 miles of another State as set forth in paragraph (1) of this subsection, the Government's share shall be an average of the Government share applicable to any project in each of the States.”.

SEC. 119G. Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) is amended by inserting after subsection (b) the following new subsection: “(c) COLLABORATION AND REPORTING.—

“(1) The Administrator, in coordination with NASA, the Department of Energy, U.S. Department of Agriculture, and after consultation with other relevant agencies shall develop a joint plan to carry out the research under subsection (a) and report back to Congress within 180 days.

“(2) The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels as outlined in subsection (a).”.

SEC. 119H. Section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(6) INCLUSION OF CERTAIN FLIGHT TEST FACILITIES.—The Administrator shall expand the program established under paragraph (1) to permit projects under the program to be carried out at any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.”.

SEC. 119I. Notwithstanding Section 40117(b)(1) of title 49, United States Code, the Secretary of Transportation may authorize use of a passenger facility charge to finance an eligible airport-related project if the eligible agency seeking to impose the new

charge controls an airport where a \$2 passenger facility charge became effective on January 1, 2013; and the airport where the passenger facility charge is collected and the airport at which the project will be carried out were under the control of the same eligible agency on October 1, 2015.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$433,295,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed \$2,500,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

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

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of \$43,266,100,000 for fiscal year 2017: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, \$44,005,100,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)
(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of \$2,211,000,000 is hereby rescinded: *Provided*, That such rescission shall not apply to funds distributed in accordance with sections 104(b)(3) and 130(f) of title 23, United States Code; section 133(d)(1)(A) of such title; the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141); sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59); and section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141): *Provided further*, That such rescission shall not apply to funds that are exempt from the obligation limitation or subject to special no-year obligation limitation: *Provided further*, That the amount to be rescinded from a State shall be determined by multiplying the total amount of the rescission by the ratio that the unobligated balances subject to the rescission as of

September 30, 2016, for the State; bears to the unobligated balances subject to the rescission as of September 30, 2016, for all States: *Provided further*, That the amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the rescission amount calculated for such State by the ratio that the unobligated balance as of September 30, 2016, for such program in such State; bears to the unobligated balances as of September 30, 2016, for all programs to which the rescission applies in such State.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2017, the Secretary of Transportation shall—

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

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

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

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

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

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

(3) determine the proportion that—

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

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

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

(A) the proportion determined under paragraph (3); by

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2017, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

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

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

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

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

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

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

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

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

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

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

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

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

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

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

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

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

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may, hereafter, use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally

designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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

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

(d) The Secretary shall—

(1) for fiscal year 2017, submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations; and

(2) for fiscal year 2018 and thereafter, post such information annually on the Department's public Web site.

SEC. 125. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 126. (a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: “(89) United State Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.”

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking “and subsection (c)(83)” and inserting “subsection (c)(83), and subsection (c)(89)”.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following:

“The route referred to in subsection (c)(89) is designated as Interstate Route I-57”.

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION
MOTOR CARRIER SAFETY OPERATIONS AND
PROGRAMS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$277,200,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$277,200,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2017, of which \$9,180,000, to remain available for obligation until September 30, 2019, is for the research and technology program.

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$367,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$367,000,000 in fiscal year 2017 for “Motor Carrier Safety Grants”; of which \$292,600,000 shall be available for the motor carrier safety assistance program, \$31,200,000 shall be available for the commercial driver's license program implementation program, \$42,200,000 shall be available for the high priority activities program, and \$1,000,000 shall be available for the commercial motor vehicle operator grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
CARRIER SAFETY ADMINISTRATION

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

SEC. 131. Section 133 of division L, title I of the Consolidated Appropriations Act, 2016, Public Law 114-113, is amended to read as follows:

“(a) None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, administer, or enforce the requirement for two off-duty periods from 1:00 a.m. to 5:00 a.m. under subsection 395.3(c) or the restriction on use of more than one restart during a 168-hour period under subsection 395.3(d) of title 49, Code of Federal Regulations, and such provisions shall have no force or effect as of the date of submission of the final report issued by the Secretary of Transportation, as required by section 133 of division K of Public Law 113-235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report—

“(1) meets the statutory requirements set forth in such section; and

“(2) establishes that commercial motor vehicle drivers who operated under the restart

provisions in operational effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in operational effect on June 30, 2013.

“(b) If the Secretary and Inspector General do not each make the determination required by subsection (a), the 34-hour restart rule in operational effect on June 30, 2013, shall be restored to full force and effect on the date the Secretary submits the final report to the House and Senate Committees on Appropriations, and funds appropriated or otherwise made available by this Act or any other Act shall be available to implement, administer, or enforce such rule.

“(c) If the 34-hour restart rule in operational effect on June 30, 2013, is restored to full force and effect pursuant to subsection (b), a driver who uses that restart rule may not drive after being on duty more than 73 hours in any period of 7 consecutive days, where the 7-day measurement period moves forward 1 day at midnight each day.”

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, \$160,075,000, of which \$20,000,000 shall remain available through September 30, 2018.

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, and chapter 303 of title 49, United States Code, \$145,900,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2017, are in excess of \$145,900,000, of which \$140,700,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,200,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the \$145,900,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2018, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, \$585,372,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2017, are in excess of \$585,372,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which \$252,300,000 shall be for “Highway Safety Programs” under 23 U.S.C.

402; \$277,500,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; \$29,500,000 shall be for “High Visibility Enforcement Program” under 23 U.S.C. 404; \$26,072,000 shall be for “Administrative Expenses” under section 4001(a)(6) of the Fixing America’s Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$208,500,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$40,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants as authorized by section 24407 of title 49, United States Code, \$50,000,000, to remain available until expended, of which \$25,000,000 shall be available to carry out section 24407 (c)(1) of title 49, United States Code; and \$25,000,000 shall be available to carry out section 24407 (c)(5), (c)(6), (c)(7), and (c)(10) of title 49, United States Code: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of project management oversight of grants carried out under section 24407 of title

49, United States Code: *Provided further*, That such funds shall only be used for grants related to railroad safety.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR GRANTS

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, \$20,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of project management oversight of grants carried out under section 24911 of title 49, United States Code.

RESTORATION AND ENHANCEMENT GRANTS

For necessary expenses related to grants, \$15,000,000, to remain available until expended, of which \$5,000,000 shall be available to carry out section 24408 of title 49, United States Code; and \$10,000,000 shall be available for capital grants for the restoration or initiation of intercity passenger service in an amount not to exceed 50 percent of the total project cost: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of project management and oversight.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114-94), \$345,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the National Network Grants to the National Railroad Passenger Corporation heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114-94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114-94, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the National Network Grants to the National Railroad Passenger Corporation heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114-94), \$1,075,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional \$2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under 24712 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may

waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter within 60 days of such quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by May 15, 2017, a summary of all overtime payments incurred by the Corporation for 2016 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2016 and for the three prior calendar years.

SEC. 151. Section 24408 of title 49, United States Code, is amended by—

- (1) Striking the words “or enhancing” in subsection (b) and inserting in its place the words “enhancing, or supporting”;
- (2) Striking subparagraph (c)(3)(C);
- (3) Striking paragraph (d)(5); and
- (4) Striking subsection (e) and replacing with a new subsection (e) that states “Grants made under this section may not exceed 80 percent of the projected net operating costs.”.

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, \$110,665,000: *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 2018 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2018.

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, 5313, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America’s Surface Transportation Act, \$10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of \$9,733,706,043 in fiscal year 2017: *Provided further*, That the Federal share of the cost of activities carried out under section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309 and section 3005(b) of the FAST

Act, \$2,338,063,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN
AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL
TRANSIT ADMINISTRATION
(INCLUDING RESCISSION)

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

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2021, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2016, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Section 5303(r)(2)(C) of title 49, United States Code, is amended—

- (1) by inserting "and 25 square miles of land area" after "145,000"; and
- (2) by inserting "and 12 square miles of land area" after "65,000".

SEC. 164. Any unobligated amounts made available for fiscal year 2012 or prior fiscal years to carry out the discretionary job access and reverse commute program under section 3037 of the transportation equity act for the 21st century are hereby rescinded: *Provided*, That such amounts are made available for projects eligible under 49 U.S.C. 5309(q).

