

## Union Calendar No. 169

115TH CONGRESS  
1ST SESSION

# H. R. 3353

[Report No. 115-237]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2017

Mr. DIAZ-BALART, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.





1 amount made available under this heading shall be avail-  
2 able to the Secretary for official reception and representa-  
3 tion expenses as the Secretary may determine.

4 ADMINISTRATIVE SUPPORT OFFICES  
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary salaries and expenses for Administra-  
7 tive Support Offices, \$518,303,000, of which \$10,762,000  
8 shall be available for, including the establishment of, the  
9 Office of the Chief Operations Officer; \$50,340,000 shall  
10 be available for the Office of the Chief Financial Officer;  
11 \$92,006,000 shall be available for the Office of the Gen-  
12 eral Counsel; \$205,873,000 shall be available for the Of-  
13 fice of Administration; \$38,245,000 shall be available for  
14 the Office of the Chief Human Capital Officer;  
15 \$49,588,000 shall be available for the Office of Field Pol-  
16 icy and Management; \$19,065,000 shall be available for  
17 the Office of the Chief Procurement Officer; \$3,570,000  
18 shall be available for the Office of Departmental Equal  
19 Employment Opportunity; \$4,975,000 shall be available  
20 for the Office of Strategic Planning and Management; and  
21 \$43,879,000 shall be available for the Office of the Chief  
22 Information Officer: *Provided*, That funds provided under  
23 this heading may be used for necessary administrative and  
24 non-administrative expenses of the Department of Hous-  
25 ing and Urban Development, not otherwise provided for,

1 including purchase of uniforms, or allowances therefor, as  
2 authorized by 5 U.S.C. 5901–5902; hire of passenger  
3 motor vehicles; and services as authorized by 5 U.S.C.  
4 3109: *Provided further*, That notwithstanding any other  
5 provision of law, funds appropriated under this heading  
6 may be used for advertising and promotional activities  
7 that directly support program activities funded in this  
8 title: *Provided further*, That in addition to the transfer au-  
9 thority under section 221 of this Act, of the amount ap-  
10 propriated for the Office of the Chief Operations Officer  
11 under this heading, the Secretary may transfer up to  
12 \$10,000,000 to the heading “Information Technology  
13 Fund”: *Provided further*, That the Secretary shall provide  
14 the House and Senate Committees on Appropriations  
15 quarterly written notification regarding the status of  
16 pending congressional reports: *Provided further*, That the  
17 Secretary shall provide in electronic form all signed re-  
18 ports required by Congress.

19           PROGRAM OFFICE SALARIES AND EXPENSES

20                           PUBLIC AND INDIAN HOUSING

21           For necessary salaries and expenses of the Office of  
22 Public and Indian Housing, \$216,633,000.

23                           COMMUNITY PLANNING AND DEVELOPMENT

24           For necessary salaries and expenses of the Office of  
25 Community Planning and Development, \$107,554,000.

## 1 HOUSING

2 For necessary salaries and expenses of the Office of  
3 Housing, \$392,000,000.

## 4 POLICY DEVELOPMENT AND RESEARCH

5 For necessary salaries and expenses of the Office of  
6 Policy Development and Research, \$24,065,000.

## 7 FAIR HOUSING AND EQUAL OPPORTUNITY

8 For necessary salaries and expenses of the Office of  
9 Fair Housing and Equal Opportunity, \$69,808,000.

## 10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

## 11 HOMES

12 For necessary salaries and expenses of the Office of  
13 Lead Hazard Control and Healthy Homes, \$7,600,000.

## 14 WORKING CAPITAL FUND

## 15 (INCLUDING TRANSFER OF FUNDS)

16 For the working capital fund for the Department of  
17 Housing and Urban Development (referred to in this para-  
18 graph as the “Fund”), pursuant, in part, to section 7(f)  
19 of the Department of Housing and Urban Development  
20 Act (42 U.S.C. 3535(f)), amounts transferred to the Fund  
21 under this heading shall be available for Federal shared  
22 services used by offices and agencies of the Department,  
23 and for such portion of any office or agency’s printing,  
24 records management, space renovation, furniture, supply  
25 services, or other shared services as the Secretary deter-

1 mines shall be derived from centralized sources made  
2 available by the Department to all offices and agencies and  
3 funded through the Fund: *Provided*, That of the amounts  
4 made available in this title for salaries and expenses under  
5 the headings “Executive Offices”, “Administrative Sup-  
6 port Offices”, “Program Office Salaries and Expenses”,  
7 and “Government National Mortgage Association”, the  
8 Secretary shall transfer to the Fund such amounts, to re-  
9 main available until expended, as are necessary to fund  
10 services, specified in the matter preceding the first pro-  
11 viso, for which the appropriation would otherwise have  
12 been available, and may transfer not to exceed an addi-  
13 tional \$5,000,000, in aggregate, from all such appropria-  
14 tions, to be merged with the Fund and to remain available  
15 until expended for use for any office or agency: *Provided*  
16 *further*, That amounts in the Fund shall be the only  
17 amounts available to each office or agency of the Depart-  
18 ment for the services, or portion of services, specified in  
19 the matter preceding the first proviso: *Provided further*,  
20 That with respect to the Fund, the authorities and condi-  
21 tions under this heading shall supplement the authorities  
22 and conditions provided under section 7(f): *Provided fur-*  
23 *ther*, That up to \$6,550,000 in the Fund may be available  
24 for the management reporting initiative to improve the ef-  
25 fectiveness of enterprise data governance, analysis, and re-

1 porting, including information technology investments to  
2 make such improvements: *Provided further*, That to carry  
3 out the previous proviso, the Secretary shall transfer any  
4 amounts for related information technology investments to  
5 the heading “Information Technology Fund”.

6 PUBLIC AND INDIAN HOUSING  
7 TENANT-BASED RENTAL ASSISTANCE  
8 (INCLUDING TRANSFER OF FUNDS)

9 For activities and assistance for the provision of ten-  
10 ant-based rental assistance authorized under the United  
11 States Housing Act of 1937, as amended (42 U.S.C. 1437  
12 et seq.) (“the Act” herein), not otherwise provided for,  
13 \$16,486,725,000, to remain available until expended, shall  
14 be available on October 1, 2017 (in addition to the  
15 \$4,000,000,000 previously appropriated under this head-  
16 ing that shall be available on October 1, 2017), and  
17 \$4,000,000,000, to remain available until expended, shall  
18 be available on October 1, 2018: *Provided*, That the  
19 amounts made available under this heading are provided  
20 as follows:

21 (1) \$18,709,725,000 shall be available for re-  
22 newals of expiring section 8 tenant-based annual  
23 contributions contracts (including renewals of en-  
24 hanced vouchers under any provision of law author-  
25 izing such assistance under section 8(t) of the Act)



1 and including renewal of other special purpose incre-  
2 mental vouchers: *Provided*, That notwithstanding  
3 any other provision of law, from amounts provided  
4 under this paragraph and any carryover, the Sec-  
5 retary for the calendar year 2018 funding cycle shall  
6 provide renewal funding for each public housing  
7 agency based on validated voucher management sys-  
8 tem (VMS) leasing and cost data for the prior cal-  
9 endar year and by applying an inflation factor as es-  
10 tablished by the Secretary, by notice published in  
11 the Federal Register, and by making any necessary  
12 adjustments for the costs associated with the first-  
13 time renewal of vouchers under this paragraph in-  
14 cluding tenant protection, HOPE VI, and Choice  
15 Neighborhoods vouchers: *Provided further*, That  
16 none of the funds provided under this paragraph  
17 may be used to fund a total number of unit months  
18 under lease which exceeds a public housing agency's  
19 authorized level of units under contract, except for  
20 public housing agencies participating in the MTW  
21 demonstration, which are instead governed by the  
22 terms and conditions of their MTW agreements:  
23 *Provided further*, That the Secretary shall, to the ex-  
24 tent necessary to stay within the amount specified  
25 under this paragraph (except as otherwise modified

1 under this paragraph), prorate each public housing  
2 agency's allocation otherwise established pursuant to  
3 this paragraph: *Provided further*, That except as  
4 provided in the following provisos, the entire amount  
5 specified under this paragraph (except as otherwise  
6 modified under this paragraph) shall be obligated to  
7 the public housing agencies based on the allocation  
8 and pro rata method described above, and the Sec-  
9 retary shall notify public housing agencies of their  
10 annual budget by the later of 60 days after enact-  
11 ment of this Act or March 1, 2018: *Provided further*,  
12 That the Secretary may extend the notification pe-  
13 riod with the prior written approval of the House  
14 and Senate Committees on Appropriations: *Provided*  
15 *further*, That public housing agencies participating  
16 in the MTW demonstration shall be funded pursuant  
17 to their MTW agreements and in accordance with  
18 the requirements of the MTW program and shall be  
19 subject to the same pro rata adjustments under the  
20 previous provisos: *Provided further*, That the Sec-  
21 retary may offset public housing agencies' calendar  
22 year 2018 allocations based on the excess amounts  
23 of public housing agencies' net restricted assets ac-  
24 counts, including HUD held programmatic reserves  
25 (in accordance with VMS data in calendar year 2017

1 that is verifiable and complete), as determined by  
2 the Secretary: *Provided further*, That public housing  
3 agencies participating in the MTW demonstration  
4 shall also be subject to the offset, as determined by  
5 the Secretary from the agencies' calendar year 2018  
6 MTW funding allocation: *Provided further*, That the  
7 Secretary shall use any offset referred to in the pre-  
8 vious two provisos throughout the calendar year to  
9 prevent the termination of rental assistance for fam-  
10 ilies as the result of insufficient funding, as deter-  
11 mined by the Secretary, and to avoid or reduce the  
12 proration of renewal funding allocations: *Provided*  
13 *further*, That up to \$100,000,000 shall be available  
14 only: (1) for adjustments in the allocations for public  
15 housing agencies, after application for an adjust-  
16 ment by a public housing agency that experienced a  
17 significant increase, as determined by the Secretary,  
18 in renewal costs of vouchers resulting from unfore-  
19 seen circumstances or from portability under section  
20 8(r) of the Act; (2) for vouchers that were not in use  
21 during the previous 12-month period in order to be  
22 available to meet a commitment pursuant to section  
23 8(o)(13) of the Act; (3) for adjustments for costs as-  
24 sociated with HUD-Veterans Affairs Supportive  
25 Housing (HUD-VASH) vouchers; and (4) for public

1 housing agencies that despite taking reasonable cost  
2 savings measures, as determined by the Secretary,  
3 would otherwise be required to terminate rental as-  
4 sistance for families as a result of insufficient fund-  
5 ing: *Provided further*, That the Secretary shall allo-  
6 cate amounts under the previous proviso based on  
7 need, as determined by the Secretary;