SEC. 165. Section 5307(a) of title 49, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following: "(2) SPECIAL RULE.—The Secretary may make grants under this section to finance

the operating cost of equipment and facilities for use in public transportation, excluding rail fixed guideway, in an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census—

"(A) for public transportation systems that—

"(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

"(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

"(B) subject to paragraph (3), for public transportation systems that—

"(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b); or

"(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b).

"(3) LIMITATION.—The amount available to a public transportation system under subparagraph (B) of paragraph (2) shall be not more than 10 percent greater than the amount that would otherwise be available to the system under subparagraph (A) of that paragraph."

SAINT LAWRENCE SEAWAY DEVELOPMENT
CORPORATION

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

OPERATIONS AND MAINTENANCE
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$36,028,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION
MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$275,000,000, to remain available until expended: *Provided*, That the Maritime Ad-

ministration may make a reduction in payment pro rata in the event sufficient funds have not been appropriated to pay the full annual payment authorized for the Maritime Security Fleet pursuant to section 53106 of title 46: *Provided further*, That the Maritime Administration shall allocate the funds across 60 ships.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$175,160,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$6,000,000 shall remain available until expended for National Security Multi-Mission Vessel Program for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2018, for the Student Incentive Program at State Maritime Academies, and of which \$1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$3,000,000 shall remain available through September 30, 2018, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreement, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 sections 55601(b)(1) and 55601(b)(3): *Provided further*, That not later than January 12, 2017, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$10,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$20,000,000, to remain available until expended, of which \$8,000,000 shall be for the decommissioning of the Nuclear Ship *Savannah*.

MARITIME GUARANTEED LOAN (TITLE XI)
PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$5,000,000, of which \$2,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed \$3,000,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations

for “Operations and Training”, Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME
ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY
ADMINISTRATION

OPERATIONAL EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$23,207,000: *Provided*, That no later than June 30, 2016, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than December 18, 2016: *Provided further*, That \$1,500,000 shall be transferred to “Pipeline Safety” in order to fund “Pipeline Safety Information Grants to Communities” as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$57,619,000, of which \$7,570,000 shall remain available until September 30, 2019: *Provided*, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY
(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$149,959,000, of which \$20,288,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2019; and of which \$129,671,000 shall be derived from the Pipeline Safety Fund, of which \$59,835,000 shall remain available until September 30, 2018: *Provided*, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS
(EMERGENCY PREPAREDNESS FUND)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2017 from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of

the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$93,550,000: *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.

GENERAL PROVISIONS—DEPARTMENT OF
TRANSPORTATION

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

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

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement.

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

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

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

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

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

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

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable

agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

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

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, except for such preferences authorized in this Act, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

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

This title may be cited as the “Department of Transportation Appropriations Act, 2017”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, the Departmental Enforcement Center, and the Center for Faith-Based and Neighborhood Partnerships, \$30,608,000: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$503,852,000, of which \$53,451,000 shall be available for the Office of the Chief Financial Officer; \$79,053,000 shall be available for the Office of the General Counsel; \$202,823,000 shall be available for the Office of Administration; \$41,641,000 shall be available for the Office of the Chief Human Capital Officer; \$52,568,000 shall be available for the Office of Field Policy and Management; \$19,130,000 shall be available for the Office of the Chief Procurement Officer; \$3,891,000 shall be available for the Office of Departmental Equal Employment Opportunity; \$5,147,000 shall be available for the Office of Strategic Planning and Management; and \$46,148,000 shall be available for the Office of the Chief Information Officer:

Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$220,500,000.

COMMUNITY PLANNING AND DEVELOPMENT

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

HOUSING

For necessary salaries and expenses of the Office of Housing, \$393,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$24,500,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$74,235,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$8,075,000.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency’s printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Office Salaries and Expenses”, and “Government National Mortgage Association”, the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional \$10,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the first proviso: *Pro-*

vided further, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, \$16,431,696,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2016), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2017: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$18,355,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2017 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2017: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies’ calendar year 2017 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2016 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating

in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2017 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$110,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist;

(3) \$1,768,696,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies

that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$1,758,696,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2017 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$110,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$7,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD-VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to the recipients that received assistance under the rental assistance and supportive housing demonstration program for Native American veterans authorized under the heading "Tenant-Based Rental Assistance" in title II of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235, 128 Stat. 2733): *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients under the demonstration program: *Provided further*, That any amounts remaining after such renewal assistance is awarded may be available for new grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. section 4101 et seq.) for rental assistance and associated administrative fees for Tribal HUD-VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided fur-*

ther, That funds shall be awarded based on need and administrative capacity established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs: *Provided further*, That renewal grants and new grants under this paragraph shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That assistance under this paragraph shall be modeled after, with necessary and appropriate adjustments for Native American grant recipients and veterans, the rental assistance and supportive housing program known as HUD-VASH program, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the United States Housing Act of 1937: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor stands, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary;

(6) \$50,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) \$20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency

administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program;

(8) \$11,000,000 shall be made available for the housing choice voucher mobility demonstration authorized under section 243 of this title; and

(9) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2017 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the “Act”) \$1,925,000,000, to remain available until September 30, 2020: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2017, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to \$10,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed \$21,500,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.)

occurring in fiscal year 2017: *Provided further*, That of the amount made available under the previous proviso, not less than \$5,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2018, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2017 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, \$25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for

purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2017 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,675,000,000, to remain available until September 30, 2018.

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, \$80,000,000, to remain available until September 30, 2019: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than \$48,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That no more than \$5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That implementation grants awarded under this heading may only be awarded to grantees that have previously been awarded planning grants.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2018: *Provided*, That the Secretary

may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related technical assistance, \$714,000,000, to remain available until September 30, 2021: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$646,500,000 shall be available for the Indian Housing Block Grant program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on January 1, 2017, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under the first proviso under this paragraph, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on January 1, 2017, and three times the formula allocation it would otherwise receive: *Provided further*, That notwithstanding the previous two provisos, no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous two provisos shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such provisos: *Provided further*, That the second and third provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than \$8,000,000: *Provided further*, That to take effect, the four previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, in-

cluding the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,857,142 to remain available until September 30, 2021;

(3) \$60,000,000 shall be for grants to Indian tribes for carrying out the Community Development Block Grant program as authorized under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(4) \$5,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance needs in Indian country related to funding provided under this heading.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,341,463,415, to remain available until expended: *Provided further*, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program: *Provided further*, That an additional \$1,000,000 shall be available until expended for such costs of guaranteed loans authorized under such section 184 issued to tribes and Indian housing authorities for the construction of rental housing for law enforcement, healthcare, educational, technical and other skilled workers: *Provided further*, That the funds specified in the previous proviso are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$243,902,439 to remain available until expended: *Provided further*, That the Secretary may specify any additional program requirements with respect to the previous two provisos through publication of a Mortgagee Letter or Notice.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), \$5,000,000, to remain available until September 30, 2021.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$335,000,000, to remain available until September 30, 2018, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2019: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made avail-

able under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That notwithstanding section 854(c)(1) of such Act or any implementing regulation, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV) or AIDS, and States with more than 2,000 persons living with HIV or AIDS outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among such eligible States and cities that are the most populous unit of general local government in a metropolitan statistical area based on fair market rents and area poverty indexes, as determined by the Secretary: *Provided further*, That a grantee's share shall not reflect a loss greater than 5 percent or a gain greater than 10 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: *Provided further*, That any grantee that received a formula allocation in fiscal year 2016 shall continue to be eligible for formula allocation in this fiscal year: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$3,000,000,000, to remain available until September 30, 2019, unless otherwise specified: *Provided*, That of the total amount provided, \$3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended ("the Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2017, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on

outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$950,000,000, to remain available until September 30, 2020: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisions 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the “Full-Year Continuing Appropriations Act, 2013”, shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled “Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards” which became effective on such date: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2019: *Provided*, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional \$4,000,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled or low-income veterans as authorized under section 1079 of Public Law 113-291.

HOMELESS ASSISTANCE GRANTS

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, \$2,330,000,000, to remain available until September 30, 2019: *Provided*, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: *Provided fur-*

ther, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: *Provided further*, That not less than \$2,013,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: *Provided further*, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the continuum of care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for continuum of care renewals in fiscal year 2017: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the emergency solutions grant program within 60 days of enactment of this Act: *Provided further*, That up to \$40,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 11 communities, including at least five rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

RENTAL ASSISTANCE DEMONSTRATION

For continuing activities under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law

112-55), \$4,000,000, to remain available until September 30, 2020: *Provided*, That such funds shall only be available to properties converting from assistance under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)).

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, \$10,501,000,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2016), and \$400,000,000, to remain available until expended, shall be available on October 1, 2017: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed \$235,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until

expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$505,000,000 to remain available until September 30, 2020: *Provided*, That of the amount provided under this heading, up to \$75,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$154,000,000, to remain available until September 30, 2020: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Sec-

retary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2018, 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/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$20,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,500,000, to remain available until expended, of which \$10,500,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2017 so as to result in a final fiscal year

2017 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2017 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2018: *Provided*, That during fiscal year 2017, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2018.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2018: *Provided*, That during fiscal year 2017, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(1), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2018: *Provided*, That \$23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2017, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, \$90,000,000, to remain available until September 30, 2018: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2018: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$135,000,000, to remain available until September 30, 2018, of which \$20,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poi-

soning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, \$55,000,000 shall be made available on a competitive basis for areas with the highest lead-based paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$273,000,000, of which \$250,000,000 shall remain available until September 30, 2018, and of which \$23,000,000 shall remain available until September 30, 2019: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$129,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
(INCLUDING TRANSFER OF FUNDS)
(INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2017 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and (2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use

amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2017 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by

section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2017 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2018, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2017 and 2018, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

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

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

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

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

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

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

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

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

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

(d) For purposes of this section—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition

and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 214. The funds made available for Native Alaskans under the heading “Indian Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2017, insure and enter into commitments to insure mortgages under such section 255.

SEC. 216. Notwithstanding any other provision of law, in fiscal year 2017, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 217. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 218. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset man-

agement requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 221. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2017 and hereafter, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2017 and hereafter, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 222. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 223. The Secretary is authorized to transfer up to 10 percent or \$4,000,000, whichever is less, of funds appropriated for any office under the heading “Administrative Support Offices” or for any account under the general heading “Program Office Salaries and Expenses” to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or \$4,000,000, whichever is less, without prior written approval of the House and Senate

Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or \$4,000,000, whichever is less.

SEC. 224. For fiscal year 2017 and hereafter the Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a “program of the Department of Housing and Urban Development” under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 225. (a) The Secretary shall take action under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

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

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

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

(b) CORRECTIONS OF DEFICIENCIES.—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

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

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

(B) impose civil money penalties;

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

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

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

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

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an in-

fusion of capital provided by a third-party that requires time to effectuate; or

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

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

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

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

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

SEC. 226. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2017.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking “fiscal year” and all that follows through the period at the end and inserting “fiscal year 2017.”; and

(2) in subsection (o), by striking “September” and all that follows through the period at the end and inserting “September 30, 2017.”.

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2017, including suspension from work.

SEC. 235. Funds made available in this title under the heading “Homeless Assistance Grants” may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2017: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 236. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015, 2016, and 2017 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipients CoC program.

SEC. 237. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs of the Office of Community Planning and Development associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs

for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: *Provided*, That the amounts transferred pursuant to this section that were previously designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 238. (a) Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822) is amended in subsection (e)—

(1) in paragraph (1)—

(i) by striking “handicapped” and inserting “persons with disabilities, or any 0-bedroom dwelling”;

(ii) by inserting “or” after “expected to reside”;

(iii) by striking “less than 7 years of age” and inserting “under age 6”;

(2) in paragraph (2) by striking “; or” and inserting “;”;

(3) by striking paragraph (3).

(b) Section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amended in paragraph (27)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities,”;

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing”.

(c) Section 401 of the Toxic Substances Control Act (15 U.S.C. 2681) is amended in paragraph (17)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities,”;

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing”.

SEC. 239. (a) CAPITAL FUND REPLACEMENT RESERVES.—Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended—

(1) in subsection (j), by adding at the end the following new paragraph:

“(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established pursuant to subsection (n).”;

(2) by adding at the end the following new subsection:

“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public housing agencies shall be permitted to establish a replacement reserve to fund any of the capital activities listed in subsection (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing agency may deposit funds from such agency’s Capital Fund into a replacement reserve, subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a replacement reserve funds originating from additional sources.

“(B) No minimum transfer of funds to a replacement reserve shall be required.

“(C) At any time, a public housing agency may not hold in a replacement reserve more than the amount the public housing author-

ity has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under this section, as outlined in its Capital Fund 5-Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish, by regulation, a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under this section or other factors.

“(3) TRANSFER OF OPERATING FUNDS.—In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

“(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes authorized by subsection (d)(1) and contained in its Capital Fund 5-Year Action Plan.

“(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.”.

(b) FLEXIBILITY OF OPERATING FUND AMOUNTS.—Paragraph (1) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g)(1) is amended—

(1) by striking “(1)” and all that follows through “Of” and inserting the following:

“(1) FLEXIBILITY IN USE OF FUNDS.—

“(A) FLEXIBILITY FOR CAPITAL FUND AMOUNTS.—Of”;

(2) by adding at the end the following new subparagraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2017 or any fiscal year thereafter that are allocated for fiscal year 2017 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan under section 5A for the agency provides for such use.”.

SEC. 240. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) is amended by striking “(B)” and all that follows up to the period and inserting the following:

“(B)(i) for a period not to exceed 36 months, otherwise eligible youths who have attained at least 18 years of age and not more than 24 years of age and who, at age 16 or older, have left or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless, or (ii) except that an applicant may extend the 36-month period, if the applicant enrolls an eligible youth in a program authorized under section 23, in accordance with the length of the contract of participation for that eligible youth under section 23(c)(3)”.

SEC. 241. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incentivize public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as “the Act”), to implement measures to reduce their energy and water consumption.

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating

funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency’s rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) FIRST YEAR UTILITY COST SAVINGS.—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency’s actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) USE OF UTILITY COST SAVINGS.—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) DURATION OF PLAN.—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) OTHER REQUIREMENTS.—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) TERMINATION.—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 242. Section 211 of the Department of Housing and Urban Development Appropriations Act, 2008, is repealed.

SEC. 243. (a) AUTHORITY.—To encourage families to move to lower-poverty areas and expand access to opportunity areas, the Secretary of Housing and Urban Development (hereafter referred to as “Secretary”) may implement a mobility demonstration to administer Housing Choice Voucher assistance under section 8(o) of the United States Housing Act of 1937 (hereafter referred to as “1937 Act”) (42 U.S.C. 1437f(o)) for fiscal year 2017 through fiscal year 2021.

(b) DEMONSTRATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary must establish the competitive selection criteria and requirements for participation in the demonstration. The Secretary may require participating PHAs to use a randomized selection process among the families eligible to receive mobility assistance under this demonstration.

(2) REGIONAL HOUSING MOBILITY PLAN.—Applicant PHAs must submit a Regional Housing Mobility Plan (hereafter referred to as “the Plan”).

(A) The Plan must meet all requirements established by the Secretary and must identify—

(i) the PHAs that will participate in the regional housing mobility program and the number of vouchers each participating PHA will make available out of its existing programs in support of the mobility demonstration;

(ii) any community-based organizations, nonprofit organizations, businesses, and other entities that commit to participate;

(iii) any waivers or alternative requirements requested for the execution of the Plan; and

(iv) specific actions that the PHAs and other entities will undertake to accomplish the goals of the demonstration, which must include a comprehensive approach to enable a successful transition to opportunity areas and may include counseling and continued support for families.

(B) The Plan may also establish preferences for participating families, including a preference for families with children, based on regional housing needs and priorities.

(C) The Plan may provide for the use of exception payment standards that do not exceed 110 percent of the HUD-published small area Fair Market Rent for the covered exception payment standard area.