8 (2) \$60,000,000 shall be for section 8 rental as-  
9 sistance for relocation and replacement of housing  
10 units that are demolished or disposed of pursuant to  
11 section 18 of the Act, conversion of section 23  
12 projects to assistance under section 8, the family  
13 unification program under section 8(x) of the Act,  
14 relocation of witnesses in connection with efforts to  
15 combat crime in public and assisted housing pursu-  
16 ant to a request from a law enforcement or prosecu-  
17 tion agency, enhanced vouchers under any provision  
18 of law authorizing such assistance under section 8(t)  
19 of the Act, HOPE VI and Choice Neighborhood  
20 vouchers, mandatory and voluntary conversions, and  
21 tenant protection assistance including replacement  
22 and relocation assistance or for project-based assist-  
23 ance to prevent the displacement of unassisted elder-  
24 ly tenants currently residing in section 202 prop-  
25 erties financed between 1959 and 1974 that are refi-

1 nanced pursuant to Public Law 106–569, as amend-  
2 ed, or under the authority as provided under this  
3 Act: *Provided*, That when a public housing develop-  
4 ment is submitted for demolition or disposition  
5 under section 18 of the Act, the Secretary may pro-  
6 vide section 8 rental assistance when the units pose  
7 an imminent health and safety risk to residents:  
8 *Provided further*, That the Secretary may only pro-  
9 vide replacement vouchers for units that were occu-  
10 pied within the previous 24 months that cease to be  
11 available as assisted housing, subject only to the  
12 availability of funds: *Provided further*, That of the  
13 amounts made available under this paragraph,  
14 \$5,000,000 may be available to provide tenant pro-  
15 tection assistance, not otherwise provided under this  
16 paragraph, to residents residing in low vacancy  
17 areas and who may have to pay rents greater than  
18 30 percent of household income, as the result of: (A)  
19 the maturity of a HUD-insured, HUD-held or sec-  
20 tion 202 loan that requires the permission of the  
21 Secretary prior to loan prepayment; (B) the expira-  
22 tion of a rental assistance contract for which the  
23 tenants are not eligible for enhanced voucher or ten-  
24 ant protection assistance under existing law; or (C)  
25 the expiration of affordability restrictions accom-

1 panying a mortgage or preservation program admin-  
2 istered by the Secretary: *Provided further*, That such  
3 tenant protection assistance made available under  
4 the previous proviso may be provided under the au-  
5 thority of section 8(t) or section 8(o)(13) of the  
6 United States Housing Act of 1937 (42 U.S.C.  
7 1437f(t)): *Provided further*, That any tenant protec-  
8 tion voucher made available from amounts under  
9 this paragraph shall not be reissued by any public  
10 housing agency, except the replacement vouchers as  
11 defined by the Secretary by notice, when the initial  
12 family that received any such voucher no longer re-  
13 ceives such voucher, and the authority for any public  
14 housing agency to issue any such voucher shall cease  
15 to exist: *Provided further*, That the Secretary may  
16 provide section 8 rental assistance from amounts  
17 made available under this paragraph for units as-  
18 sisted under a project-based subsidy contract funded  
19 under the “Project-Based Rental Assistance” head-  
20 ing under this title where the owner has received a  
21 Notice of Default and the units pose an imminent  
22 health and safety risk to residents: *Provided further*,  
23 That to the extent that the Secretary determines  
24 that such units are not feasible for continued rental  
25 assistance payments or transfer of the subsidy con-

1 tract associated with such units to another project  
2 or projects and owner or owners, any remaining  
3 amounts associated with such units under such con-  
4 tract shall be recaptured and used to reimburse  
5 amounts used under this paragraph for rental assist-  
6 ance under the preceding proviso;

7 (3) \$1,550,000,000 shall be for administrative  
8 and other expenses of public housing agencies in ad-  
9 ministering the section 8 tenant-based rental assist-  
10 ance program, of which up to \$10,000,000 shall be  
11 available to the Secretary to allocate to public hous-  
12 ing agencies that need additional funds to admin-  
13 ister their section 8 programs, including fees associ-  
14 ated with section 8 tenant protection rental assist-  
15 ance, the administration of disaster related vouchers,  
16 Veterans Affairs Supportive Housing vouchers, and  
17 other special purpose incremental vouchers: *Pro-*  
18 *vided*, That no less than \$1,540,000,000 of the  
19 amount provided in this paragraph shall be allocated  
20 to public housing agencies for the calendar year  
21 2018 funding cycle based on section 8(q) of the Act  
22 (and related Appropriation Act provisions) as in ef-  
23 fect immediately before the enactment of the Quality  
24 Housing and Work Responsibility Act of 1998 (Pub-  
25 lic Law 105–276): *Provided further*, That if the

1 amounts made available under this paragraph are  
2 insufficient to pay the amounts determined under  
3 the previous proviso, the Secretary may decrease the  
4 amounts allocated to agencies by a uniform percent-  
5 age applicable to all agencies receiving funding  
6 under this paragraph or may, to the extent nec-  
7 essary to provide full payment of amounts deter-  
8 mined under the previous proviso, utilize unobligated  
9 balances, including recaptures and carryovers, re-  
10 maining from funds appropriated to the Department  
11 of Housing and Urban Development under this  
12 heading from prior fiscal years, excluding special  
13 purpose vouchers, notwithstanding the purposes for  
14 which such amounts were appropriated: *Provided*  
15 *further*, That all public housing agencies partici-  
16 pating in the MTW demonstration shall be funded  
17 pursuant to their MTW agreements, and in accord-  
18 ance with the requirements of the MTW program  
19 and shall be subject to the same uniform percentage  
20 decrease as under the previous proviso: *Provided fur-*  
21 *ther*, That amounts provided under this paragraph  
22 shall be only for activities related to the provision of  
23 tenant-based rental assistance authorized under sec-  
24 tion 8, including related development activities;



1           (4) \$150,000,000 for the renewal of tenant-  
2           based assistance contracts under section 811 of the  
3           Cranston-Gonzalez National Affordable Housing Act  
4           (42 U.S.C. 8013), including necessary administra-  
5           tive expenses: *Provided*, That administrative and  
6           other expenses of public housing agencies in admin-  
7           istering the special purpose vouchers in this para-  
8           graph shall be funded under the same terms and be  
9           subject to the same pro rata reduction as the per-  
10          cent decrease for administrative and other expenses  
11          to public housing agencies under paragraph (3) of  
12          this heading: *Provided further*, That any amounts  
13          provided under this paragraph in this Act or prior  
14          Acts, remaining available after funding renewals and  
15          administrative expenses under this paragraph, shall  
16          be available for incremental tenant-based assistance  
17          contracts under such section 811, including nec-  
18          essary administrative expenses;

19          (5) the Secretary shall separately track all spe-  
20          cial purpose vouchers funded under this heading, in-  
21          cluding the renewal, from amounts provided under  
22          paragraph (1) under this heading, of HUD-VASH  
23          vouchers, funded under this heading in prior Acts to  
24          address veterans' homelessness, of no less than  
25          \$577,000,000;

1           (6) \$7,000,000 shall be for renewal grants, in-  
2           cluding rental assistance and associated administra-  
3           tive fees for Tribal HUD–VA Supportive Housing to  
4           serve Native American veterans that are homeless or  
5           at-risk of homelessness living on or near a reserva-  
6           tion or Indian areas: *Provided*, That such amount  
7           shall be made available for renewal grants to the re-  
8           cipients that received assistance under the rental as-  
9           sistance and supportive housing demonstration pro-  
10          gram for Native American veterans authorized under  
11          the heading “Tenant-Based Rental Assistance” in  
12          title II of division K of the Consolidated and Fur-  
13          ther Continuing Appropriations Act, 2015 (Public  
14          Law 113–235, 128 Stat. 2733): *Provided further*,  
15          That the Secretary shall be authorized to specify cri-  
16          teria for renewal grants, including data on the utili-  
17          zation of assistance reported by grant recipients  
18          under the demonstration program: *Provided further*,  
19          That renewal grants under this paragraph shall be  
20          administered by block grant recipients in accordance  
21          with program requirements under the Native Amer-  
22          ican Housing Assistance and Self-Determination Act  
23          of 1996: *Provided further*, That assistance under  
24          this paragraph shall be modeled after, with nec-  
25          essary and appropriate adjustments for Native

1 American grant recipients and veterans, the rental  
2 assistance and supportive housing program known  
3 as HUD–VASH program, including administration  
4 in conjunction with the Department of Veterans Af-  
5 fairs and overall implementation of section 8(o)(19)  
6 of the United States Housing Act of 1937: *Provided*  
7 *further*, That the Secretary of Housing and Urban  
8 Development may waive, or specify alternative re-  
9 quirements for any provision of any statute or regu-  
10 lation that the Secretary administers in connection  
11 with the use of funds made available under this  
12 paragraph (except requirements related to fair hous-  
13 ing, nondiscrimination, labor standards, and the en-  
14 vironment), upon a finding by the Secretary that  
15 any such waiver or alternative requirements are nec-  
16 essary for the effective delivery and administration  
17 of such assistance: *Provided further*, That grant re-  
18 cipients shall report to the Secretary on utilization  
19 of such rental assistance and other program data, as  
20 prescribed by the Secretary and;

21 (7) \$10,000,000 shall be available to support  
22 modernization of public housing agency (PHA) in-  
23 formation technology systems with respect to admin-  
24 istration of program data and funding provided  
25 under this heading, including related expenses; Pro-

1 vided, That the Secretary may transfer up to  
2 \$10,000,000 of the amounts provided under this  
3 paragraph to the “Public Housing Capital Fund”  
4 heading under this title to support modernization of  
5 PHA information technology systems with respect to  
6 administration of program data and funding under  
7 such heading, including related expenses.

8 HOUSING CERTIFICATE FUND

9 (INCLUDING RESCISSIONS)

10 Unobligated balances, including recaptures and car-  
11 ryover, remaining from funds appropriated to the Depart-  
12 ment of Housing and Urban Development under this  
13 heading, the heading “Annual Contributions for Assisted  
14 Housing” and the heading “Project-Based Rental Assist-  
15 ance”, for fiscal year 2018 and prior years may be used  
16 for renewal of or amendments to section 8 project-based  
17 contracts and for performance-based contract administra-  
18 tors, notwithstanding the purposes for which such funds  
19 were appropriated: *Provided*, That any obligated balances  
20 of contract authority from fiscal year 1974 and prior that  
21 have been terminated shall be rescinded: *Provided further*,  
22 That amounts heretofore recaptured, or recaptured during  
23 the current fiscal year, from section 8 project-based con-  
24 tracts from source years fiscal year 1975 through fiscal  
25 year 1987 are hereby rescinded, and an amount of addi-

1 tional new budget authority, equivalent to the amount re-  
2 scinded is hereby appropriated, to remain available until  
3 expended, for the purposes set forth under this heading,  
4 in addition to amounts otherwise available.