(D) Units contributed by a PHA participating in a regional housing mobility program to a pool of vouchers that will be project-based within the jurisdiction of that program are exempt from the percentage limitation in section 8(o)(13)(B) of the 1937 Act.

(C) FUNDING FOR MOBILITY-RELATED SERVICES.—In order to provide mobility-related services, PHAs participating in this demonstration may use administrative fees under section 8(q) of the 1937 Act (42 U.S.C. 1437f(q)), their administrative fee reserves, and funding from private entities. Mobility-related services may include but are not limited to such things as counseling, portability coordination, landlord outreach, and administrative activities associated with establishing and operating a regional housing mobility program.

(d) WAIVERS OR ALTERNATIVE REQUIREMENTS.—

(1) In order to allow for PHAs to implement and administer their Plans, the Secretary may waive or specify alternative requirements for the following provisions of the 1937 Act:

(A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i) (related to the term of a family's assisted lease and associated mobility requirements).

(B) Section 8(o)(13)(C)(i) (related to the ability of a PHA participating in a regional housing mobility program to administer assistance contributed to the program consistent with the Plan identified in paragraph (2)).

(C) Section 8(o)(13)(F) (related to the term of a housing assistance payments (HAP) contract).

(D) Section 8(r)(2) (related to the ability of a PHA participating in a regional housing mobility program to administer assistance under section 8(o) anywhere within the jurisdiction of that program).

(E) Section 8(x)(2) (related to the length of time a PHA may provide assistance under section 8(o) to youth participating in the Family Unification Program (FUP)).

(2) The Secretary must publish by notice in the Federal Register any waivers or alternative requirements for statutory provisions no later than 10 days before the effective date of such notice.

(e) IMPLEMENTATION BY NOTICE.—The Secretary may implement the demonstration, including its terms, procedures, requirements, and conditions, by notice.

(f) EVALUATION.—No later than five years following implementation of the regional housing mobility programs, the Secretary

must publish an evaluation of the effectiveness of the demonstration, subject to the availability of funding to conduct the evaluation.

SEC. 244. The language under the heading Rental Assistance Demonstration in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), is amended—

(1) in the undesignated paragraph before the first proviso, by inserting the following before the colon: “(‘First Component’ herein)”;

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

(3) in the fourth proviso, by striking “185,000” and inserting “250,000”;

(4) in the fourteenth, by—

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

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

(5) by amending the eighteenth proviso to read as follows—

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

(6) by inserting the following proviso before the nineteenth: “*Provided further*, That conversions of assistance under the Second Component may not be the basis for re-screening or termination of assistance or eviction of any tenant family in a property participating in the demonstration.”;

(7) in the twentieth, as amended (reordered) above, by striking “previous proviso” and all that follows through the end of the proviso and inserting “Second Component, except for conversion of Section 202 project rental assistance contracts, shall be available for project-based subsidy contracts entered into pursuant to the Second Component.”;

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

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

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

(11) in the twenty-fourth proviso, as amended (reordered) above, by striking “previous four provisos” and inserting “Second Component, as applicable.”.

SEC. 245. The Secretary shall establish by notice such requirements as may be necessary to implement section 78001 of title LXXVIII of the Fixing America’s Surface Transportation Act (Public Law 114–94), and the notice shall take effect upon issuance: *Provided*, That the Secretary shall commence rulemaking based on the initial notice no later than the expiration of the 6-month period following issuance of the notice and the rulemaking shall allow for the opportunity for public comment.

SEC. 246. For fiscal year 2017 and hereafter, the Secretary of Housing and Urban Development may use amounts made available for the continuum of care program under the “Homeless Assistance Grants” heading under this title to renew the grant originally awarded under the heading “Department of Housing and Urban Development—Permanent Supportive Housing” in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2351) in the continuum of care program, authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.). Notwithstanding any provision of law, for purposes of grant application and renewal, the State of Louisiana may continue to permit a program participant to receive or retain tenant-based rental assistance outside the continuum of care’s geographic area, and the funding of such assistance shall not be considered operation of a continuum of care in more than one geographic area.

SEC. 247. Section 428 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11386b) is amended by adding at the end of the section, subsection (f) to read as follows:

“(f) TRANSITION FOR REALLOCATED GRANT.—

“(1) From amounts under this subtitle made available to carry out subtitle B and this subtitle, the Secretary may award one-year transition grants to recipients to transition from one Continuum of Care program component to another.

“(2) In order to be eligible to receive a transition grant, the project must have the consent of the Continuum of Care, and meet standards determined by the Secretary.”.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2017”.

TITLE III RELATED AGENCIES ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended,

\$8,190,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION
OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

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

NATIONAL TRANSPORTATION SAFETY BOARD
SALARIES AND EXPENSES

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

NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD
REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), \$135,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS
OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,600,000: *Provided*, That title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking “October 1, 2017” in section 209 and inserting “October 1, 2018” and in section 204(a) by striking “level V” and inserting “level IV”.

SURFACE TRANSPORTATION BOARD
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$37,000,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced by a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2017, to result in a final appropriation from the general fund estimated at no more than \$35,750,000.

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 the Act may be obligated or expended for any employee training that—

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

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

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

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

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2017, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

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

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

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

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

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

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2017 from appropriations made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects

which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

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

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

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

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

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

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*,

That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

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

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

This Act may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017".

DIVISION B—MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$532,359,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,087,572,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,579,798,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,038,980,000, to remain available until September 30, 2021: *Provided*, That such amounts of this appropriation as may

be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$232,930,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$143,957,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$68,230,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$38,597,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$188,950,000, to remain available until September 30, 2021.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$177,932,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$205,237,000, to remain available until expended.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$325,995,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$300,915,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$274,429,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$59,157,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING
IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$3,258,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$200,735,000, to remain available until September 30, 2021.

FAMILY HOUSING CONSTRUCTION, NAVY AND
MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$94,011,000, to remain available until September 30, 2021.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$61,352,000, to remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of

land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being com-

pleted with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be

submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 123. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 124. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2021:

"Military Construction, Army", \$40,500,000;
 "Military Construction, Navy and Marine Corps", \$143,000,000;
 "Military Construction, Air Force", \$195,465,000;
 "Military Construction, Defense-Wide", \$64,364,000;
 "Military Construction, Army National Guard", \$16,500,000;
 "Military Construction, Air National Guard", \$11,000,000;
 "Military Construction, Army Reserve", \$30,000,000;
 "Family Housing Construction, Army", \$14,400,000;

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2017 submitted to Congress: *Provided further*, That such funds are subject to authorization

prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

"Military Construction, Army", \$30,000,000;
 "Military Construction, Air Force", \$22,340,000;
 "Military Construction, Defense-Wide", \$132,283,000; and
 "North Atlantic Treaty Organization Security Investment Program", \$15,000,000;

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 127. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress ("the Committees") a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term "United States" in this section does not include any territory or possession of the United States.

SEC. 128. None of the funds made available by this Act may be used to carry out the closure or transfer of the United States Naval Station, Guantánamo Bay, Cuba.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$90,119,449,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That not to exceed \$17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Adminis-

tration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$13,708,648,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$124,504,000, to remain available until expended, of which \$107,899,000 shall become available on October 1, 2017.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2017, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$198,856,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$36,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,517,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$389,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,163,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas

employee mail, \$2,856,160,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2018.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,078,993,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, \$44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$1,400,000,000 shall remain available until September 30, 2019: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$7,246,181,000, plus reimbursements, of which \$2,000,000,000 shall remain available until September 30, 2020; and, in addition, \$9,409,118,000 shall become available on October 1, 2017, and shall remain

available until September 30, 2018: *Provided*, That of the amount made available on October 1, 2017, \$1,500,000,000 shall remain available until September 30, 2021.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$100,000,000 shall remain available until September 30, 2019.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$495,100,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, \$5,434,880,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$250,000,000 shall remain available until September 30, 2019.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$675,366,000, plus reimbursements, shall remain available until September 30, 2018: *Provided*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$286,193,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide cap-

ital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$417,959,000, of which not to exceed 5 percent shall remain available until September 30, 2018: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2018: *Provided*, That up to \$2,500,000 may be available to facilitate the furnishing of legal and other assistance, without charge, to veterans and other individuals who are unable to afford the cost of legal representation in connection with a decision by the Board of Veterans Appeals under chapter 71 of title 38, United States Code, in accordance with the process and reporting procedures set forth in Public Law 102-229 under the heading "Salaries and Expenses" under the heading "Court of Veterans Appeals": *Provided further*, That the Board of Veterans Appeals submits to the Committees on Appropriations of both Houses of Congress a certification that there is a substantial unmet need for pro bono representation before the Board of Veterans Appeals prior to expending funds for this purpose.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,278,259,000, plus reimbursements: *Provided*, That \$1,272,548,000 shall be for pay and associated costs, of which not to exceed \$37,100,000 shall remain available until September 30, 2018: *Provided further*, That \$2,534,442,000 shall be for operations and maintenance, of which not to exceed \$180,200,000 shall remain available until September 30, 2018: *Provided further*, That \$471,269,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined

projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: *Provided further*, That of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution or any successor program, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs:

(1) Certifies in writing to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has met the requirements contained in the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113-66) which require that electronic health record systems of the Department of Defense and the Department of Veterans Affairs have reached interoperability, comply with national standards and architectural requirements identified by the DoD/VA Interagency Program Office in collaboration with the Office of National Coordinator for Health Information Technology;

(2) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs;

(3) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor program, and the associated implementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System to a new project delivery framework, the Veteran-focused Integration Process, that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated;

(4) submits to the Committees on Appropriations of both Houses of Congress a report outlining the strategic plan to reach interoperability with private sector healthcare providers, the timeline for reaching “meaningful use” as defined by the Office of National Coordinator for Health Information Technology for each data domain covered under the VistA Evolution program, and the extent to which the Department of Veterans Affairs leverages the State Health Information Exchanges to share health data with private sector providers; and

(5) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes the extent to which VistA Evolution, or any successor program, maximizes the use of commercially available software used by DoD and the private sector, requires an open architecture that leverages best practices and rapidly adapts to technologies produced by the private sector, enhances full interoperability between the VA and DoD and between VA and the private sector, and ensures the security of personally identifiable information of veterans and beneficiaries:

Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$160,106,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$528,110,000, of which \$448,110,000 shall remain available until September 30, 2021, and of which \$80,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: *Provided further*, That funds made available under this heading for fiscal year 2017, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2017; and (2) by the awarding of a construction contract by September 30, 2018: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That, of the amount made available under this heading, \$222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs

Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114-58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$372,069,000, to remain available until September 30, 2021, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2017 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: *Provided*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2016.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2017, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government

Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2017 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2017 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management and \$3,532,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliarys, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Service Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost vs. benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used

to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: *Provided*, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 214. Amounts made available under “Medical Services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the “Medical Services” and “Medical Community Care” accounts, to remain available until expended for the purposes of these accounts.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, Major Projects” and “Construction, Minor Projects” accounts, to

remain available until expended for the purposes of these accounts.

(RESCISSION OF FUNDS)

SEC. 218. Of the amounts appropriated in title II of division J of Public Law 114-113 under the heading “Medical Services” which become available on October 1, 2016, \$7,246,181,000 are hereby rescinded.

SEC. 219. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: *Provided*, That, at a minimum, the report shall include the direction contained in the explanatory statement described in section 4 in the matter preceding division A of the Consolidated Appropriations Act, 2016 Public Law 114-113 in title II of Division J of the consolidated Act in the paragraph entitled “Quarterly Report”, under the heading “General Administration”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2017 may be transferred to or from the “Information Technology Systems” account: *Provided*, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: *Provided further*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of title II of division J of Public Law 114-113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs which

become available on October 1, 2017, for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$280,802,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 226. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 227. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 229. The Secretary of Veterans Affairs shall submit to the Committees on Appropria-

tions of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days, disaggregated by initial and supplemental claims; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Provided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 230. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for “Medical Support and Compliance” a maximum of \$40,000,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 231. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

(INCLUDING TRANSFER OF FUNDS)

SEC. 232. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(RESCISSION OF FUNDS)

SEC. 233. Of the unobligated balances available within the “DOD-VA Health Care Sharing Incentive Fund”, \$52,000,000 are hereby rescinded.

SEC. 234. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 235. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 236. Paragraph (3) of section 403(a) of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) is amended to read as follows:

“(3) DURATION.—A veteran may receive health services under this section during the period beginning on the date specified in paragraph (2) and ending on September 30, 2018.”.

SEC. 237. (a) Section 1722A(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose.”.

(b) Section 1710(g)(3) of such title is amended—

(1) by striking “with respect to home health services” and inserting “with respect to the following:”

“(A) Home health services”; and

(2) by adding at the end the following new subparagraph:

“(B) Education on the use of opioid antagonists to reverse the effects of overdoses of specific medications or substances.”

SEC. 238. Section 312 of title 38, United States Code, is amended in subsection(c)(1) by striking the phrase “that makes a recommendation or otherwise suggests corrective action.”

SEC. 239. The Department of Veterans Affairs is authorized to administer financial assistance grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.

SEC. 240. The Department of Veterans Affairs shall seek to enter into an agreement with the National Academy of Medicine for an assessment on research relating to the descendants of individuals with toxic exposure and to evaluate the feasibility of a research entity or entities to conduct research relating to health conditions of descendants of veterans with toxic exposure while serving in the Armed Forces.

SEC. 241. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2017 and fiscal year 2018 for “Medical Services”, \$3,000,000 in each year for carrying out and expanding to each medical center of the Department the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 242. Section 5701(l) of title 38, United States Code, is amended by striking “may” and inserting “shall”.

SEC. 243. (a) The Secretary of Veterans Affairs shall, as part of the hiring process for each health care provider considered for a position at the Department of Veterans Affairs after the date of the enactment of this Act, require from the medical board of each State in which the health care provider holds or has held a medical license—

(1) information on any violation of the requirements of the medical license of the health care provider; and

(2) information on whether the health care provider has entered into any settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider.

(b) The Secretary shall prescribe regulations to carry out this section.

SEC. 244. (a) Notwithstanding section 552a of title 5, United States Code, the Secretary of Veterans Affairs shall, with respect to each health care provider of the Department of Veterans Affairs that has violated a requirement of their medical license, provide to the medical board of each State in which the health care provider is licensed or practices all relevant information contained in the State Licensing Board Reporting File or any successor file of the Department with respect to such violation.

(b) The Secretary shall provide the information required in subsection (a) to a medical board described in such subsection notwithstanding that such board may not have formally requested such information from the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 245. Upon determination by the Secretary of Veterans Affairs that such action is necessary for providing health care, benefits and other services, the Secretary may transfer amounts made available to the Depart-

ment of Veterans Affairs for fiscal year 2017 by this Act between any discretionary appropriations accounts for fiscal year 2017: *Provided*, That amounts so transferred shall be merged with the account to which transferred: *Provided further*, That the total amount that the Secretary may transfer under this section may not exceed two percent of the total discretionary appropriations made available to the Department for fiscal year 2017 by this Act: *Provided further*, That a transfer of funds between the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts shall not be counted toward the two percent limitation in the previous proviso: *Provided further*, That the transfer authority provided by this section may be exercised only to support activities in an appropriations account that have a higher priority than those undertaken in the appropriations account from which budget authority is transferred, as determined by the Secretary: *Provided further*, That such transfer authority may not be used to provide budget authority for an activity that the Secretary lacks the authority to carry out: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

VA PATIENT PROTECTION ACT OF 2016

SEC. 246. (a) PROCEDURE AND ADMINISTRATION.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“§ 731. Whistleblower complaint defined

“In this subchapter, the term ‘whistleblower complaint’ means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“§ 732. Treatment of whistleblower complaints

“(a) FILING.—(1) In addition to any other method established by law in which an employee may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

“(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

“(b) NOTIFICATION.—(1)(A) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“(B) The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor and the central whistleblower office described in subsection (h) a written report on the complaint.

“(2)(A) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c).

“(B) In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official and to the central whistleblower office described in subsection (h).

“(c) POSITIVE DETERMINATION.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

“(d) FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-level supervisor who shall treat such complaint in accordance with this section.