5 PUBLIC HOUSING CAPITAL FUND

6 For the Public Housing Capital Fund Program to  
7 carry out capital and management activities for public  
8 housing agencies, as authorized under section 9 of the  
9 United States Housing Act of 1937 (42 U.S.C. 1437g)  
10 (the “Act”) \$1,850,000,000, to remain available until  
11 September 30, 2021: *Provided*, That notwithstanding any  
12 other provision of law or regulation, during fiscal year  
13 2018, the Secretary of Housing and Urban Development  
14 may not delegate to any Department official other than  
15 the Deputy Secretary and the Assistant Secretary for  
16 Public and Indian Housing any authority under paragraph  
17 (2) of section 9(j) regarding the extension of the time peri-  
18 ods under such section: *Provided further*, That for pur-  
19 poses of such section 9(j), the term “obligate” means, with  
20 respect to amounts, that the amounts are subject to a  
21 binding agreement that will result in outlays, immediately  
22 or in the future: *Provided further*, That up to \$8,300,000  
23 shall be to support ongoing public housing financial and  
24 physical assessment activities: *Provided further*, That up  
25 to \$1,000,000 shall be to support the costs of administra-

1 tive and judicial receiverships: *Provided further*, That of  
2 the total amount provided under this heading, not to ex-  
3 ceed \$20,000,000 shall be available for the Secretary to  
4 make grants, notwithstanding section 203 of this Act, to  
5 public housing agencies for emergency capital needs in-  
6 cluding safety and security measures necessary to address  
7 crime and drug-related activity as well as needs resulting  
8 from unforeseen or unpreventable emergencies and nat-  
9 ural disasters excluding Presidentially declared emer-  
10 gencies and natural disasters under the Robert T. Stafford  
11 Disaster Relief and Emergency Act (42 U.S.C. 5121 et  
12 seq.) occurring in fiscal year 2018: *Provided further*, That  
13 of the amount made available under the previous proviso,  
14 not less than \$5,000,000 shall be for safety and security  
15 measures: *Provided further*, That of the total amount pro-  
16 vided under this heading \$35,000,000 shall be for sup-  
17 portive services, service coordinator and congregate serv-  
18 ices as authorized by section 34 of the Act (42 U.S.C.  
19 1437z-6) and the Native American Housing Assistance  
20 and Self-Determination Act of 1996 (25 U.S.C. 4101 et  
21 seq.): *Provided further*, That of the total amount made  
22 available under this heading, up to \$15,000,000 shall be  
23 for a Jobs-Plus initiative modeled after the Jobs-Plus  
24 demonstration: *Provided further*, That funding provided  
25 under the previous proviso shall be available for competi-

1 tive grants to partnerships between public housing au-  
2 thorities, local workforce investment boards established  
3 under section 117 of the Workforce Investment Act of  
4 1998, and other agencies and organizations that provide  
5 support to help public housing residents obtain employ-  
6 ment and increase earnings: *Provided further*, That appli-  
7 cants must demonstrate the ability to provide services to  
8 residents, partner with workforce investment boards, and  
9 leverage service dollars: *Provided further*, That the Sec-  
10 retary may allow public housing agencies to request ex-  
11 emptions from rent and income limitation requirements  
12 under sections 3 and 6 of the United States Housing Act  
13 of 1937 as necessary to implement the Jobs-Plus program,  
14 on such terms and conditions as the Secretary may ap-  
15 prove upon a finding by the Secretary that any such waiv-  
16 ers or alternative requirements are necessary for the effec-  
17 tive implementation of the Jobs-Plus initiative as a vol-  
18 untary program for residents: *Provided further*, That the  
19 Secretary shall publish by notice in the Federal Register  
20 any waivers or alternative requirements pursuant to the  
21 preceding proviso no later than 10 days before the effec-  
22 tive date of such notice: *Provided further*, That for funds  
23 provided under this heading, the limitation in section  
24 9(g)(1) of the Act shall be 25 percent: *Provided further*,  
25 That the Secretary may waive the limitation in the pre-

1 vious proviso to allow public housing agencies to fund ac-  
2 tivities authorized under section 9(e)(1)(C) of the Act:  
3 *Provided further*, That the Secretary shall notify public  
4 housing agencies requesting waivers under the previous  
5 proviso if the request is approved or denied within 14 days  
6 of submitting the request: *Provided further*, That from the  
7 funds made available under this heading, the Secretary  
8 shall provide bonus awards in fiscal year 2018 to public  
9 housing agencies that are designated high performers:  
10 *Provided further*, That the Department shall notify public  
11 housing agencies of their formula allocation within 60  
12 days of enactment of this Act.

13 PUBLIC HOUSING OPERATING FUND

14 For 2018 payments to public housing agencies for the  
15 operation and management of public housing, as author-  
16 ized by section 9(e) of the United States Housing Act of  
17 1937 (42 U.S.C. 1437g(e)), \$4,400,000,000, to remain  
18 available until September 30, 2019.

19 CHOICE NEIGHBORHOODS INITIATIVE

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



1 poverty into functioning, sustainable mixed income neigh-  
2 borhoods with appropriate services, schools, public assets,  
3 transportation and access to jobs, \$20,000,000, to remain  
4 available until September 30, 2020: *Provided*, That grant  
5 funds may be used for resident and community services,  
6 community development, and affordable housing needs in  
7 the community, and for conversion of vacant or foreclosed  
8 properties to affordable housing: *Provided further*, That  
9 the use of funds made available under this heading shall  
10 not be deemed to be public housing notwithstanding sec-  
11 tion 3(b)(1) of such Act: *Provided further*, That grantees  
12 shall commit to an additional period of affordability deter-  
13 mined by the Secretary of not fewer than 20 years: *Pro-*  
14 *vided further*, That grantees shall provide a match in  
15 State, local, other Federal or private funds: *Provided fur-*  
16 *ther*, That grantees may include local governments, tribal  
17 entities, public housing authorities, and nonprofits: *Pro-*  
18 *vided further*, That for-profit developers may apply jointly  
19 with a public entity: *Provided further*, That for purposes  
20 of environmental review, a grantee shall be treated as a  
21 public housing agency under section 26 of the United  
22 States Housing Act of 1937 (42 U.S.C. 1437x), and  
23 grants under this heading shall be subject to the regula-  
24 tions issued by the Secretary to implement such section:  
25 *Provided further*, That of the amount provided, not less



1 ance under sections 8(o) and 9 of such Act with public  
2 and private resources, and enable eligible families to  
3 achieve economic independence and self-sufficiency,  
4 \$75,000,000, to remain available until September 30,  
5 2019: *Provided*, That the Secretary may, by Federal Reg-  
6 ister notice, waive or specify alternative requirements  
7 under sections b(3), b(4), b(5), or c(1) of section 23 of  
8 such Act in order to facilitate the operation of a unified  
9 self-sufficiency program for individuals receiving assist-  
10 ance under different provisions of the Act, as determined  
11 by the Secretary: *Provided further*, That owners of a pri-  
12 vately owned multifamily property with a section 8 con-  
13 tract may voluntarily make a Family Self-Sufficiency pro-  
14 gram available to the assisted tenants of such property  
15 in accordance with procedures established by the Sec-  
16 retary: *Provided further*, That such procedures established  
17 pursuant to the previous proviso shall permit participating  
18 tenants to accrue escrow funds in accordance with section  
19 23(d)(2) and shall allow owners to use funding from resid-  
20 ual receipt accounts to hire coordinators for their own  
21 Family Self-Sufficiency program.

22 NATIVE AMERICAN HOUSING BLOCK GRANTS

23 For the Native American Housing Block Grants pro-  
24 gram, as authorized under title I of the Native American  
25 Housing Assistance and Self-Determination Act of 1996

1 (NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to  
2 remain available until September 30, 2022: *Provided*,  
3 That, notwithstanding NAHASDA, to determine the  
4 amount of the allocation under title I of such Act for each  
5 Indian tribe, the Secretary shall apply the formula under  
6 section 302 of such Act with the need component based  
7 on single-race census data and with the need component  
8 based on multi-race census data, and the amount of the  
9 allocation for each Indian tribe shall be the greater of the  
10 two resulting allocation amounts: *Provided further*, That  
11 of the amounts made available under this heading,  
12 \$3,500,000 shall be contracted for assistance for national  
13 or regional organizations representing Native American  
14 housing interests for providing training and technical as-  
15 sistance to Indian housing authorities and tribally des-  
16 igned housing entities as authorized under NAHASDA:  
17 *Provided further*, That of the funds made available under  
18 the previous proviso, not less than \$2,000,000 shall be  
19 made available for a national organization as authorized  
20 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*  
21 *vided further*, That of the amounts made available under  
22 this heading, \$3,500,000 shall be to support the inspection  
23 of Indian housing units, contract expertise, training, and  
24 technical assistance related to funding provided under this  
25 heading and other headings under this Act for the needs

1 of Native American families and Indian country: *Provided*  
2 *further*, That of the amount provided under this heading,  
3 \$2,000,000 shall be made available for the cost of guaran-  
4 teed notes and other obligations, as authorized by title VI  
5 of NAHASDA: *Provided further*, That such costs, includ-  
6 ing the costs of modifying such notes and other obliga-  
7 tions, shall be as defined in section 502 of the Congres-  
8 sional Budget Act of 1974, as amended: *Provided further*,  
9 That these funds are available to subsidize the total prin-  
10 cipal amount of any notes and other obligations, any part  
11 of which is to be guaranteed, not to exceed \$17,391,304:  
12 *Provided further*, That the Department will notify grantees  
13 of their formula allocation within 60 days of the date of  
14 enactment of this Act: *Provided further*, That notwith-  
15 standing section 302(d) of NAHASDA, if on the date of  
16 enactment of this Act, a recipient's total amount of  
17 undisbursed block grant funds in the Department's line  
18 of credit control system is greater than the sum of its prior  
19 3 years' initial formula allocation calculations, the Sec-  
20 retary shall adjust that recipient's formula allocation that  
21 it would otherwise receive down by the difference between  
22 its total amount of undisbursed block grant funds in the  
23 Department's line of credit control system on the date of  
24 enactment of this Act, and the sum of its prior 3 years'  
25 initial formula allocation calculations: *Provided further*,

1 That grant amounts not allocated to a recipient pursuant  
2 to the previous proviso shall be allocated under the need  
3 component of the formula proportionately among all other  
4 Indian tribes not subject to an adjustment under such pro-  
5 viso: *Provided further*, That the second proviso shall not  
6 apply to any Indian tribe that would otherwise receive a  
7 formula allocation of less than \$5,000,000: *Provided fur-*  
8 *ther*, That to take effect, the three previous provisos do  
9 not require issuance or amendment of any regulation, shall  
10 not be subject to a formula challenge by an Indian tribe,  
11 and shall not be construed to confer hearing rights under  
12 any section of NAHASDA or its implementing regula-  
13 tions.