“(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

“(3) A circumstance described in this paragraph is any of the following circumstances:

“(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

“(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

“(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

“(e) TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

“(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

“(2) give preference to the employee for such a transfer in accordance with such section.

“(f) PROHIBITION ON EXEMPTION.—The Secretary may not exempt any employee of the Department from being covered by this section.

“(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

“(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

“(A) An explanation of the purpose of the whistleblower complaint form.

“(B) Instructions for filing a whistleblower complaint as described in this section.

“(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

“(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 735(d).

“(E) Fields for the employee to provide—
 “(i) the date that the form is submitted;
 “(ii) the name of the employee;
 “(iii) the contact information of the employee;
 “(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and
 “(v) proposed solutions to the complaint.

“(F) Any other information or fields that the Secretary determines appropriate.

“(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

“(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The Secretary shall ensure that the central whistleblower office—

“(A) is not an element of the Office of the General Counsel;

“(B) is not headed by an official who reports to the General Counsel;

“(C) does not provide, or receive from, the General Counsel any information regarding a whistleblower complaint except pursuant to an action regarding the complaint before an administrative body or court; and
 “(D) does not provide advice to the General Counsel.

“(2) The central whistleblower office shall be responsible for investigating all whistleblower complaints of the Department, regardless of whether such complaints are made by or against an employee who is not a member of the Senior Executive Service.

“(3) The Secretary shall ensure that the central whistleblower office maintains a toll-free hotline to anonymously receive whistleblower complaints.

“(4) The Secretary shall ensure that the central whistleblower office has such staff and resources as the Secretary considers necessary to carry out the functions of the central whistleblower office.

“(5) In this subsection, the term ‘central whistleblower office’ means the Office of Accountability Review or a successor office that is established or designated by the Secretary to investigate whistleblower complaints filed under this section or any other method established by law.

“§ 733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints

“(a) IN GENERAL.—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against supervisory employees (as defined in section 7103(a) of title 5) whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

“(A) With respect to the first offense, an adverse action that is not less than a 12-day suspension and not more than removal.

“(B) With respect to the second offense, removal.

“(2)(A) An employee against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B)(i) An employee who is notified under subparagraph (A) of being the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) If the employee does not furnish any such evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the determination

to propose the adverse action, the Secretary shall carry out the adverse action following such 14-day period.

“(C) Paragraphs (1) and (2) of subsection (b) of section 7513 of title 5, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543 of such title, and subsection (c) of such section shall not apply with respect to an adverse action carried out under paragraph (1).

“(b) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

“(c) PROHIBITED PERSONNEL ACTION DESCRIBED.—A prohibited personnel action described in this subsection is any of the following actions:

“(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

“(A) filing a whistleblower complaint in accordance with section 732 of this title;

“(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

“(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 732 or with the Inspector General of the Department, the Special Counsel, or Congress;

“(D) participating in an audit or investigation by the Comptroller General of the United States;

“(E) refusing to perform an action that is unlawful or prohibited by the Department; or

“(F) engaging in communications that are related to the duties of the position or are otherwise protected.

“(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

“(3) Conducting a negative peer review or opening a retaliatory investigation because of an activity of an employee that is protected by section 2302 of title 5.

“(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

“§ 734. Evaluation criteria of supervisors and treatment of bonuses

“(a) EVALUATION CRITERIA.—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

“(2) The criteria described in this subsection are the following:

“(A) Whether the supervisor treats whistleblower complaints in accordance with section 732 of this title.

“(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 733(b) of this title by an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

“(b) BONUSES.—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title

or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

“(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

“(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

“(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

“(C) the supervisor is afforded notice and an opportunity for a hearing before making such repayment.

“§ 735. Training regarding whistleblower complaints

“(a) TRAINING.—Not less frequently than once each year, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower complaints, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

“(2) an explanation of prohibited personnel actions described by section 733(c) of this title;

“(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 732 of this title;

“(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

“(5) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once each year, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

“(2) The Secretary shall publish on the Internet website of the Department, the

whistleblower complaint form described in section 732(g)(2).

“§ 736. Reports to Congress

“(a) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary shall submit to the appropriate committees of Congress a report that includes—

“(1) with respect to whistleblower complaints filed under section 732 of this title during the year covered by the report—

“(A) the number of such complaints filed; and
“(B) the disposition of such complaints;

“(C) the ways in which the Secretary addressed such complaints in which a positive determination was made by a supervisor under subsection (b)(1) of such section;

“(2) the number of whistleblower complaints filed during the year covered by the report that are not included under paragraph (1), including—

“(A) the method in which such complaints were filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints; and

“(3) with respect to disclosures made by a contractor under section 4705 or 4712 of title 41—

“(A) the number of complaints relating to such disclosures that were investigated by the Inspector General of the Department of Veterans Affairs during the year covered by the report;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints.

“(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DETERMINATIONS.—Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the appropriate committees of Congress of such information, including the determination made by the Special Counsel.

“(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”

(2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”.

(B) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(i) by inserting before the item relating to section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

and

(ii) by adding at the end the following new items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“731. Whistleblower complaint defined.

“732. Treatment of whistleblower complaints.

“733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“734. Evaluation criteria of supervisors and treatment of bonuses.

“735. Training regarding whistleblower complaints.

“736. Reports to Congress.”

(b) TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.—

(1) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, as designated by section 2(a)(2)(A), is amended by adding at the end the following new section:

“§ 715. Congressional testimony by employees: treatment as official duty

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 2(a)(2)(B), is further amended by inserting after the item relating to section 713 the following new item:

“715. Congressional testimony by employees: treatment as official duty.”

SEC. 247. (a) Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account, for fiscal year 2017, not less than \$18,000,000, and for fiscal year 2018, not less than \$70,000,000, shall be used for the provision of fertility treatment and counseling, including treatment using assisted reproductive technology, to veterans and their spouses if the veteran has a service-connected condition that results in the veteran being unable to procreate without the use of such fertility treatment.

(b) In this section, the term “service-connected condition” means a condition that was incurred or aggravated in line of duty in the active military, naval, or air service (as defined in section 101 of title 38, United States Code).

SEC. 248. None of the amounts appropriated or otherwise made available by title II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code): *Provided*, That the Secretary may waive this prohibition with respect to the use of the Home Marketing Incentive Program and Appraisal Value Offer Program to recruit for a position for which recruitment or retention of qualified personnel is likely to be difficult in the absence of the use of these incentives: *Provided further*, That within 15 days of a determination by the Secretary to waive this prohibition, the Secretary shall submit written notification thereof to the Committees on Appropriations of both Houses of Congress containing the reasons and identifying the position title for which the waiver has been issued.

SEC. 249. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a medicinal marijuana program approved by a State;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

SEC. 250. (a) IN GENERAL.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (c)(1), the Secretary of Defense shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record is available, the Secretary of Defense shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary of Defense shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(b) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Defense pursuant to subsection (a)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(c) BENEFITS ALLOWED.—

(1) MEDALS, RIBBONS, AND DECORATIONS.—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(2) STATUS OF VETERAN.—An individual whose service is recognized as active duty pursuant to subsection (a) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

TITLE III

RELATED AGENCIES

**AMERICAN BATTLE MONUMENTS COMMISSION
SALARIES AND EXPENSES**

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition

of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000 to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,945,100: *Provided*, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,800,000 of which not to exceed \$28,000,000 shall remain available until September 30, 2019. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until

expended to support activities at the Army National Military Cemeteries.

TITLE IV GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 406. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 407. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 408. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This Act may be cited as the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017".

SA 3897. Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. None of the funds made available by this Act may be used to carry out the final rule of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or to carry out the notice of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing Assessment Tool" (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3898. Mr. MCCONNELL (for Mr. NELSON (for himself and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in Division B, insert the following:

TITLE _____ DEPARTMENT OF HEALTH AND HUMAN SERVICES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$10,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, and to develop necessary medical countermeasures and vaccines, including the review, regulation, and post market surveillance of vaccines and therapies, and administrative activities: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “CDC-Wide Activities and Program Support”, \$743,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the Public Health Service (“PHS”) Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall apply to the use of funds appropriated in this paragraph as determined by the Director of the Centers for Disease Control and Prevention (“CDC”) to be appropriate: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated in this paragraph may be used for acquisition of real property (including long-term ground leases) and equipment, and construction, demolition, or renovation of facilities, including construction on leased land: *Provided further*, That funds appropriated in this paragraph may be transferred by the Director of CDC to other accounts of the CDC for the purposes provided in this paragraph: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for “National Institute of Allergy and Infectious Diseases”, \$277,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such funds may be transferred by the Director of the National Institutes of Health (“NIH”) to other accounts of the NIH for the purposes provided in this paragraph: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part

of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

OFFICE OF THE SECRETARY
PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund”, \$233,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for carrying out title III of the PHS Act and title V of the Social Security Act to provide health care and related services in areas affected by Zika virus: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds appropriated in this paragraph may be transferred to the fund authorized by section 319F-4 of the PHS Act: *Provided further*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus, other vector-borne diseases, or other infectious diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That funds may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That funds may be used for the alteration or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated in this paragraph may be transferred to other appropriations of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this paragraph: *Provided further*, That any transfers of these funds shall be made in consultation with the Office of Management and Budget: *Provided further*, That the transfer authority provided in this paragraph is in addition to

any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

GENERAL PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

SEC. ____01. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this Act—

(1) to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries; and

(2) to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

SEC. ____02. Section 3304 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(g) The heads of the Department of Health and Human Services, Department of State, and the Agency for International Development may appoint, without regard to the provisions of sections 3309 through 3319, candidates needed for positions to perform critical work in direct response to a public health threat requiring an immediate response for which—

“(1) public notice has been given; and
“(2) the Secretary of Health and Human Services has determined that such a public health threat exists.”

SEC. ____03. Funds appropriated by this Act may be used to reimburse accounts administered by the Department of Health and Human Services for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

SEC. ____04. Funds appropriated to the Department of Health and Human Services in this Act may be transferred to and merged with other Federal accounts for purposes specified in this Act following consultation with the Office of Management and Budget: *Provided*, That such transfer authority shall be in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation.

SEC. ____05. Section 319F-2(c)(1)(B) of the Public Health Service Act (42 U.S.C. 247d-6b(c)(1)(B)) is amended—

(1) in clause (i)(III)(bb), by striking “; or” and inserting a semicolon;

(2) in clause (ii), by striking the period and inserting “; or”; and

(3) by adding at the end the following new clause:

“(iii)(I) the Secretary determines to be a necessary countermeasure to diagnose, mitigate, prevent, or treat harm from any infectious disease that may pose a threat to the public health; and

“(II)(aa) is approved or cleared under chapter V of the Federal Food, Drug, and Cosmetic Act, or licensed under section 351 of this Act; or

“(bb) is a countermeasure for which the Secretary determines that sufficient and satisfactory clinical experience or research data (including data, if available, from pre-clinical and clinical trials) support a reasonable conclusion that the countermeasure will qualify for approval or licensing within 10 years after the date of a determination under subclause (I).”.

SEC. ____ 06. (a) The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to territories of the United States for the purpose of combating the Zika virus.

(b) To be eligible to receive a grant under this section, a territory shall submit to the Secretary a plan describing how the territory will use the grant funds. Within 30 days of receiving such a plan, the Secretary shall—

(1) approve any such plan that includes efforts for combating the Zika virus through education, prevention, testing, screening, treatment, services, or evaluation efforts; or

(2) disapprove any such plan that contains extraneous efforts not related to combating the Zika virus.

(c) To carry out this section, there are authorized to be appropriated, and there are appropriated, \$250,000,000 for fiscal year 2016. Any unobligated funds available on October 1, 2018, shall be returned to the general fund of the Treasury.

(d) For purposes of this section, the term “territory” means Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.

(e) Amounts made available to carry out this section shall be designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

TITLE ____

DEPARTMENT OF STATE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$2,419,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Services”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support the response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for “Global Health Programs”, \$325,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That funds appropriated under this heading may be made available for multi-year funding commitments to incentivize the development of global health technologies: *Provided further*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

INTERNATIONAL SECURITY ASSISTANCE DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINEING AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, \$8,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

GENERAL PROVISIONS

TRANSFER AUTHORITY

SEC. ____ 01. (a) Funds appropriated by this title under the headings “Global Health Programs”, “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(b) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

REIMBURSEMENT AUTHORITY

SEC. ____ 02. Funds appropriated by this Act may be used to reimburse accounts administered by the United States Agency for International Development and the Department of State for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS

SEC. ____ 03. Section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PERSONAL SERVICE CONTRACTORS

SEC. ____ 04. Funds available in this Act to support response efforts related to the Zika virus and related health outcomes, other

vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)) in the United States or abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

SA 3899. Mr. McCONNELL (for Mr. CORNYN (for himself, Mr. JOHNSON, and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of Division B, insert the following:

DIVISION —ZIKA FUNDING

TITLE I

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

HEALTH RESOURCES AND SERVICES

ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for “Primary Health Care”, \$40,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act, including outreach, education, and screening in Puerto Rico and other territories: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be used for providing primary health services in areas affected by Zika virus or other vector-borne diseases, for assigning National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and for making NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for “Maternal and Child Health”, \$5,000,000 to remain avail-

able until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, nec-

essary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus shall, in this and subsequent fiscal years, be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this title to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. 102. Funds appropriated by this title may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. 103. Funds appropriated in this title may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this title following consultation with the Office of Management and

Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this title may be transferred pursuant to the authority in section 206 of division G of Public Law 113-325 or section 241(a) of the PHS Act.

SEC. 104. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

TITLE II

DEPARTMENT OF STATE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Services”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support the response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT GLOBAL HEALTH PROGRAMS

For an additional amount for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this title may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINE AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, \$4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated in this Act: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE (INCLUDING TRANSFER OF FUNDS)

SEC. 201. (a) Funds appropriated by this title under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(b) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not

necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. 202. Funds appropriated by this title that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. 203. Not later than 45 days after the date of enactment of this Act and prior to the obligation of funds made available by this title to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. 204. Of the funds appropriated by this title, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this title with funds appropriated by this title: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. 205. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

SEC. 301. Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) MOSQUITO CONTROL WAIVER.—Notwithstanding any other provision of this section, the Administrator (or a State, in the case of a permit program approved under subsection (b)) shall not require a permit for a discharge from the application by an entity authorized under State or local law, such as a vector control district, of a pesticide in compliance with all relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) to control mosquitos or mosquito larvae to protect the public health and welfare, including for the prevention or control of the Zika virus, West Nile virus, or dengue fever. The Administrator shall not directly or indirectly require any State to require such a permit.”.

TITLE IV

GENERAL PROVISIONS—THIS ACT

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. 401. Unless otherwise provided for by this division, the additional amounts appropriated pursuant to this division for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. 402. Funds made available by this division to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. 403. Each amount designated in this division by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to Congress.

RESCISSION

SEC. 404. From amounts appropriated for the Prevention and Public Health Fund under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11)—

(1) for fiscal year 2017, \$1,000,000,000 shall be rescinded on the date on which such amounts are available for obligation; and

(2) for fiscal year 2018, \$200,000,000 shall be rescinded on the date on which such amounts are available for obligation.

SHORT TITLE

SEC. 405. This division may be cited as the “Emergency Supplemental Appropriations for Zika Response and Preparedness Act, 2016”.

SA 3900. Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division B, insert the following:

TITLE

ZIKA RESPONSE AND PREPAREDNESS
CHAPTER 1DEPARTMENT OF HEALTH AND HUMAN
SERVICESHEALTH RESOURCES AND SERVICES
ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for “Primary Health Care”, \$40,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and

internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for “Maternal and Child Health”, \$5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND
PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Pro-*

vided further, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND
INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is

designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)

SEC. _____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. _____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. _____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113-325 or section 241(a) of the PHS Act.

SEC. _____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

CHAPTER 2
DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency

for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Service”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM,
DEMING AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for “Nonproliferation, Anti-terrorism,

Demining and Related Programs”, \$4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017 for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. _____. (a) Funds appropriated by this chapter under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. _____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. _____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the

USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. _____. Of the funds appropriated by this chapter, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. _____. Of the unobligated balances available under the heading "Operating Expenses" in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. _____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. _____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. _____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. _____. This title shall become effective immediately upon enactment of this Act.