14 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

15 ACCOUNT

16 For the cost of guaranteed loans, as authorized by  
17 section 184 of the Housing and Community Development  
18 Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to re-  
19 main available until expended: *Provided*, That such costs,  
20 including the costs of modifying such loans, shall be as  
21 defined in section 502 of the Congressional Budget Act  
22 of 1974: *Provided further*, That these funds are available  
23 to subsidize total loan principal, any part of which is to  
24 be guaranteed, up to \$1,486,486,486, to remain available  
25 until expended: *Provided further*, That up to \$750,000 of

1 this amount may be for administrative contract expenses  
2 including management processes and systems to carry out  
3 the loan guarantee program: *Provided further*, That an ad-  
4 ditional \$1,727,000 shall be available until expended for  
5 such costs of guaranteed loans authorized under such sec-  
6 tion 184 issued to tribes and Indian housing authorities  
7 for the construction of rental housing for law enforcement,  
8 healthcare, educational, technical and other skilled work-  
9 ers: *Provided further*, That the funds specified in the pre-  
10 vious proviso are available to subsidize total loan principal,  
11 any part of which is to be guaranteed, up to \$466,756,757  
12 to remain available until expended: *Provided further*, That  
13 the Secretary may specify any additional program require-  
14 ments with respect to the previous two provisos through  
15 publication of a Mortgagee Letter or Notice.

16

## 17           COMMUNITY PLANNING AND DEVELOPMENT

## 18           HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

19           For carrying out the Housing Opportunities for Per-  
20 sons with AIDS program, as authorized by the AIDS  
21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
22 \$356,000,000, to remain available until September 30,  
23 2019, except that amounts allocated pursuant to section  
24 854(c)(5) of such Act shall remain available until Sep-  
25 tember 30, 2020: *Provided*, That the Secretary shall renew

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

9                                   COMMUNITY DEVELOPMENT FUND

10       For assistance to units of State and local govern-  
11 ment, and to other entities, for economic and community  
12 development activities, and for other purposes,  
13 \$2,960,000,000, to remain available until September 30,  
14 2020, unless otherwise specified: *Provided*, That of the  
15 total amount provided, \$2,900,000,000 is for carrying out  
16 the community development block grant program under  
17 title I of the Housing and Community Development Act  
18 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301  
19 et seq.): *Provided further*, That unless explicitly provided  
20 for under this heading, not to exceed 20 percent of any  
21 grant made with funds appropriated under this heading  
22 shall be expended for planning and management develop-  
23 ment and administration: *Provided further*, That a metro-  
24 politan city, urban county, unit of general local govern-  
25 ment, or Indian tribe, or insular area that directly or indi-



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

21           COMMUNITY DEVELOPMENT LOAN GUARANTEES

22                           PROGRAM ACCOUNT

23           Subject to section 502 of the Congressional Budget  
24 Act of 1974, during fiscal year 2018, commitments to  
25 guarantee loans under section 108 of the Housing and

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

11 HOME INVESTMENT PARTNERSHIPS PROGRAM

12 For the HOME Investment Partnerships program, as  
13 authorized under title II of the Cranston-Gonzalez Na-  
14 tional Affordable Housing Act, as amended,  
15 \$850,000,000, to remain available until September 30,  
16 2021: *Provided*, That notwithstanding the amount made  
17 available under this heading, the threshold reduction re-  
18 quirements in sections 216(10) and 217(b)(4) of such Act  
19 shall not apply to allocations of such amount: *Provided*  
20 *further*, That the requirements under provisos 2 through  
21 6 under this heading for fiscal year 2012 and such re-  
22 quirements applicable pursuant to the “Full-Year Con-  
23 tinuing Appropriations Act, 2013”, shall not apply to any  
24 project to which funds were committed on or after August  
25 23, 2013, but such projects shall instead be governed by

1 the Final Rule titled “Home Investment Partnerships  
2 Program; Improving Performance and Accountability; Up-  
3 dating Property Standards” which became effective on  
4 such date: *Provided further*, That the Department shall  
5 notify grantees of their formula allocation within 60 days  
6 of enactment of this Act.

7 SELF-HELP AND ASSISTED HOMEOWNERSHIP

8 OPPORTUNITY PROGRAM

9 For the Self-Help and Assisted Homeownership Op-  
10 portunity Program, as authorized under section 11 of the  
11 Housing Opportunity Program Extension Act of 1996, as  
12 amended, \$45,000,000, to remain available until Sep-  
13 tember 30, 2020: *Provided*, That of the total amount pro-  
14 vided under this heading, \$10,000,000 shall be made  
15 available to the Self-Help and Assisted Homeownership  
16 Opportunity Program as authorized under section 11 of  
17 the Housing Opportunity Program Extension Act of 1996,  
18 as amended: *Provided further*, That of the total amount  
19 provided under this heading, \$30,000,000 shall be made  
20 available for the second, third, and fourth capacity build-  
21 ing activities authorized under section 4(a) of the HUD  
22 Demonstration Act of 1993 (42 U.S.C. 9816 note), of  
23 which not less than \$5,000,000 shall be made available  
24 for rural capacity building activities: *Provided further*,  
25 That of the total amount provided under this heading,

1 \$5,000,000 shall be made available for capacity building  
2 by national rural housing organizations with experience  
3 assessing national rural conditions and providing financ-  
4 ing, training, technical assistance, information, and re-  
5 search to local nonprofits, local governments and Indian  
6 Tribes serving high need rural communities.

7 HOMELESS ASSISTANCE GRANTS

8 For the Emergency Solutions Grants program as au-  
9 thorized under subtitle B of title IV of the McKinney-  
10 Vento Homeless Assistance Act, as amended; the Con-  
11 tinuum of Care program as authorized under subtitle C  
12 of title IV of such Act; and the Rural Housing Stability  
13 Assistance program as authorized under subtitle D of title  
14 IV of such Act, \$2,383,000,000, to remain available until  
15 September 30, 2020: *Provided*, That any rental assistance  
16 amounts that are recaptured under such Continuum of  
17 Care program shall remain available until expended: *Pro-*  
18 *vided further*, That not less than \$270,000,000 of the  
19 funds appropriated under this heading shall be available  
20 for such Emergency Solutions Grants program: *Provided*  
21 *further*, That not less than \$2,106,000,000 of the funds  
22 appropriated under this heading shall be available for such  
23 Continuum of Care and Rural Housing Stability Assist-  
24 ance programs: *Provided further*, That up to \$7,000,000  
25 of the funds appropriated under this heading shall be

1 available for the national homeless data analysis project:  
2 *Provided further*, That all funds awarded for supportive  
3 services under the Continuum of Care program and the  
4 Rural Housing Stability Assistance program shall be  
5 matched by not less than 25 percent in cash or in kind  
6 by each grantee: *Provided further*, That for all match re-  
7 quirements applicable to funds made available under this  
8 heading for this fiscal year and prior years, a grantee may  
9 use (or could have used) as a source of match funds other  
10 funds administered by the Secretary and other Federal  
11 agencies unless there is (or was) a specific statutory prohi-  
12 bition on any such use of any such funds: *Provided further*,  
13 That the Secretary shall collect system performance meas-  
14 ures for each continuum of care, and that relative to fiscal  
15 year 2015, under the Continuum of Care competition with  
16 respect to funds made available under this heading, the  
17 Secretary shall base an increasing share of the score on  
18 performance criteria: *Provided further*, That none of the  
19 funds provided under this heading shall be available to  
20 provide funding for new projects, except for projects cre-  
21 ated through reallocation, unless the Secretary determines  
22 that the continuum of care has demonstrated that projects  
23 are evaluated and ranked based on the degree to which  
24 they improve the continuum of care's system performance:  
25 *Provided further*, That the Secretary shall prioritize fund-

1 ing under the Continuum of Care program to continuums  
2 of care that have demonstrated a capacity to reallocate  
3 funding from lower performing projects to higher per-  
4 forming projects: *Provided further*, That all awards of as-  
5 sistance under this heading shall be required to coordinate  
6 and integrate homeless programs with other mainstream  
7 health, social services, and employment programs for  
8 which homeless populations may be eligible: *Provided fur-*  
9 *ther*, That any unobligated amounts remaining from funds  
10 appropriated under this heading in fiscal year 2012 and  
11 prior years for project-based rental assistance for rehabili-  
12 tation projects with 10-year grant terms may be used for  
13 purposes under this heading, notwithstanding the pur-  
14 poses for which such funds were appropriated: *Provided*  
15 *further*, That all balances for Shelter Plus Care renewals  
16 previously funded from the Shelter Plus Care Renewal ac-  
17 count and transferred to this account shall be available,  
18 if recaptured, for Continuum of Care renewals in fiscal  
19 year 2018: *Provided further*, That the Department shall  
20 notify grantees of their formula allocation from amounts  
21 allocated (which may represent initial or final amounts al-  
22 located) for the Emergency Solutions Grant program with-  
23 in 60 days of enactment of this Act: *Provided further*, That  
24 youth aged 24 and under seeking assistance under this  
25 heading shall not be required to provide third party docu-

1 mentation to establish their eligibility under 42 U.S.C.  
2 11302(a) or (b) to receive services: *Provided further*, That  
3 unaccompanied youth aged 24 and under or families head-  
4 ed by youth aged 24 and under who are living in unsafe  
5 situations may be served by youth-serving providers fund-  
6 ed under this heading.

## 7 HOUSING PROGRAMS

### 8 PROJECT-BASED RENTAL ASSISTANCE

9 For activities and assistance for the provision of  
10 project-based subsidy contracts under the United States  
11 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the  
12 Act”), not otherwise provided for, \$10,682,000,000, to re-  
13 main available until expended, shall be available on Octo-  
14 ber 1, 2017 (in addition to the \$400,000,000 previously  
15 appropriated under this heading that became available Oc-  
16 tober 1, 2017), and \$400,000,000, to remain available  
17 until expended, shall be available on October 1, 2018: *Pro-*  
18 *vided*, That the amounts made available under this head-  
19 ing shall be available for expiring or terminating section  
20 8 project-based subsidy contracts (including section 8  
21 moderate rehabilitation contracts), for amendments to sec-  
22 tion 8 project-based subsidy contracts (including section  
23 8 moderate rehabilitation contracts), for contracts entered  
24 into pursuant to section 441 of the McKinney-Vento  
25 Homeless Assistance Act (42 U.S.C. 11401), for renewal

1 of section 8 contracts for units in projects that are subject  
2 to approved plans of action under the Emergency Low In-  
3 come Housing Preservation Act of 1987 or the Low-In-  
4 come Housing Preservation and Resident Homeownership  
5 Act of 1990, and for administrative and other expenses  
6 associated with project-based activities and assistance  
7 funded under this paragraph: *Provided further*, That  
8 amounts recaptured under this heading, the heading “An-  
9 nual Contributions for Assisted Housing”, or the heading  
10 “Housing Certificate Fund”, may be used for renewals of  
11 or amendments to section 8 project-based contracts, not-  
12 withstanding the purposes for which such amounts were  
13 appropriated: *Provided further*, That, notwithstanding any  
14 other provision of law, upon the request of the Secretary  
15 of Housing and Urban Development, project funds that  
16 are held in residual receipts accounts for any project sub-  
17 ject to a section 8 project-based Housing Assistance Pay-  
18 ments contract that authorizes HUD or a Housing Fi-  
19 nance Agency to require that surplus project funds be de-  
20 posited in an interest-bearing residual receipts account  
21 and that are in excess of an amount to be determined by  
22 the Secretary, shall be remitted to the Department and  
23 deposited in this account, to be available until expended:  
24 *Provided further*, That amounts deposited pursuant to the  
25 previous proviso shall be available in addition to the



1 amount otherwise provided by this heading for uses au-  
2 thorized under this heading.

3 HOUSING FOR THE ELDERLY

4 For amendments to capital advance contracts, for  
5 housing for the elderly, as authorized by section 202 of  
6 the Housing Act of 1959, as amended, and for project  
7 rental assistance for the elderly under section 202(e)(2)  
8 of such Act, including amendments to contracts for such  
9 assistance and renewal of expiring contracts for such as-  
10 sistance for up to a 1-year term, and for senior preserva-  
11 tion rental assistance contracts, including renewals, as au-  
12 thorized by section 811(e) of the American Housing and  
13 Economic Opportunity Act of 2000, as amended, and for  
14 supportive services associated with the housing,  
15 \$573,000,000 to remain available until September 30,  
16 2021: *Provided*, That of the amount provided under this  
17 heading, up to \$90,000,000 shall be for service coordina-  
18 tors and the continuation of existing congregate service  
19 grants for residents of assisted housing projects: *Provided*  
20 *further*, That amounts under this heading shall be avail-  
21 able for Real Estate Assessment Center inspections and  
22 inspection-related activities associated with section 202  
23 projects: *Provided further*, That the Secretary may waive  
24 the provisions of section 202 governing the terms and con-  
25 ditions of project rental assistance, except that the initial

1 contract term for such assistance shall not exceed 5 years  
2 in duration: *Provided further*, That upon request of the  
3 Secretary of Housing and Urban Development, project  
4 funds that are held in residual receipts accounts for any  
5 project subject to a section 202 project rental assistance  
6 contract, and that upon termination of such contract are  
7 in excess of an amount to be determined by the Secretary,  
8 shall be remitted to the Department and deposited in this  
9 account, to be available until September 30, 2021: *Pro-*  
10 *vided further*, That amounts deposited in this account pur-  
11 suant to the previous proviso shall be available, in addition  
12 to the amounts otherwise provided by this heading, for  
13 amendments and renewals: *Provided further*, That unobli-  
14 gated balances, including recaptures and carryover, re-  
15 maining from funds transferred to or appropriated under  
16 this heading shall be available for amendments and renew-  
17 als notwithstanding the purposes for which such funds  
18 originally were appropriated.

19 HOUSING FOR PERSONS WITH DISABILITIES

20 For amendments to capital advance contracts for  
21 supportive housing for persons with disabilities, as author-  
22 ized by section 811 of the Cranston-Gonzalez National Af-  
23 fordable Housing Act (42 U.S.C. 8013), as amended, and  
24 for project rental assistance for supportive housing for  
25 persons with disabilities under section 811(d)(2) of such

1 Act and for project assistance contracts pursuant to sec-  
2 tion 202(h) of the Housing Act of 1959 (Public Law 86–  
3 372; 73 Stat. 667), including amendments to contracts for  
4 such assistance and renewal of expiring contracts for such  
5 assistance for up to a 1-year term, for project rental as-  
6 sistance to State housing finance agencies and other ap-  
7 propriate entities as authorized under section 811(b)(3)  
8 of the Cranston-Gonzalez National Housing Act, and for  
9 supportive services associated with the housing for persons  
10 with disabilities as authorized by section 811(b)(1) of such  
11 Act, \$147,000,000, to remain available until September  
12 30, 2021: *Provided*, That amounts made available under  
13 this heading shall be available for Real Estate Assessment  
14 Center inspections and inspection-related activities associ-  
15 ated with section 811 projects: *Provided further*, That, in  
16 this fiscal year, upon the request of the Secretary of Hous-  
17 ing and Urban Development, project funds that are held  
18 in residual receipts accounts for any project subject to a  
19 section 811 project rental assistance contract and that  
20 upon termination of such contract are in excess of an  
21 amount to be determined by the Secretary shall be remit-  
22 ted to the Department and deposited in this account, to  
23 be available until September 30, 2021: *Provided further*,  
24 That amounts deposited in this account pursuant to the  
25 previous proviso shall be available in addition to the

1 amounts otherwise provided by this heading for amend-  
2 ments and renewals: *Provided further*, That unobligated  
3 balances, including recaptures and carryover, remaining  
4 from funds transferred to or appropriated under this  
5 heading shall be used for amendments and renewals not-  
6 withstanding the purposes for which such funds originally  
7 were appropriated.

8 HOUSING COUNSELING ASSISTANCE

9 For contracts, grants, and other assistance excluding  
10 loans, as authorized under section 106 of the Housing and  
11 Urban Development Act of 1968, as amended,  
12 \$50,000,000, to remain available until September 30,  
13 2019, including up to \$4,500,000 for administrative con-  
14 tract services: *Provided*, That grants made available from  
15 amounts provided under this heading shall be awarded  
16 within 180 days of enactment of this Act: *Provided further*,  
17 That funds shall be used for providing counseling and ad-  
18 vice to tenants and homeowners, both current and pro-  
19 spective, with respect to property maintenance, financial  
20 management/literacy, and such other matters as may be  
21 appropriate to assist them in improving their housing con-  
22 ditions, meeting their financial needs, and fulfilling the re-  
23 sponsibilities of tenancy or homeownership; for program  
24 administration; and for housing counselor training: *Pro-*  
25 *vided further*, That for purposes of providing such grants

1 from amounts provided under this heading, the Secretary  
2 may enter into multiyear agreements as appropriate, sub-  
3 ject to the availability of annual appropriations.

4 RENTAL HOUSING ASSISTANCE

5 For amendments to contracts under section 101 of  
6 the Housing and Urban Development Act of 1965 (12  
7 U.S.C. 1701s) and section 236(f)(2) of the National  
8 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-  
9 insured rental housing projects, \$14,000,000, to remain  
10 available until expended: *Provided*, That such amount, to-  
11 gether with unobligated balances from recaptured  
12 amounts appropriated prior to fiscal year 2006 from ter-  
13 minated contracts under such sections of law, and any un-  
14 obligated balances, including recaptures and carryover, re-  
15 maining from funds appropriated under this heading after  
16 fiscal year 2005, shall also be available for extensions of  
17 up to one year for expiring contracts under such sections  
18 of law.

19 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

20 FUND

21 For necessary expenses as authorized by the National  
22 Manufactured Housing Construction and Safety Stand-  
23 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to  
24 \$11,000,000, to remain available until expended, of which  
25 \$11,000,000 is to be derived from the Manufactured

1 Housing Fees Trust Fund: *Provided*, That not to exceed  
2 the total amount appropriated under this heading shall be  
3 available from the general fund of the Treasury to the ex-  
4 tent necessary to incur obligations and make expenditures  
5 pending the receipt of collections to the Fund pursuant  
6 to section 620 of such Act: *Provided further*, That the  
7 amount made available under this heading from the gen-  
8 eral fund shall be reduced as such collections are received  
9 during fiscal year 2018 so as to result in a final fiscal  
10 year 2018 appropriation from the general fund estimated  
11 at zero, and fees pursuant to such section 620 shall be  
12 modified as necessary to ensure such a final fiscal year  
13 2018 appropriation: *Provided further*, That for the dispute  
14 resolution and installation programs, the Secretary of  
15 Housing and Urban Development may assess and collect  
16 fees from any program participant: *Provided further*, That  
17 such collections shall be deposited into the Fund, and the  
18 Secretary, as provided herein, may use such collections,  
19 as well as fees collected under section 620, for necessary  
20 expenses of such Act: *Provided further*, That, notwith-  
21 standing the requirements of section 620 of such Act, the  
22 Secretary may carry out responsibilities of the Secretary  
23 under such Act through the use of approved service pro-  
24 viders that are paid directly by the recipients of their serv-  
25 ices.

## 1 FEDERAL HOUSING ADMINISTRATION

## 2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

3 New commitments to guarantee single family loans  
4 insured under the Mutual Mortgage Insurance Fund shall  
5 not exceed \$400,000,000,000, to remain available until  
6 September 30, 2019: *Provided*, That during fiscal year  
7 2018, obligations to make direct loans to carry out the  
8 purposes of section 204(g) of the National Housing Act,  
9 as amended, shall not exceed \$5,000,000: *Provided fur-*  
10 *ther*, That the foregoing amount in the previous proviso  
11 shall be for loans to nonprofit and governmental entities  
12 in connection with sales of single family real properties  
13 owned by the Secretary and formerly insured under the  
14 Mutual Mortgage Insurance Fund: *Provided further*, That  
15 for administrative contract expenses of the Federal Hous-  
16 ing Administration, \$135,000,000, to remain available  
17 until September 30, 2019: *Provided further*, That to the  
18 extent guaranteed loan commitments exceed  
19 \$200,000,000,000 on or before April 1, 2018, an addi-  
20 tional \$1,400 for administrative contract expenses shall be  
21 available for each \$1,000,000 in additional guaranteed  
22 loan commitments (including a pro rata amount for any  
23 amount below \$1,000,000), but in no case shall funds  
24 made available by this proviso exceed \$30,000,000: *Pro-*  
25 *vided further*, That during fiscal year 2018 the Secretary

1 may insure and enter into new commitments to insure  
2 mortgages under section 255 of the National Housing Act  
3 only to the extent that the net credit subsidy cost for such  
4 insurance does not exceed zero.

5 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

6 New commitments to guarantee loans insured under  
7 the General and Special Risk Insurance Funds, as author-  
8 ized by sections 238 and 519 of the National Housing Act  
9 (12 U.S.C. 1715z-3 and 1735c), shall not exceed  
10 \$30,000,000,000 in total loan principal, any part of which  
11 is to be guaranteed, to remain available until September  
12 30, 2019: *Provided*, That during fiscal year 2018, gross  
13 obligations for the principal amount of direct loans, as au-  
14 thorized by sections 204(g), 207(l), 238, and 519(a) of  
15 the National Housing Act, shall not exceed \$5,000,000,  
16 which shall be for loans to nonprofit and governmental en-  
17 tities in connection with the sale of single family real prop-  
18 erties owned by the Secretary and formerly insured under  
19 such Act.

20 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

21 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

22 GUARANTEE PROGRAM ACCOUNT

23 New commitments to issue guarantees to carry out  
24 the purposes of section 306 of the National Housing Act,  
25 as amended (12 U.S.C. 1721(g)), shall not exceed



1 \$500,000,000,000, to remain available until September  
2 30, 2019: *Provided*, That \$25,400,000 shall be available  
3 for necessary salaries and expenses of the Office of Gov-  
4 ernment National Mortgage Association: *Provided further*,  
5 That to the extent that guaranteed loan commitments ex-  
6 ceed \$155,000,000,000 on or before April 1, 2018, an ad-  
7 ditional \$100 for necessary salaries and expenses shall be  
8 available until expended for each \$1,000,000 in additional  
9 guaranteed loan commitments (including a pro rata  
10 amount for any amount below \$1,000,000), but in no case  
11 shall funds made available by this proviso exceed  
12 \$3,000,000: *Provided further*, That receipts from Commit-  
13 ment and Multiclass fees collected pursuant to title III of  
14 the National Housing Act, as amended, shall be credited  
15 as offsetting collections to this account.