SA 3901. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and

Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, line 14, strike "2018" and insert "2019,".

SA 3902. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Division B, add the following:

EXTENSION OF VETERANS CHOICE PROGRAM

SEC. 251. (a) IN GENERAL.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking "3 years" and inserting "6 years"; and

(2) in section 802(d)(1), by striking "\$10,000,000,000" and inserting "\$17,500,000,000".

(b) EMERGENCY DESIGNATIONS.—(1) Subsection (a) is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) In the Senate, subsection (a) is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3903. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, after line 21, add the following:

SEC. 119J. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) In the report required by subsection (a), the Comptroller General shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of

this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

SA 3904. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division B, insert the following:

REPROGRAMMING OF FUNDS

SEC. _____. (a) IN GENERAL.—Notwithstanding any other provision of law, not to exceed \$1,100,000,000 of the unobligated balances of amounts made available to the Department of State, the United States Agency for International Development, and the Department of Health and Human Services for fiscal year 2015, or any fiscal year before fiscal year 2015, that remain available for obligation may be transferred or reprogrammed by the head of the applicable agency for use to prevent, prepare for, or respond to the Zika virus.

(b) NOTIFICATION AND CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Not later than 15 days prior to the transfer or reprogramming of funds made available pursuant to subsection (a) or section 7058(c) of the Consolidated Appropriations Act, 2016 (Public Law 114-113)—

(A) the Director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming made pursuant to subsection (a) shall not result in an increase in outlays over the period of fiscal years 2016 through 2021; and

(B) the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees a multi-year spending plan that specifies the proposed uses of such funds.

(2) SPENDING PLAN.—The spending plan submitted under paragraph (1)(B) shall include—

(A) the objectives, indicators to measure progress, and a timeline to implement a successful strategy to respond to the Zika virus;

(B) the amounts intended to be transferred or reprogrammed pursuant to this Act, that are made available from prior Acts making appropriations for—

(i) the Department of State, foreign operations, and related programs to support such strategy; and

(ii) the Department of Labor, Health and Human Services, Education, and related agencies;

(C) a description of how any foreign assistance planned to be transferred or reprogrammed pursuant to subsection (a) will differ from, complement, and leverage funds allocated by—

(i) each government for countries in which the United States will use funds authorized by this Act; and

(ii) other governmental, nongovernmental, and intergovernmental donors; and

(D) a description of—

(i) the resources each government described in subparagraph (C)(i) possess to prevent, prepare for, and respond to the Zika virus; and

(ii) the political will of each government described in subparagraph (C)(i) to use the resources described in clause (i).

(c) FOLLOW UP REPORT.—Not later than November 30, 2017, the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees, a report that contains a full accounting, on a program level, of funds transferred or reprogrammed pursuant to subsection (a). Such report shall, to the greatest extent practicable, contain a comparison of the full accounting contained in the report to the original spending plan described in subsection (b)(2).

(d) LIMITATION ON AUTHORITY.—The authority provided in the section to reprogram and expend funds shall terminate on September 30, 2017.

(e) DEFINITION.—In this section, the term “appropriate Congressional committees” means the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Government Reform of the House of Representatives.

SA 3905. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

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

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

(3) any other Federal or State offense involving—

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

(B) child pornography, as defined in section 2256 of title 18, United States Code.

SA 3906. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. **NO BUDGET, NO PAY.**

(a) **SHORT TITLE.**—This section may be cited as the “No Budget, No Pay Act”.

(b) **DEFINITION.**—In this section, the term “Member of Congress”—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) **TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(d) **NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e).

(2) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e), at any time after the end of that period.

(e) **DETERMINATIONS.**—

(1) **SENATE.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under clause (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Senators may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) **HOUSE OF REPRESENTATIVES.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clauses (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) **EFFECTIVE DATE.**—This section shall take effect on February 1, 2017.

SA 3907. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, strike lines 3 through 11 and insert the following:

SEC. 120. (a) For fiscal year 2017, the Secretary of Transportation shall—

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

(A) administrative expenses and programs by section 104(a) of title 23, United States Code;

(B) the Bureau of Transportation Statistics; and

(C) the programs under sections 203 and 204 of title 23, United States Code;

On page 37, between lines 8 and 9, insert the following:

(f) **ADDITIONAL FUNDS FOR NATIONAL PARK SERVICE.**—

(1) **IN GENERAL.**—

(A) **RESERVATION OF FUNDS.**—Not later than 30 days after the date of distribution of the obligation limitation under subsection (a), the Secretary shall reserve for the use of the National Park Service any funds that—

(i) are authorized to be appropriated for the fiscal year for the programs under sections 203 and 204 of title 23, United States Code; and

(ii) but for subsection (a)(1)(C), the Secretary would have distributed to the States under subsection (e).

(B) **AVAILABILITY OF FUNDS.**—Funds reserved under subparagraph (A) shall be available for any purpose described in section 203 of title 23, United States Code.

(2) **OBLIGATION LIMITATION.**—Of the obligation limitation that the Secretary reserves under subsection (a)(1)(C), the Secretary shall make available for use with the funds under paragraph (1) an amount of obligation limitation equal to the amount of funds reserved under that paragraph.

(3) **OTHER FUNDS AND OBLIGATION LIMITATION.**—Any funds reserved under paragraph (1), and any obligation limitation made available under paragraph (2), shall be in addition to funds or an obligation limitation otherwise made available to the National Park Service under section 203 or 204 of title 23, United States Code.

SA 3908. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other

purposes; which was ordered to lie on the table; as follows:

On page 15, line 25, strike “airport” and insert the following: “airport: *Provided further*, That an amount not to exceed \$2,000,000 shall be available for use to revise existing third class medical certification regulations such that a general aviation pilot is authorized to operate an aircraft authorized under Federal law to carry not more than 6 occupants and with a maximum certificated takeoff weight of not more than 6,000 pounds if the pilot has held a third class medical certificate issued by the Federal Aviation Administration in the preceding 10 years, has completed an on-line medical education course in the preceding 2 years, has received a medical examination by a State-licensed physician in the preceding 4 years, and is under the care and treatment of a physician as directed”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., to conduct a hearing entitled “Examining America’s Role in the World.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on May 12, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 12, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2016, at 9 a.m., to conduct a hearing entitled, “Examining Due Process in Administrative Hearings.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MARKEY. Mr. President, I ask unanimous consent that the following congressional fellows in my office be given floor privileges for the remainder of this session: Elyssa Hesky, Jeanette Roberts, Karen Paczkowski, Alec Bogdanoff, Angela Cervetti and Hugh O’Donnell.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNING THE TERRORIST ATTACKS IN BRUSSELS AND HONORING THE MEMORY OF THE UNITED STATES CITIZENS MURDERED IN THOSE ATTACKS

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 452, S. Res. 442.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 442) condemning the terrorist attacks in Brussels and honoring the memory of the United States citizens murdered in those attacks, and offering thoughts and prayers for all the victims, condolences to their families, resolve to support the Belgian people, and the pledge to defend democracy and stand in solidarity with the country of Belgium and all our allies in the face of continuing terrorist attacks on freedom and liberty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 442) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 27, 2016, under “Submitted Resolutions.”)

RECOGNIZING THE 195TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Calendar No. 449, S. Res. 394.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 394) recognizing the 195th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 394) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 9, 2016, under “Submitted Resolutions.”)

AMENDING THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE NATIONAL ESTUARY PROGRAM

Mr. SASSE. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1523.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1523) entitled “An Act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes,” do pass with an amendment.

Mr. SASSE. I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEMORY AND SERVICE OF OMAHA POLICE OFFICER KERRIE OROZCO

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 463, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 463) honoring the memory and service of Omaha Police Officer Kerrie Orozco.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Mr. President, I rise today to honor the life of Officer Kerrie Orozco of the Omaha Police Department. This month will mark the 1-year anniversary of the officer’s death. I would like to take a few minutes to remember her life and celebrate the legacy of this brave young woman who died in the line of duty.