16 POLICY DEVELOPMENT AND RESEARCH

17 RESEARCH AND TECHNOLOGY

18 For contracts, grants, and necessary expenses of pro-  
19 grams of research and studies relating to housing and  
20 urban problems, not otherwise provided for, as authorized  
21 by title V of the Housing and Urban Development Act  
22 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
23 out the functions of the Secretary of Housing and Urban  
24 Development under section 1(a)(1)(i) of Reorganization  
25 Plan No. 2 of 1968, and for technical assistance,

1 \$85,000,000, to remain available until September 30,  
2 2019: *Provided*, That with respect to amounts made avail-  
3 able under this heading, notwithstanding section 203 of  
4 this title, the Secretary may enter into cooperative agree-  
5 ments funded with philanthropic entities, other Federal  
6 agencies, or State or local governments and their agencies  
7 for research projects: *Provided further*, That with respect  
8 to the previous proviso, such partners to the cooperative  
9 agreements must contribute at least a 50 percent match  
10 toward the cost of the project: *Provided further*, That for  
11 non-competitive agreements entered into in accordance  
12 with the previous two provisos, the Secretary of Housing  
13 and Urban Development shall comply with section 2(b) of  
14 the Federal Funding Accountability and Transparency  
15 Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu  
16 of compliance with section 102(a)(4)(C) with respect to  
17 documentation of award decisions: *Provided further*, That  
18 prior to obligation of technical assistance funding, the Sec-  
19 retary shall submit a plan, for approval, to the House and  
20 Senate Committees on Appropriations on how it will allo-  
21 cate funding for this activity.

## 22 FAIR HOUSING AND EQUAL OPPORTUNITY

### 23 FAIR HOUSING ACTIVITIES

24 For contracts, grants, and other assistance, not oth-  
25 erwise provided for, as authorized by title VIII of the Civil

1 Rights Act of 1968, as amended by the Fair Housing  
2 Amendments Act of 1988, and section 561 of the Housing  
3 and Community Development Act of 1987, as amended,  
4 \$65,300,000, to remain available until September 30,  
5 2019: *Provided*, That notwithstanding 31 U.S.C. 3302,  
6 the Secretary may assess and collect fees to cover the costs  
7 of the Fair Housing Training Academy, and may use such  
8 funds to provide such training: *Provided further*, That no  
9 funds made available under this heading shall be used to  
10 lobby the executive or legislative branches of the Federal  
11 Government in connection with a specific contract, grant,  
12 or loan: *Provided further*, That of the funds made available  
13 under this heading, \$300,000 shall be available to the Sec-  
14 retary of Housing and Urban Development for the cre-  
15 ation and promotion of translated materials and other pro-  
16 grams that support the assistance of persons with limited  
17 English proficiency in utilizing the services provided by  
18 the Department of Housing and Urban Development.

19 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

20 HOMES

21 LEAD HAZARD REDUCTION

22 For the Lead Hazard Reduction Program, as author-  
23 ized by section 1011 of the Residential Lead-Based Paint  
24 Hazard Reduction Act of 1992, \$130,000,000, to remain  
25 available until September 30, 2019, of which \$25,000,000

1 shall be for the Healthy Homes Initiative, pursuant to sec-  
2 tions 501 and 502 of the Housing and Urban Develop-  
3 ment Act of 1970, that shall include research, studies,  
4 testing, and demonstration efforts, including education  
5 and outreach concerning lead-based paint poisoning and  
6 other housing-related diseases and hazards: *Provided*,  
7 That for purposes of environmental review, pursuant to  
8 the National Environmental Policy Act of 1969 (42 U.S.C.  
9 4321 et seq.) and other provisions of the law that further  
10 the purposes of such Act, a grant under the Healthy  
11 Homes Initiative, or the Lead Technical Studies program  
12 under this heading or under prior appropriations Acts for  
13 such purposes under this heading, shall be considered to  
14 be funds for a special project for purposes of section  
15 305(e) of the Multifamily Housing Property Disposition  
16 Reform Act of 1994: *Provided further*, That of the total  
17 amount made available under this heading, \$50,000,000  
18 shall be made available on a competitive basis for areas  
19 with the highest lead-based paint abatement needs: *Pro-*  
20 *vided further*, That each recipient of funds provided under  
21 the previous proviso shall contribute an amount not less  
22 than 25 percent of the total: *Provided further*, That each  
23 applicant shall certify adequate capacity that is acceptable  
24 to the Secretary to carry out the proposed use of funds  
25 pursuant to a notice of funding availability: *Provided fur-*

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

#### 8 INFORMATION TECHNOLOGY FUND

9 For the development of, modifications to, and infra-  
10 structure for Department-wide and program-specific infor-  
11 mation technology systems, for the continuing operation  
12 and maintenance of both Department-wide and program-  
13 specific information systems, and for program-related  
14 maintenance activities, \$150,000,000 shall remain avail-  
15 able until September 30, 2019: *Provided*, That any  
16 amounts transferred to this Fund under this Act shall re-  
17 main available until expended: *Provided further*, That any  
18 amounts transferred to this Fund from amounts appro-  
19 priated by previously enacted appropriations Acts may be  
20 used for the purposes specified under this Fund, in addi-  
21 tion to any other information technology purposes for  
22 which such amounts were appropriated.

#### 23 OFFICE OF INSPECTOR GENERAL

24 For necessary salaries and expenses of the Office of  
25 Inspector General in carrying out the Inspector General

1 Act of 1978, as amended, \$128,082,000: *Provided*, That  
2 the Inspector General shall have independent authority  
3 over all personnel issues within this office.

4 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
5 URBAN DEVELOPMENT

6 (INCLUDING TRANSFER OF FUNDS)

7 (INCLUDING RESCISSION)

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

1        SEC. 202. None of the amounts made available under  
2 this Act may be used during fiscal year 2018 to investigate  
3 or prosecute under the Fair Housing Act any otherwise  
4 lawful activity engaged in by one or more persons, includ-  
5 ing the filing or maintaining of a nonfrivolous legal action,  
6 that is engaged in solely for the purpose of achieving or  
7 preventing action by a Government official or entity, or  
8 a court of competent jurisdiction.

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

15        SEC. 204. Funds of the Department of Housing and  
16 Urban Development subject to the Government Corpora-  
17 tion Control Act or section 402 of the Housing Act of  
18 1950 shall be available, without regard to the limitations  
19 on administrative expenses, for legal services on a contract  
20 or fee basis, and for utilizing and making payment for  
21 services and facilities of the Federal National Mortgage  
22 Association, Government National Mortgage Association,  
23 Federal Home Loan Mortgage Corporation, Federal Fi-  
24 nancing Bank, Federal Reserve banks or any member  
25 thereof, Federal Home Loan banks, and any insured bank

1 within the meaning of the Federal Deposit Insurance Cor-  
2 poration Act, as amended (12 U.S.C. 1811–1).

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

9 SEC. 206. Corporations and agencies of the Depart-  
10 ment of Housing and Urban Development which are sub-  
11 ject to the Government Corporation Control Act are here-  
12 by authorized to make such expenditures, within the limits  
13 of funds and borrowing authority available to each such  
14 corporation or agency and in accordance with law, and to  
15 make such contracts and commitments without regard to  
16 fiscal year limitations as provided by section 104 of such  
17 Act as may be necessary in carrying out the programs set  
18 forth in the budget for 2018 for such corporation or agen-  
19 cy except as hereinafter provided: *Provided*, That collec-  
20 tions of these corporations and agencies may be used for  
21 new loan or mortgage purchase commitments only to the  
22 extent expressly provided for in this Act (unless such loans  
23 are in support of other forms of assistance provided for  
24 in this or prior appropriations Acts), except that this pro-  
25 viso shall not apply to the mortgage insurance or guaranty



1 operations of these corporations, or where loans or mort-  
2 gage purchases are necessary to protect the financial in-  
3 terest of the United States Government.

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

11       SEC. 208. The President's formal budget request for  
12 fiscal year 2019, as well as the Department of Housing  
13 and Urban Development's congressional budget justifica-  
14 tions to be submitted to the Committees on Appropriations  
15 of the House of Representatives and the Senate, shall use  
16 the identical account and sub-account structure provided  
17 under this Act.

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

22       SEC. 210. (a) Notwithstanding any other provision  
23 of law, subject to the conditions listed under this section,  
24 for fiscal years 2018 and 2019, the Secretary of Housing  
25 and Urban Development may authorize the transfer of

1 some or all project-based assistance, debt held or insured  
2 by the Secretary and statutorily required low-income and  
3 very low-income use restrictions if any, associated with one  
4 or more multifamily housing project or projects to another  
5 multifamily housing project or projects.

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

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

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

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

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

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

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

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

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

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

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

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

22           (9) The transfer does not increase the cost (as  
23 defined in section 502 of the Congressional Budget  
24 Act of 1974, as amended) of any FHA-insured  
25 mortgage, except to the extent that appropriations

1 are provided in advance for the amount of any such  
2 increased cost.

3 (d) For purposes of this section—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5           (2) is under 24 years of age;

6           (3) is not a veteran;

7           (4) is unmarried;

8           (5) does not have a dependent child;

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

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

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

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



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

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

11       SEC. 213. Notwithstanding the limitation in the first  
12 sentence of section 255(g) of the National Housing Act  
13 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and  
14 Urban Development may, until September 30, 2018, in-  
15 sure and enter into commitments to insure mortgages  
16 under such section 255.

17       SEC. 214. Notwithstanding any other provision of  
18 law, in fiscal year 2018, in managing and disposing of any  
19 multifamily property that is owned or has a mortgage held  
20 by the Secretary of Housing and Urban Development, and  
21 during the process of foreclosure on any property with a  
22 contract for rental assistance payments under section 8  
23 of the United States Housing Act of 1937 or other Fed-  
24 eral programs, the Secretary shall maintain any rental as-  
25 sistance payments under section 8 of the United States

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

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

4       SEC. 215. The commitment authority funded by fees  
5 as provided under the heading “Community Development  
6 Loan Guarantees Program Account” may be used to guar-  
7 antee, or make commitments to guarantee, notes, or other  
8 obligations issued by any State on behalf of non-entitle-  
9 ment communities in the State in accordance with the re-  
10 quirements of section 108 of the Housing and Community  
11 Development Act of 1974: *Provided*, That any State re-  
12 ceiving such a guarantee or commitment shall distribute  
13 all funds subject to such guarantee to the units of general  
14 local government in non-entitlement areas that received  
15 the commitment.

16       SEC. 216. Public housing agencies that own and oper-  
17 ate 400 or fewer public housing units may elect to be ex-  
18 empt from any asset management requirement imposed by  
19 the Secretary of Housing and Urban Development in con-  
20 nection with the operating fund rule: *Provided*, That an  
21 agency seeking a discontinuance of a reduction of subsidy  
22 under the operating fund formula shall not be exempt  
23 from asset management requirements.

24       SEC. 217. With respect to the use of amounts pro-  
25 vided in this Act and in future Acts for the operation, cap-

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

14 SEC. 218. No official or employee of the Department  
15 of Housing and Urban Development shall be designated  
16 as an allotment holder unless the Office of the Chief Fi-  
17 nancial Officer has determined that such allotment holder  
18 has implemented an adequate system of funds control and  
19 has received training in funds control procedures and di-  
20 rectives. The Chief Financial Officer shall ensure that  
21 there is a trained allotment holder for each HUD sub-  
22 office under the accounts “Executive Offices” and “Ad-  
23 ministrative Support Offices,” as well as each account re-  
24 ceiving appropriations for “Program Office Salaries and  
25 Expenses”, “Government National Mortgage Associa-

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

5       SEC. 219. The Secretary of the Department of Hous-  
6 ing and Urban Development shall, for fiscal year 2018,  
7 notify the public through the Federal Register and other  
8 means, as determined appropriate, of the issuance of a no-  
9 tice of the availability of assistance or notice of funding  
10 availability (NOFA) for any program or discretionary  
11 fund administered by the Secretary that is to be competi-  
12 tively awarded. Notwithstanding any other provision of  
13 law, for fiscal year 2018, the Secretary may make the  
14 NOFA available only on the Internet at the appropriate  
15 Government web site or through other electronic media,  
16 as determined by the Secretary.

17       SEC. 220. Payment of attorney fees in program-re-  
18 lated litigation shall be paid from the individual program  
19 office and Office of General Counsel salaries and expenses  
20 appropriations. The annual budget submission for the pro-  
21 gram offices and the Office of General Counsel shall in-  
22 clude any such projected litigation costs for attorney fees  
23 as a separate line item request. No funds provided in this  
24 title may be used to pay any such litigation costs for attor-  
25 ney fees until the Department submits for review a spend-

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

3       SEC. 221. The Secretary is authorized to transfer up  
4 to 10 percent or \$4,000,000, whichever is less, of funds  
5 appropriated for any office under the heading “Adminis-  
6 trative Support Offices” or for any account under the gen-  
7 eral heading “Program Office Salaries and Expenses” to  
8 any other such office or account: *Provided*, That no appro-  
9 priation for any such office or account shall be increased  
10 or decreased by more than 10 percent or \$4,000,000,  
11 whichever is less, without prior written approval of the  
12 House and Senate Committees on Appropriations: *Pro-*  
13 *vided further*, That the Secretary shall provide notification  
14 to such Committees three business days in advance of any  
15 such transfers under this section up to 10 percent or  
16 \$4,000,000, whichever is less.

17       SEC. 222. (a) Any entity receiving housing assistance  
18 payments shall maintain decent, safe, and sanitary condi-  
19 tions, as determined by the Secretary of Housing and  
20 Urban Development (in this section referred to as the  
21 “Secretary”), and comply with any standards under appli-  
22 cable State or local laws, rules, ordinances, or regulations  
23 relating to the physical condition of any property covered  
24 under a housing assistance payment contract.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

3        SEC. 223. None of the funds made available by this  
4 Act, or any other Act, for purposes authorized under sec-  
5 tion 8 (only with respect to the tenant-based rental assist-  
6 ance program) and section 9 of the United States Housing  
7 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by  
8 any public housing agency for any amount of salary, in-  
9 cluding bonuses, for the chief executive officer of which,  
10 or any other official or employee of which, that exceeds  
11 the annual rate of basic pay payable for a position at level  
12 IV of the Executive Schedule at any time during any pub-  
13 lic housing agency fiscal year 2018.

14        SEC. 224. None of the funds in this Act may be avail-  
15 able for the doctoral dissertation research grant program  
16 at the Department of Housing and Urban Development.

17        SEC. 225. Section 24 of the United States Housing  
18 Act of 1937 (42 U.S.C. 1437v) is amended—

19            (1) in subsection (m)(1), by striking “fiscal  
20        year” and all that follows through the period at the  
21        end and inserting “fiscal year 2018.”; and

22            (2) in subsection (o), by striking “September”  
23        and all that follows through the period at the end  
24        and inserting “September 30, 2018.”.

1        SEC. 226. None of the funds in this Act provided to  
2 the Department of Housing and Urban Development may  
3 be used to make a grant award unless the Secretary noti-  
4 fies the House and Senate Committees on Appropriations  
5 not less than 3 full business days before any project,  
6 State, locality, housing authority, tribe, nonprofit organi-  
7 zation, or other entity selected to receive a grant award  
8 is announced by the Department or its offices.

9        SEC. 227. None of the funds made available by this  
10 Act may be used to require or enforce the Physical Needs  
11 Assessment (PNA).

12        SEC. 228. None of the funds made available in this  
13 Act shall be used by the Federal Housing Administration,  
14 the Government National Mortgage Administration, or the  
15 Department of Housing and Urban Development to in-  
16 sure, securitize, or establish a Federal guarantee of any  
17 mortgage or mortgage backed security that refinances or  
18 otherwise replaces a mortgage that has been subject to  
19 eminent domain condemnation or seizure, by a State, mu-  
20 nicipality, or any other political subdivision of a State.

21        SEC. 229. None of the funds made available by this  
22 Act may be used to terminate the status of a unit of gen-  
23 eral local government as a metropolitan city (as defined  
24 in section 102 of the Housing and Community Develop-

1 ment Act of 1974 (42 U.S.C. 5302)) with respect to  
2 grants under section 106 of such Act (42 U.S.C. 5306).

3       SEC. 230. Amounts made available under this Act  
4 which are either appropriated, allocated, advanced on a  
5 reimbursable basis, or transferred to the Office of Policy  
6 Development and Research in the Department of Housing  
7 and Urban Development and functions thereof, for re-  
8 search, evaluation, or statistical purposes, and which are  
9 unexpended at the time of completion of a contract, grant,  
10 or cooperative agreement, may be deobligated and shall  
11 immediately become available and may be reobligated in  
12 that fiscal year or the subsequent fiscal year for the re-  
13 search, evaluation, or statistical purposes for which the  
14 amounts are made available to that Office subject to re-  
15 programming requirements in section 405 of this Act.

16       SEC. 231. Employees of the Department of Housing  
17 and Urban Development who are subject to administrative  
18 discipline in fiscal year 2018, including suspension from  
19 work, shall not receive awards (including performance,  
20 special act, or spot) for the remainder of fiscal year 2018  
21 after the effective date of the disciplinary action.

22       SEC. 232. With respect to grant amounts awarded  
23 under the heading “Homeless Assistance Grants” for fis-  
24 cal years 2016, 2017, and 2018 for the continuum of care  
25 (CoC) program as authorized under subtitle C of title IV

1 of the McKinney-Vento Homeless Assistance Act, costs  
2 paid by program income of grant recipients may count to-  
3 ward meeting the recipient’s matching requirements, pro-  
4 vided the costs are eligible CoC costs that supplement the  
5 recipients CoC program.

6       SEC. 233. (a) From amounts made available under  
7 this title under the heading “Homeless Assistance  
8 Grants”, the Secretary may award 1-year transition  
9 grants to recipients of funds for activities under subtitle  
10 C of the McKinney-Vento Homeless Assistance Act (42  
11 U.S.C. 11381 et seq.) to transition from one Continuum  
12 of Care program component to another.

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

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

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

23       SEC. 234. None of the funds made available by this  
24 Act may be used by the Department of Housing and  
25 Urban Development to direct a grantee to undertake spe-

1 cific changes to existing zoning laws as part of carrying  
2 out the final rule entitled “Affirmatively Furthering Fair  
3 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the  
4 notice entitled “Affirmatively Furthering Fair Housing  
5 Assessment Tool” (79 Fed. Reg. 57949 (September 26,  
6 2014)).

7       SEC. 235. Section 579 of the Multifamily Assisted  
8 Housing Reform and Affordability Act of 1997 (42 U.S.C.  
9 1437f note) is amended by striking “October 1, 2017”  
10 each place it appears and inserting in lieu thereof “Octo-  
11 ber 1, 2022”.

12       SEC. 236. None of the funds made available under  
13 this Act for new guarantees of mortgages insured under  
14 the Mutual Mortgage Insurance Fund may be used to  
15 guarantee or insure any mortgage on a property that is  
16 subject to a loan or other obligation, including those billed  
17 as taxes or assessments, for the purpose of financing any  
18 improvements under a Property Assessed Clean Energy  
19 or substantially similar program, if any portion of such  
20 loan or obligation is or has the potential to be in a lien  
21 position superior to the mortgage to be insured or guaran-  
22 teed under the Mutual Mortgage Insurance Fund.

23       SEC. 237. The matter under the heading “Rental As-  
24 sistance Demonstration” in the Department of Housing

1 and Urban Development Appropriations Act, 2012 (42  
2 U.S.C. 1437f note), as amended, is amended—

3 (1) in the 14th proviso—

4 (A) by inserting “or nonprofit” before “en-  
5 tity, then a capable entity,”; and

6 (B) by striking “preserves its interest” and  
7 inserting “or a nonprofit entity preserves an in-  
8 terest”;

9 (2) by striking the 18th proviso and inserting  
10 the following: “*Provided further*, That for fiscal year  
11 2012 and hereafter, owners of properties assisted or  
12 previously assisted under section 101 of the Housing  
13 and Urban Development Act of 1965, section  
14 236(f)(2) of the National Housing Act, or section  
15 8(e)(2) of the United States Housing Act of 1937,  
16 for which a contract expires or terminates due to  
17 prepayment on or after October 1, 2006, has caused  
18 or results in the termination of rental assistance or  
19 affordability restrictions or both and the issuance of  
20 tenant protection vouchers under section 8(o) or sec-  
21 tion 8(t) of the Act, or with a project rental assist-  
22 ance contract under section 202(c)(2) of Housing  
23 Act of 1959, shall be eligible, subject to require-  
24 ments established by the Secretary, including but  
25 not limited to tenant consultation procedures, for



1 conversion of assistance available or provided for  
2 such vouchers or assistance contracts, to assistance  
3 under a long-term project-based subsidy contract  
4 under section 8 of the Act, which shall have a term  
5 of no less than 20 years, which shall have initial  
6 rents set at comparable market rents for the market  
7 area, with subsequent rent adjustments only by an  
8 operating cost factor established by the Secretary,  
9 and which shall be eligible for renewal under section  
10 524 of the Multifamily Assisted Housing Reform  
11 and Affordability Act of 1997 (42 U.S.C. 1437f  
12 note), or, subject to agreement of the administering  
13 public housing agency, to assistance under section  
14 8(o)(13) of the Act, to which the limitation under  
15 subparagraph (B) of section 8(o)(13) of the Act  
16 shall not apply and for which the Secretary may  
17 waive or alter the provisions of subparagraphs (C)  
18 and (D) of section 8(o)(13) of the Act (“Second  
19 Component’ herein:”;

20 (3) by inserting before the 19th proviso the fol-  
21 lowing: “*Provided further*, That conversions of assist-  
22 ance under the Second Component may not be the  
23 basis for re-screening or termination of assistance or  
24 eviction of any tenant family in a property partici-  
25 pating in the demonstration:”;

1           (4) in the 20th proviso, as so reordered by the  
2           amendments made by the preceding provisions of  
3           this section, by striking “previous proviso” and all  
4           that follows through the end of the proviso and in-  
5           serting “Second Component, except for conversion of  
6           section 202 project rental assistance contracts, shall  
7           be available for project-based subsidy contracts en-  
8           tered into pursuant to the Second Component.”;

9           (5) in the 21st proviso, as so reordered by the  
10          amendments made by the preceding provisions of  
11          this section, by striking “previous two provisos” and  
12          inserting “Second Component, except for conversion  
13          of section 202 project rental assistance contracts,”;

14          (6) in the 22nd proviso, as so reordered by the  
15          amendments made by the preceding provisions of  
16          this section, by striking “three previous provisos”  
17          and inserting “Second Component, except for con-  
18          version of section 202 project rental assistance con-  
19          tracts,”;

20          (7) by inserting before the last proviso the fol-  
21          lowing: “*Provided further*, That the Secretary may  
22          transfer amounts made available under the heading  
23          ‘Housing for the Elderly’ to the accounts under the  
24          headings ‘Project-Based Rental Assistance’ or ‘Ten-  
25          ant-Based Rental Assistance’ to facilitate any sec-



1 necessary to make lease payments on an obligation in-  
2 curred in fiscal year 2001 for a capital lease.

3 NEIGHBORHOOD REINVESTMENT CORPORATION  
4 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
5 CORPORATION

6 For payment to the Neighborhood Reinvestment Cor-  
7 poration for use in neighborhood reinvestment activities,  
8 as authorized by the Neighborhood Reinvestment Corpora-  
9 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which  
10 \$5,000,000 shall be for a multi-family rental housing pro-  
11 gram.

12 SURFACE TRANSPORTATION BOARD  
13 SALARIES AND EXPENSES

14 For necessary expenses of the Surface Transpor-  
15 tation Board, including services authorized by 5 U.S.C.  
16 3109, \$37,100,000: *Provided*, That notwithstanding any  
17 other provision of law, not to exceed \$1,250,000 from fees  
18 established by the Chairman of the Surface Transpor-  
19 tation Board shall be credited to this appropriation as off-  
20 setting collections and used for necessary and authorized  
21 expenses under this heading: *Provided further*, That the  
22 sum herein appropriated from the general fund shall be  
23 reduced on a dollar-for-dollar basis as such offsetting col-  
24 lections are received during fiscal year 2018, to result in

1 a final appropriation from the general fund estimated at  
2 no more than \$35,850,000.

3 UNITED STATES INTERAGENCY COUNCIL ON  
4 HOMELESSNESS  
5 OPERATING EXPENSES

6 For closure of the United States Interagency Council  
7 on Homelessness, \$570,000, notwithstanding section 209  
8 of title II of the McKinney-Vento Homeless Assistance  
9 Act, as amended.

10 TITLE IV  
11 GENERAL PROVISIONS—THIS ACT  
12 (INCLUDING RESCISSIONS)

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

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

22 SEC. 403. The expenditure of any appropriation  
23 under this Act for any consulting service through a pro-  
24 curement contract pursuant to section 3109 of title 5,  
25 United States Code, shall be limited to those contracts

1 where such expenditures are a matter of public record and  
2 available for public inspection, except where otherwise pro-  
3 vided under existing law, or under existing Executive order  
4 issued pursuant to existing law.

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

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

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

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

17 (4) contains any methods or content associated  
18 with religious or quasi-religious belief systems or  
19 “new age” belief systems as defined in Equal Em-  
20 ployment Opportunity Commission Notice N-  
21 915.022, dated September 2, 1988; or

22 (5) is offensive to, or designed to change, par-  
23 ticipants’ personal values or lifestyle outside the  
24 workplace.

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

4 SEC. 405. Except as otherwise provided in this Act,  
5 none of the funds provided in this Act, provided by pre-  
6 vious appropriations Acts to the agencies or entities fund-  
7 ed in this Act that remain available for obligation or ex-  
8 penditure in fiscal year 2018, or provided from any ac-  
9 counts in the Treasury derived by the collection of fees  
10 and available to the agencies funded by this Act, shall be  
11 available for obligation or expenditure through a re-  
12 programming of funds that—

13 (1) creates a new program;

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

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

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

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

1           (6) reduces existing programs, projects, or ac-  
2           tivities by \$5,000,000 or 10 percent, whichever is  
3           less; or

4           (7) creates, reorganizes, or restructures a  
5           branch, division, office, bureau, board, commission,  
6           agency, administration, or department different from  
7           the budget justifications submitted to the Commit-  
8           tees on Appropriations or the table accompanying  
9           the explanatory statement accompanying this Act,  
10          whichever is more detailed, unless prior approval is  
11          received from the House and Senate Committees on  
12          Appropriations: *Provided*, That not later than 60  
13          days after the date of enactment of this Act, each  
14          agency funded by this Act shall submit a report to  
15          the Committees on Appropriations of the Senate and  
16          of the House of Representatives to establish the  
17          baseline for application of reprogramming and trans-  
18          fer authorities for the current fiscal year: *Provided*  
19          *further*, That the report shall include—

20                 (A) a table for each appropriation with a  
21                 separate column to display the prior year en-  
22                 acted level, the President’s budget request, ad-  
23                 justments made by Congress, adjustments due  
24                 to enacted rescissions, if appropriate, and the  
25                 fiscal year enacted level;



1 (B) a delineation in the table for each ap-  
2 propriation and its respective prior year enacted  
3 level by object class and program, project, and  
4 activity as detailed in the budget appendix for  
5 the respective appropriation; and

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

8 SEC. 406. Except as otherwise specifically provided  
9 by law, not to exceed 50 percent of unobligated balances  
10 remaining available at the end of fiscal year 2018 from  
11 appropriations made available for salaries and expenses  
12 for fiscal year 2018 in this Act, shall remain available  
13 through September 30, 2019, for each such account for  
14 the purposes authorized: *Provided*, That a request shall  
15 be submitted to the House and Senate Committees on Ap-  
16 propriations for approval prior to the expenditure of such  
17 funds: *Provided further*, That these requests shall be made  
18 in compliance with reprogramming guidelines under sec-  
19 tion 405 of this Act.

20 SEC. 407. No funds in this Act may be used to sup-  
21 port any Federal, State, or local projects that seek to use  
22 the power of eminent domain, unless eminent domain is  
23 employed only for a public use: *Provided*, That for pur-  
24 poses of this section, public use shall not be construed to  
25 include economic development that primarily benefits pri-

1 vate entities: *Provided further*, That any use of funds for  
2 mass transit, railroad, airport, seaport or highway  
3 projects, as well as utility projects which benefit or serve  
4 the general public (including energy-related, communica-  
5 tion-related, water-related and wastewater-related infra-  
6 structure), other structures designated for use by the gen-  
7 eral public or which have other common-carrier or public-  
8 utility functions that serve the general public and are sub-  
9 ject to regulation and oversight by the government, and  
10 projects for the removal of an immediate threat to public  
11 health and safety or brownfields as defined in the Small  
12 Business Liability Relief and Brownfields Revitalization  
13 Act (Public Law 107–118) shall be considered a public  
14 use for purposes of eminent domain.

15       SEC. 408. None of the funds made available in this  
16 Act may be transferred to any department, agency, or in-  
17 strumentality of the United States Government, except  
18 pursuant to a transfer made by, or transfer authority pro-  
19 vided in, this Act or any other appropriations Act.

20       SEC. 409. No part of any appropriation contained in  
21 this Act shall be available to pay the salary for any person  
22 filling a position, other than a temporary position, for-  
23 merly held by an employee who has left to enter the Armed  
24 Forces of the United States and has satisfactorily com-  
25 pleted his or her period of active military or naval service,

1 and has within 90 days after his or her release from such  
2 service or from hospitalization continuing after discharge  
3 for a period of not more than 1 year, made application  
4 for restoration to his or her former position and has been  
5 certified by the Office of Personnel Management as still  
6 qualified to perform the duties of his or her former posi-  
7 tion and has not been restored thereto.

8       SEC. 410. No funds appropriated pursuant to this  
9 Act may be expended by an entity unless the entity agrees  
10 that in expending the assistance the entity will comply  
11 with sections 2 through 4 of the Act of March 3, 1933  
12 (41 U.S.C. 8301–8305, popularly known as the “Buy  
13 American Act”).

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

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

22       SEC. 413. (a) None of the funds made available by  
23 this Act may be used to approve a new foreign air carrier  
24 permit under sections 41301 through 41305 of title 49,  
25 United States Code, or exemption application under sec-

1 tion 40109 of that title of an air carrier already holding  
2 an air operators certificate issued by a country that is  
3 party to the U.S.-E.U.-Iceland-Norway Air Transport  
4 Agreement where such approval would contravene United  
5 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-  
6 way Air Transport Agreement.

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

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

1 of foreign governments, international organizations, or  
2 nongovernmental organizations.

3 SEC. 415. None of the funds appropriated or other-  
4 wise made available under this Act may be used by the  
5 Surface Transportation Board to charge or collect any fil-  
6 ing fee for rate or practice complaints filed with the Board  
7 in an amount in excess of the amount authorized for dis-  
8 trict court civil suit filing fees under section 1914 of title  
9 28, United States Code.

10 SEC. 416. (a) All unobligated balances, including re-  
11 captures and carryover, remaining from funds appro-  
12 priated in division K of Public Law 115–31 for “Depart-  
13 ment of Transportation-Office of the Secretary-Salaries  
14 and Expenses”, “Department of Transportation-Office of  
15 the Secretary-Office of Civil Rights”, “Department of  
16 Transportation-Office of the Secretary-Small and Dis-  
17 advantaged Business Utilization and Outreach”, “Depart-  
18 ment of Transportation-Federal Transit Administration-  
19 Administrative Expenses”, “Department of Transpor-  
20 tation-Pipeline and Hazardous Materials Safety Adminis-  
21 tration-Operational Expenses”, “Surface Transportation  
22 Board-Salaries and Expenses”, “Access Board-Salaries  
23 and Expenses”, “Federal Maritime Commission-Salaries  
24 and Expenses”, “National Railroad Passenger Corpora-  
25 tion-Office of Inspector General-Salaries and Expenses”,

1 “National Transportation Safety Board-Salaries and Ex-  
2 penses”, and “United States Interagency Council on  
3 Homelessness-Operating Expenses” are rescinded.

4 (b) All unobligated balances, including recaptures  
5 and carryover, remaining from funds appropriated in divi-  
6 sion K of Public Law 115–31 for accounts under the head-  
7 ings “Department of Housing and Urban Development-  
8 Management and Administration” and “Department of  
9 Housing and Urban Development-Program Office Salaries  
10 and Expenses” are rescinded.

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

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

19 SPENDING REDUCTION ACCOUNT

20 SEC. 418. \$0.

21 This Act may be cited as the “Transportation, Hous-  
22 ing and Urban Development, and Related Agencies Appro-  
23 priations Act, 2018”.



Union Calendar No. 169

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 3353**

[Report No. 115-237]

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**A BILL**

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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JULY 21, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed