

## Union Calendar No. 472

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5394

[Report No. 114-606]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2016

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, 2017, and for other purposes.



1           (2) by inserting “and 12 square miles of land  
2       area” after “65,000”.

3       This title may be cited as the “Department of Trans-  
4       portation Appropriations Act, 2017”.

5   TITLE II  
6       DEPARTMENT OF HOUSING AND URBAN  
7   DEVELOPMENT  
8   MANAGEMENT AND ADMINISTRATION  
9   EXECUTIVE OFFICES

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

20   ADMINISTRATIVE SUPPORT OFFICES

21       For necessary salaries and expenses for Administra-  
22       tive Support Offices, \$516,000,000, of which \$53,500,000  
23       shall be available for the Office of the Chief Financial Offi-  
24       cer; \$95,250,000 shall be available for the Office of the  
25       General Counsel; \$202,500,000 shall be available for the

1 Office of Administration; \$40,250,000 shall be available  
2 for the Office of the Chief Human Capital Officer;  
3 \$51,250,000 shall be available for the Office of Field Pol-  
4 icy and Management; \$19,000,000 shall be available for  
5 the Office of the Chief Procurement Officer; \$3,500,000  
6 shall be available for the Office of Departmental Equal  
7 Employment Opportunity; \$4,500,000 shall be available  
8 for the Office of Strategic Planning and Management; and  
9 \$46,250,000 shall be available for the Office of the Chief  
10 Information Officer: *Provided*, That funds provided under  
11 this heading may be used for necessary administrative and  
12 non-administrative expenses of the Department of Hous-  
13 ing and Urban Development, not otherwise provided for,  
14 including purchase of uniforms, or allowances therefor, as  
15 authorized by 5 U.S.C. 5901–5902; hire of passenger  
16 motor vehicles; and services as authorized by 5 U.S.C.  
17 3109: *Provided further*, That notwithstanding any other  
18 provision of law, funds appropriated under this heading  
19 may be used for advertising and promotional activities  
20 that directly support program activities funded in this  
21 title: *Provided further*, That the Secretary shall provide the  
22 House and Senate Committees on Appropriations quar-  
23 terly written notification regarding the status of pending  
24 congressional reports: *Provided further*, That the Sec-

1   retary shall provide in electronic form all signed reports  
2   required by Congress.

3           PROGRAM OFFICE SALARIES AND EXPENSES

4                   PUBLIC AND INDIAN HOUSING

5           For necessary salaries and expenses of the Office of  
6   Public and Indian Housing, \$216,000,000.

7                   COMMUNITY PLANNING AND DEVELOPMENT

8           For necessary salaries and expenses of the Office of  
9   Community Planning and Development, \$109,000,000.

10                   HOUSING

11          For necessary salaries and expenses of the Office of  
12   Housing, \$387,000,000.

13                   POLICY DEVELOPMENT AND RESEARCH

14          For necessary salaries and expenses of the Office of  
15   Policy Development and Research, \$23,000,000.

16                   FAIR HOUSING AND EQUAL OPPORTUNITY

17          For necessary salaries and expenses of the Office of  
18   Fair Housing and Equal Opportunity, \$72,000,000.

19                   OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

20                           HOMES

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

## 1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

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

1 available until expended for use for any office or agency:  
2 *Provided further*, That amounts in the Fund shall be the  
3 only amounts available to each office or agency of the De-  
4 partment for the services, or portion of services, specified  
5 in the first proviso: *Provided further*, That with respect  
6 to the Fund, the authorities and conditions under this  
7 heading shall supplement the authorities and conditions  
8 provided under section 7(f).

9 PUBLIC AND INDIAN HOUSING PROGRAMS

10 TENANT-BASED RENTAL ASSISTANCE

11 For activities and assistance for the provision of ten-  
12 ant-based rental assistance authorized under the United  
13 States Housing Act of 1937, as amended (42 U.S.C. 1437  
14 et seq.) (“the Act” herein), not otherwise provided for,  
15 \$16,188,675,000, to remain available until expended, shall  
16 be available on October 1, 2016 (in addition to the  
17 \$4,000,000,000 previously appropriated under this head-  
18 ing that shall be available on October 1, 2016), and  
19 \$4,000,000,000, to remain available until expended, shall  
20 be available on October 1, 2017: *Provided*, That the  
21 amounts made available under this heading are provided  
22 as follows:

23 (1) \$18,311,675,000 shall be available for re-  
24 newals of expiring section 8 tenant-based annual  
25 contributions contracts (including renewals of en-

1 hanced vouchers under any provision of law author-  
2 izing such assistance under section 8(t) of the Act)  
3 and including renewal of other special purpose incre-  
4 mental vouchers: *Provided*, That notwithstanding  
5 any other provision of law, from amounts provided  
6 under this paragraph and any carryover, the Sec-  
7 retary for the calendar year 2017 funding cycle shall  
8 provide renewal funding for each public housing  
9 agency based on validated voucher management sys-  
10 tem (VMS) leasing and cost data for the prior cal-  
11 endar year and by applying an inflation factor as es-  
12 tablished by the Secretary, by notice published in  
13 the Federal Register, and by making any necessary  
14 adjustments for the costs associated with the first-  
15 time renewal of vouchers under this paragraph in-  
16 cluding tenant protection, and Choice Neighborhoods  
17 vouchers: *Provided further*, That in determining cal-  
18 endar year 2017 funding allocations under this  
19 heading for public housing agencies, including agen-  
20 cies participating in the Moving To Work (MTW)  
21 demonstration, the Secretary may take into account  
22 the anticipated impact of changes in targeting and  
23 utility allowances, on public housing agencies' con-  
24 tract renewal needs: *Provided further*, That none of  
25 the funds provided under this paragraph may be



1 used to fund a total number of unit months under  
2 lease which exceeds a public housing agency's au-  
3 thorized level of units under contract, except for  
4 public housing agencies participating in the MTW  
5 demonstration, which are instead governed by the  
6 terms and conditions of their MTW agreements:  
7 *Provided further*, That the Secretary shall, to the ex-  
8 tent necessary to stay within the amount specified  
9 under this paragraph (except as otherwise modified  
10 under this paragraph), prorate each public housing  
11 agency's allocation otherwise established pursuant to  
12 this paragraph: *Provided further*, That except as  
13 provided in the following provisos, the entire amount  
14 specified under this paragraph (except as otherwise  
15 modified under this paragraph) shall be obligated to  
16 the public housing agencies based on the allocation  
17 and pro rata method described above, and the Sec-  
18 retary shall notify public housing agencies of their  
19 annual budget by the latter of 60 days after enact-  
20 ment of this Act or March 1, 2017: *Provided further*,  
21 That the Secretary may extend the notification pe-  
22 riod with the prior written approval of the House  
23 and Senate Committees on Appropriations: *Provided*  
24 *further*, That public housing agencies participating  
25 in the MTW demonstration shall be funded pursuant

1 to their MTW agreements, and in accordance with  
2 the requirements of the MTW program, and shall be  
3 subject to the same pro rata adjustments under the  
4 previous provisos: *Provided further*, That the Sec-  
5 retary may offset public housing agencies' calendar  
6 year 2017 allocations based on the excess amounts  
7 of public housing agencies' net restricted assets ac-  
8 counts, including HUD held programmatic reserves  
9 (in accordance with VMS data in calendar year 2016  
10 that is verifiable and complete), as determined by  
11 the Secretary: *Provided further*, That public housing  
12 agencies participating in the MTW demonstration  
13 shall also be subject to the offset, as determined by  
14 the Secretary, excluding amounts subject to the sin-  
15 gle fund budget authority provisions of their MTW  
16 agreements, from the agencies' calendar year 2017  
17 MTW funding allocation: *Provided further*, That the  
18 Secretary shall use any offset referred to in the pre-  
19 vious two provisos throughout the calendar year to  
20 prevent the termination of rental assistance for fam-  
21 ilies as the result of insufficient funding, as deter-  
22 mined by the Secretary, and to avoid or reduce the  
23 proration of renewal funding allocations: *Provided*  
24 *further*, That up to \$75,000,000 shall be available  
25 only: (1) for adjustments in the allocations for public

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

19 (2) \$110,000,000 shall be for section 8 rental  
20 assistance for relocation and replacement of housing  
21 units that are demolished or disposed of pursuant to  
22 section 18 of the Act, conversion of section 23  
23 projects to assistance under section 8, the family  
24 unification program under section 8(x) of the Act,  
25 relocation of witnesses in connection with efforts to

1 combat crime in public and assisted housing pursu-  
2 ant to a request from a law enforcement or prosecu-  
3 tion agency, enhanced vouchers under any provision  
4 of law authorizing such assistance under section 8(t)  
5 of the Act, HOPE VI and Choice Neighborhood  
6 vouchers, mandatory and voluntary conversions, and  
7 tenant protection assistance including replacement  
8 and relocation assistance or for project-based assist-  
9 ance to prevent the displacement of unassisted elder-  
10 ly tenants currently residing in section 202 prop-  
11 erties financed between 1959 and 1974 that are refi-  
12 nanced pursuant to Public Law 106–569, as amend-  
13 ed, or under the authority as provided under this  
14 Act: *Provided*, That when a public housing develop-  
15 ment is submitted for demolition or disposition  
16 under section 18 of the Act, the Secretary may pro-  
17 vide section 8 rental assistance when the units pose  
18 an imminent health and safety risk to residents:  
19 *Provided further*, That the Secretary may only pro-  
20 vide replacement vouchers for units that were occu-  
21 pied within the previous 24 months that cease to be  
22 available as assisted housing, subject only to the  
23 availability of funds: *Provided further*, That of the  
24 amounts made available under this paragraph,  
25 \$5,000,000 may be available to provide tenant pro-

1        tection assistance, not otherwise provided under this  
2        paragraph, to residents residing in low vacancy  
3        areas and who may have to pay rents greater than  
4        30 percent of household income, as the result of: (A)  
5        the maturity of a HUD-insured, HUD-held or sec-  
6        tion 202 loan that requires the permission of the  
7        Secretary prior to loan prepayment; (B) the expira-  
8        tion of a rental assistance contract for which the  
9        tenants are not eligible for enhanced voucher or ten-  
10       ant protection assistance under existing law; or (C)  
11       the expiration of affordability restrictions accom-  
12       panying a mortgage or preservation program admin-  
13       istered by the Secretary: *Provided further*, That such  
14       tenant protection assistance made available under  
15       the previous proviso may be provided under the au-  
16       thority of section 8(t) or section 8(o)(13) of the  
17       United States Housing Act of 1937 (42 U.S.C.  
18       1437f(t)): *Provided further*, That any tenant protec-  
19       tion voucher made available from amounts under  
20       this paragraph shall not be reissued by any public  
21       housing agency, except the replacement vouchers as  
22       defined by the Secretary by notice, when the initial  
23       family that received any such voucher no longer re-  
24       ceives such voucher, and the authority for any public

1 housing agency to issue any such voucher shall cease  
2 to exist;

3 (3) \$1,650,000,000 shall be for administrative  
4 and other expenses of public housing agencies in ad-  
5 ministering the section 8 tenant-based rental assist-  
6 ance program, of which up to \$10,000,000 shall be  
7 available to the Secretary to allocate to public hous-  
8 ing agencies that need additional funds to admin-  
9 ister their section 8 programs, including fees associ-  
10 ated with section 8 tenant protection rental assist-  
11 ance, the administration of disaster related vouchers,  
12 Veterans Affairs Supportive Housing vouchers, and  
13 other special purpose incremental vouchers: *Pro-*  
14 *vided*, That no less than \$1,640,000,000 of the  
15 amount provided in this paragraph shall be allocated  
16 to public housing agencies for the calendar year  
17 2017 funding cycle based on section 8(q) of the Act  
18 (and related Appropriation Act provisions) as in ef-  
19 fect immediately before the enactment of the Quality  
20 Housing and Work Responsibility Act of 1998 (Pub-  
21 lic Law 105–276): *Provided further*, That if the  
22 amounts made available under this paragraph are  
23 insufficient to pay the amounts determined under  
24 the previous proviso, the Secretary may decrease the  
25 amounts allocated to agencies by a uniform percent-

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

21 (4) \$110,000,000 for the renewal of tenant-  
22 based assistance contracts under section 811 of the  
23 Cranston-Gonzalez National Affordable Housing Act  
24 (42 U.S.C. 8013), including necessary administra-  
25 tive expenses: *Provided*, That administrative and

1 other expenses of public housing agencies in admin-  
2 istering the special purpose vouchers in this para-  
3 graph shall be funded under the same terms and be  
4 subject to the same pro rata reduction as the per-  
5 cent decrease for administrative and other expenses  
6 to public housing agencies under paragraph (3) of  
7 this heading;

8 (5) \$7,000,000 shall be for rental assistance  
9 and associated administrative fees for Tribal HUD-  
10 VA Supportive Housing to serve Native American  
11 veterans that are homeless or at-risk of homeles-  
12 ness living on or near a reservation or other Indian  
13 areas: *Provided*, That such amount shall be made  
14 available for renewal grants to the recipients that re-  
15 ceived assistance under the rental assistance and  
16 supportive housing demonstration program for Na-  
17 tive American veterans authorized under the heading  
18 “TENANT-BASED RENTAL ASSISTANCE” in title II of  
19 division K of the Consolidated and Further Con-  
20 tinuing Appropriations Act, 2015 (Public Law 113-  
21 235, 128 Stat. 2733): *Provided further*, That the  
22 Secretary shall be authorized to specify criteria for  
23 renewal grants, including data on the utilization of  
24 assistance reported by grant recipients under the  
25 demonstration program: *Provided further*, That any



1 amounts remaining after such renewal assistance is  
2 awarded may be available for new grants to recipi-  
3 ents eligible to receive block grants under the Native  
4 American Housing Assistance and Self-Determina-  
5 tion Act of 1996 (25 U.S.C. section 4101 et seq.)  
6 for rental assistance and associated administrative  
7 fees for Tribal HUD–VA Supportive Housing to  
8 serve Native American veterans that are homeless or  
9 at-risk of homelessness living on or near a reserva-  
10 tion or other Indian areas: *Provided further*, That  
11 funds shall be awarded based on need, administra-  
12 tive capacity, and any other funding criteria estab-  
13 lished by the Secretary in a Notice published in the  
14 Federal Register after coordination with the Sec-  
15 retary of the Department of Veterans Affairs: *Pro-*  
16 *vided further*, That renewal grants and new grants  
17 under this paragraph shall be administered by block  
18 grant recipients in accordance with program require-  
19 ments under the Native American Housing Assist-  
20 ance and Self-Determination Act of 1996: *Provided*  
21 *further*, That assistance under this paragraph shall  
22 be modeled after, with necessary and appropriate ad-  
23 justments for Native American grant recipients and  
24 veterans, the rental assistance and supportive hous-  
25 ing program known as HUD–VASH program, in-

1 including administration in conjunction with the De-  
2 partment of Veterans Affairs and overall implemen-  
3 tation of section 8(o)(19) of the United States  
4 Housing Act of 1937: *Provided further*, That the  
5 Secretary of Housing and Urban Development may  
6 waive, or specify alternative requirements for any  
7 provision of any statute or regulation that the Sec-  
8 retary of Housing and Urban Development admin-  
9 isters in connection with the use of funds made  
10 available under this paragraph (except for require-  
11 ments related to fair housing, nondiscrimination,  
12 labor standards, and the environment), upon a find-  
13 ing by the Secretary that any such waivers or alter-  
14 native requirements are necessary for the effective  
15 delivery and administration of such assistance: *Pro-*  
16 *vided further*, That grant recipients shall report to  
17 the Secretary on utilization of such rental assistance  
18 and other program data, as prescribed by the Sec-  
19 retary; and

20 (6) the Secretary shall separately track all spe-  
21 cial purpose vouchers funded under this heading.

22 HOUSING CERTIFICATE FUND

23 (INCLUDING RESCISSIONS)

24 Unobligated balances, including recaptures and car-  
25 ryover, remaining from funds appropriated to the Depart-

1 ment of Housing and Urban Development under this  
2 heading, the heading “Annual Contributions for Assisted  
3 Housing” and the heading “Project-Based Rental Assist-  
4 ance”, for fiscal year 2017 and prior years may be used  
5 for renewal of or amendments to section 8 project-based  
6 contracts and for performance-based contract administra-  
7 tors, notwithstanding the purposes for which such funds  
8 were appropriated: *Provided*, That any obligated balances  
9 of contract authority from fiscal year 1974 and prior that  
10 have been terminated shall be rescinded: *Provided further*,  
11 That amounts heretofore recaptured, or recaptured during  
12 the current fiscal year, from section 8 project-based con-  
13 tracts from source years fiscal year 1975 through fiscal  
14 year 1987 are hereby rescinded, and an amount of addi-  
15 tional new budget authority, equivalent to the amount re-  
16 scinded is hereby appropriated, to remain available until  
17 expended, for the purposes set forth under this heading,  
18 in addition to amounts otherwise available.

19 PUBLIC HOUSING CAPITAL FUND

20 For the Public Housing Capital Fund Program to  
21 carry out capital and management activities for public  
22 housing agencies, as authorized under section 9 of the  
23 United States Housing Act of 1937 (42 U.S.C. 1437g)  
24 (the “Act”) \$1,900,000,000, to remain available until  
25 September 30, 2020: *Provided*, That notwithstanding any

1 other provision of law or regulation, during fiscal year  
2 2017, the Secretary of Housing and Urban Development  
3 may not delegate to any Department official other than  
4 the Deputy Secretary and the Assistant Secretary for  
5 Public and Indian Housing any authority under paragraph  
6 (2) of section 9(j) regarding the extension of the time peri-  
7 ods under such section: *Provided further*, That for pur-  
8 poses of such section 9(j), the term “obligate” means, with  
9 respect to amounts, that the amounts are subject to a  
10 binding agreement that will result in outlays, immediately  
11 or in the future: *Provided further*, That up to \$10,000,000  
12 shall be to support ongoing Public Housing Financial and  
13 Physical Assessment activities: *Provided further*, That up  
14 to \$1,000,000 shall be to support the costs of administra-  
15 tive and judicial receiverships: *Provided further*, That of  
16 the total amount provided under this heading, not to ex-  
17 ceed \$20,000,000 shall be available for the Secretary to  
18 make grants, notwithstanding section 204 of this Act, to  
19 public housing agencies for emergency capital needs in-  
20 cluding safety and security measures necessary to address  
21 crime and drug-related activity as well as needs resulting  
22 from unforeseen or unpreventable emergencies and nat-  
23 ural disasters excluding Presidentially declared emer-  
24 gencies and natural disasters under the Robert T. Stafford  
25 Disaster Relief and Emergency Act (42 U.S.C. 5121 et

1 seq.) occurring in fiscal year 2017: *Provided further*, That  
2 of the amount made available under the previous proviso,  
3 not less than \$5,000,000 shall be for safety and security  
4 measures: *Provided further*, That of the total amount pro-  
5 vided under this heading \$35,000,000 shall be for sup-  
6 portive services, service coordinator and congregate serv-  
7 ices as authorized by section 34 of the Act (42 U.S.C.  
8 1437z-6) and the Native American Housing Assistance  
9 and Self-Determination Act of 1996 (25 U.S.C. 4101 et  
10 seq.): *Provided further*, That of the total amount made  
11 available under this heading, \$15,000,000 shall be for a  
12 Jobs-Plus initiative modeled after the Jobs-Plus dem-  
13 onstration: *Provided further*, That the funding provided  
14 under the previous proviso shall provide competitive grants  
15 to partnerships between public housing authorities, local  
16 workforce investment boards established under section  
17 117 of the Workforce Investment Act of 1998, and other  
18 agencies and organizations that provide support to help  
19 public housing residents obtain employment and increase  
20 earnings: *Provided further*, That applicants must dem-  
21 onstrate the ability to provide services to residents, part-  
22 ner with workforce investment boards, and leverage service  
23 dollars: *Provided further*, That the Secretary may allow  
24 public housing agencies to request exemptions from rent  
25 and income limitation requirements under sections 3 and

1 6 of the United States Housing Act of 1937 as necessary  
2 to implement the Jobs-Plus program, on such terms and  
3 conditions as the Secretary may approve upon a finding  
4 by the Secretary that any such waivers or alternative re-  
5 quirements are necessary for the effective implementation  
6 of the Jobs-Plus initiative as a voluntary program for resi-  
7 dents: *Provided further*, That the Secretary shall publish  
8 by notice in the Federal Register any waivers or alter-  
9 native requirements pursuant to the preceding proviso no  
10 later than 10 days before the effective date of such notice:  
11 *Provided further*, That for funds provided under this head-  
12 ing, the limitation in section 9(g)(1) of the Act shall be  
13 25 percent: *Provided further*, That the Secretary may  
14 waive the limitation in the previous proviso to allow public  
15 housing agencies to fund activities authorized under sec-  
16 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-  
17 retary shall notify public housing agencies requesting  
18 waivers under the previous proviso if the request is ap-  
19 proved or denied within 14 days of submitting the request:  
20 *Provided further*, That from the funds made available  
21 under this heading, the Secretary shall provide bonus  
22 awards in fiscal year 2017 to public housing agencies that  
23 are designated high performers: *Provided further*, That the  
24 Department shall notify public housing agencies of their  
25 formula allocation within 60 days of enactment of this Act.

## 1 PUBLIC HOUSING OPERATING FUND

2 For 2017 payments to public housing agencies for the  
3 operation and management of public housing, as author-  
4 ized by section 9(e) of the United States Housing Act of  
5 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain  
6 available until September 30, 2018.

## 7 CHOICE NEIGHBORHOODS INITIATIVE

8 For competitive grants under the Choice Neighbor-  
9 hoods Initiative (subject to section 24 of the United States  
10 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise  
11 specified under this heading), for transformation, rehabili-  
12 tation, and replacement housing needs of both public and  
13 HUD-assisted housing and to transform neighborhoods of  
14 poverty into functioning, sustainable mixed income neigh-  
15 borhoods with appropriate services, schools, public assets,  
16 transportation and access to jobs, \$100,000,000, to re-  
17 main available until September 30, 2019: *Provided*, That  
18 grant funds may be used for resident and community serv-  
19 ices, community development, and affordable housing  
20 needs in the community, and for conversion of vacant or  
21 foreclosed properties to affordable housing: *Provided fur-*  
22 *ther*, That the use of funds made available under this  
23 heading shall not be deemed to be public housing notwith-  
24 standing section 3(b)(1) of such Act: *Provided further*,  
25 That grantees shall commit to an additional period of af-

1 fordability determined by the Secretary of not fewer than  
2 20 years: *Provided further*, That grantees shall undertake  
3 comprehensive local planning with input from residents  
4 and the community, and that grantees shall provide a  
5 match in State, local, other Federal or private funds: *Pro-*  
6 *vided further*, That grantees may include local govern-  
7 ments, tribal entities, public housing authorities, and non-  
8 profits: *Provided further*, That for-profit developers may  
9 apply jointly with a public entity: *Provided further*, That  
10 for purposes of environmental review, a grantee shall be  
11 treated as a public housing agency under section 26 of  
12 the United States Housing Act of 1937 (42 U.S.C.  
13 1437x), and grants under this heading shall be subject  
14 to the regulations issued by the Secretary to implement  
15 such section: *Provided further*, That of the amount pro-  
16 vided, not less than \$50,000,000 shall be awarded to pub-  
17 lic housing agencies: *Provided further*, That such grantees  
18 shall create partnerships with other local organizations in-  
19 cluding assisted housing owners, service agencies, and  
20 resident organizations: *Provided further*, That the Sec-  
21 retary shall consult with the Secretaries of Education,  
22 Labor, Transportation, Health and Human Services, Agri-  
23 culture, and Commerce, the Attorney General, and the Ad-  
24 ministrator of the Environmental Protection Agency to co-  
25 ordinate and leverage other appropriate Federal resources:



1 *Provided further*, That no more than \$5,000,000 of funds  
2 made available under this heading may be provided to as-  
3 sist communities in developing comprehensive strategies  
4 for implementing this program or implementing other revi-  
5 talization efforts in conjunction with community notice  
6 and input: *Provided further*, That the Secretary shall de-  
7 velop and publish guidelines for the use of such competi-  
8 tive funds, including but not limited to eligible activities,  
9 program requirements, and performance metrics: *Provided*  
10 *further*, That unobligated balances, including recaptures,  
11 remaining from funds appropriated under the heading  
12 “Revitalization of Severely Distressed Public Housing  
13 (HOPE VI)” in fiscal year 2011 and prior fiscal years  
14 may be used for purposes under this heading, notwith-  
15 standing the purposes for which such amounts were appro-  
16 priated.

17 **FAMILY SELF-SUFFICIENCY**

18 For the Family Self-Sufficiency program to support  
19 family self-sufficiency coordinators under section 23 of the  
20 United States Housing Act of 1937, to promote the devel-  
21 opment of local strategies to coordinate the use of assist-  
22 ance under sections 8(o) and 9 of such Act with public  
23 and private resources, and enable eligible families to  
24 achieve economic independence and self-sufficiency,  
25 \$75,000,000, to remain available until September 30,

1 2018: *Provided*, That the Secretary may, by Federal Reg-  
2 ister notice, waive or specify alternative requirements  
3 under sections b(3), b(4), b(5), or c(1) of section 23 of  
4 such Act in order to facilitate the operation of a unified  
5 self-sufficiency program for individuals receiving assist-  
6 ance under different provisions of the Act, as determined  
7 by the Secretary: *Provided further*, That owners of a pri-  
8 vately owned multifamily property with a section 8 con-  
9 tract may voluntarily make a Family Self-Sufficiency pro-  
10 gram available to the assisted tenants of such property  
11 in accordance with procedures established by the Sec-  
12 retary: *Provided further*, That such procedures established  
13 pursuant to the previous proviso shall permit participating  
14 tenants to accrue escrow funds in accordance with section  
15 23(d)(2) and shall allow owners to use funding from resid-  
16 ual receipt accounts to hire coordinators for their own  
17 Family Self-Sufficiency program.

18 NATIVE AMERICAN HOUSING BLOCK GRANTS

19 For the Native American Housing Block Grants pro-  
20 gram, as authorized under title I of the Native American  
21 Housing Assistance and Self-Determination Act of 1996  
22 (NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to  
23 remain available until September 30, 2021: *Provided*,  
24 That, notwithstanding the Native American Housing As-  
25 sistance and Self-Determination Act of 1996, to determine

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

1 ized by title VI of NAHASDA: *Provided further*, That such  
2 costs, including the costs of modifying such notes and  
3 other obligations, shall be as defined in section 502 of the  
4 Congressional Budget Act of 1974, as amended: *Provided*  
5 *further*, That these funds are available to subsidize the  
6 total principal amount of any notes and other obligations,  
7 any part of which is to be guaranteed, not to exceed  
8 \$17,857,142: *Provided further*, That the Department will  
9 notify grantees of their formula allocation within 60 days  
10 of the date of enactment of this Act: *Provided further*, not-  
11 withstanding section 302(d) of NAHASDA, if on January  
12 1, 2017, a recipient's total amount of undisbursed block  
13 grants in the Department's line of credit control system  
14 is greater than three times the formula allocation it would  
15 otherwise receive under this heading, the Secretary shall  
16 adjust that recipient's formula allocation down by the dif-  
17 ference between its total amount of undisbursed block  
18 grants in the Department's line of credit control system  
19 on January 1, 2017, and three times the formula alloca-  
20 tion it would otherwise receive: *Provided further*, That  
21 grant amounts not allocated to a recipient pursuant to the  
22 previous proviso shall be allocated under the need compo-  
23 nent of the formula proportionately among all other In-  
24 dian tribes not subject to an adjustment: *Provided further*,  
25 That the two previous provisos shall not apply to any In-

1 dian tribe that would otherwise receive a formula alloca-  
2 tion of less than \$8,000,000: *Provided further*, That to  
3 take effect, the three previous provisos do not require  
4 issuance or amendment of any regulation, and shall not  
5 be construed to confer hearing rights under any section  
6 of NAHASDA or its implementing regulations.

7 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

8 ACCOUNT

9 For the cost of guaranteed loans, as authorized by  
10 section 184 of the Housing and Community Development  
11 Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to re-  
12 main available until expended: *Provided*, That such costs,  
13 including the costs of modifying such loans, shall be as  
14 defined in section 502 of the Congressional Budget Act  
15 of 1974: *Provided further*, That these funds are available  
16 to subsidize total loan principal, any part of which is to  
17 be guaranteed, up to \$1,341,463,415, to remain available  
18 until expended: *Provided further*, That up to \$750,000 of  
19 this amount may be for administrative contract expenses  
20 including management processes and systems to carry out  
21 the loan guarantee program.

22 COMMUNITY PLANNING AND DEVELOPMENT

23 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

24 For carrying out the Housing Opportunities for Per-  
25 sons with AIDS program, as authorized by the AIDS

1 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
2 \$335,000,000, to remain available until September 30,  
3 2018, except that amounts allocated pursuant to section  
4 854(c)(3) of such Act shall remain available until Sep-  
5 tember 30, 2019: *Provided*, That the Secretary shall renew  
6 all expiring contracts for permanent supportive housing  
7 that initially were funded under section 854(c)(3) of such  
8 Act from funds made available under this heading in fiscal  
9 year 2010 and prior fiscal years that meet all program  
10 requirements before awarding funds for new contracts  
11 under such section: *Provided further*, That the Depart-  
12 ment shall notify grantees of their formula allocation with-  
13 in 60 days of enactment of this Act.

14 COMMUNITY DEVELOPMENT FUND

15 For assistance to units of State and local govern-  
16 ment, and to other entities, for economic and community  
17 development activities, and for other purposes,  
18 \$3,060,000,000, to remain available until September 30,  
19 2019, unless otherwise specified: *Provided*, That of the  
20 total amount provided, \$3,000,000,000 is for carrying out  
21 the community development block grant program under  
22 title I of the Housing and Community Development Act  
23 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301  
24 et seq.): *Provided further*, That unless explicitly provided  
25 for under this heading, not to exceed 20 percent of any

1 grant made with funds appropriated under this heading  
2 shall be expended for planning and management develop-  
3 ment and administration: *Provided further*, That a metro-  
4 politan city, urban county, unit of general local govern-  
5 ment, or Indian tribe, or insular area that directly or indi-  
6 rectly receives funds under this heading may not sell,  
7 trade, or otherwise transfer all or any portion of such  
8 funds to another such entity in exchange for any other  
9 funds, credits or non-Federal considerations, but must use  
10 such funds for activities eligible under title I of the Act:  
11 *Provided further*, That notwithstanding section 105(e)(1)  
12 of the Act, no funds provided under this heading may be  
13 provided to a for-profit entity for an economic develop-  
14 ment project under section 105(a)(17) unless such project  
15 has been evaluated and selected in accordance with guide-  
16 lines required under subparagraph (e)(2): *Provided fur-*  
17 *ther*, That the Department shall notify grantees of their  
18 formula allocation within 60 days of enactment of this Act:  
19 *Provided further*, That of the total amount provided under  
20 this heading \$60,000,000 shall be for grants to Indian  
21 tribes notwithstanding section 106(a)(1) of such Act, of  
22 which, notwithstanding any other provision of law (includ-  
23 ing section 204 of this Act), up to \$4,000,000 may be  
24 used for emergencies that constitute imminent threats to  
25 health and safety.

1           COMMUNITY DEVELOPMENT LOAN GUARANTEES  
2                           PROGRAM ACCOUNT

3           Subject to section 502 of the Congressional Budget  
4 Act of 1974, during fiscal year 2017, commitments to  
5 guarantee loans under section 108 of the Housing and  
6 Community Development Act of 1974 (42 U.S.C. 5308),  
7 any part of which is guaranteed, shall not exceed a total  
8 principal amount of \$300,000,000, notwithstanding any  
9 aggregate limitation on outstanding obligations guaran-  
10 teed in subsection (k) of such section 108: *Provided*, That  
11 the Secretary shall collect fees from borrowers, notwith-  
12 standing subsection (m) of such section 108, to result in  
13 a credit subsidy cost of zero for guaranteeing such loans,  
14 and any such fees shall be collected in accordance with  
15 section 502(7) of the Congressional Budget Act of 1974.

16           HOME INVESTMENT PARTNERSHIPS PROGRAM

17           For the HOME Investment Partnerships program, as  
18 authorized under title II of the Cranston-Gonzalez Na-  
19 tional Affordable Housing Act, as amended,  
20 \$950,000,000, to remain available until September 30,  
21 2020: *Provided*, That notwithstanding the amount made  
22 available under this heading, the threshold reduction re-  
23 quirements in sections 216(10) and 217(b)(4) of such Act  
24 shall not apply to allocations of such amount: *Provided*  
25 *further*, That the requirements under provisos 2 through



1 6 under this heading for fiscal year 2012 and such re-  
2 quirements applicable pursuant to the “Full-Year Con-  
3 tinuing Appropriations Act, 2013”, shall not apply to any  
4 project to which funds were committed on or after August  
5 23, 2013, but such projects shall instead be governed by  
6 the Final Rule titled “Home Investment Partnerships  
7 Program; Improving Performance and Accountability; Up-  
8 dating Property Standards” which became effective on  
9 such date: *Provided further*, That the Department shall  
10 notify grantees of their formula allocation within 60 days  
11 of enactment of this Act.

12 SELF-HELP AND ASSISTED HOMEOWNERSHIP

13 OPPORTUNITY PROGRAM

14 For the Self-Help and Assisted Homeownership Op-  
15 portunity Program, as authorized under section 11 of the  
16 Housing Opportunity Program Extension Act of 1996, as  
17 amended, \$50,000,000, to remain available until Sep-  
18 tember 30, 2019: *Provided*, That of the total amount pro-  
19 vided under this heading, \$10,000,000 shall be made  
20 available to the Self-Help and Assisted Homeownership  
21 Opportunity Program as authorized under section 11 of  
22 the Housing Opportunity Program Extension Act of 1996,  
23 as amended: *Provided further*, That of the total amount  
24 provided under this heading, \$35,000,000 shall be made  
25 available for the second, third, and fourth capacity build-

1 ing activities authorized under section 4(a) of the HUD  
2 Demonstration Act of 1993 (42 U.S.C. 9816 note), of  
3 which not less than \$5,000,000 shall be made available  
4 for rural capacity building activities: *Provided further*,  
5 That of the total amount provided under this heading,  
6 \$5,000,000 shall be made available for capacity building  
7 by national rural housing organizations with experience  
8 assessing national rural conditions and providing financ-  
9 ing, training, technical assistance, information, and re-  
10 search to local nonprofits, local governments and Indian  
11 Tribes serving high need rural communities.

12 HOMELESS ASSISTANCE GRANTS

13 For the Emergency Solutions Grants program as au-  
14 thorized under subtitle B of title IV of the McKinney-  
15 Vento Homeless Assistance Act, as amended; the Con-  
16 tinuum of Care program as authorized under subtitle C  
17 of title IV of such Act; and the Rural Housing Stability  
18 Assistance program as authorized under subtitle D of title  
19 IV of such Act, \$2,487,000,000, to remain available until  
20 September 30, 2019: *Provided*, That any rental assistance  
21 amounts that are recaptured under such Continuum of  
22 Care program shall remain available until expended: *Pro-*  
23 *vided further*, That not less than \$310,000,000 of the  
24 funds appropriated under this heading shall be available  
25 for such Emergency Solutions Grants program, of which,

1 \$40,000,000 shall be made available, as determined by the  
2 Secretary, for grants for rapid re-housing or other critical  
3 activities in order to assist communities that lost signifi-  
4 cant capacity after January 1, 2016 to serve persons expe-  
5 riencing homelessness: *Provided further*, That not less  
6 than \$2,014,000,000 of the funds appropriated under this  
7 heading shall be available for such Continuum of Care and  
8 Rural Housing Stability Assistance programs: *Provided*  
9 *further*, That up to \$7,000,000 of the funds appropriated  
10 under this heading shall be available for the national  
11 homeless data analysis project: *Provided further*, That all  
12 funds awarded for supportive services under the Con-  
13 tinuum of Care program and the Rural Housing Stability  
14 Assistance program shall be matched by not less than 25  
15 percent in cash or in kind by each grantee: *Provided fur-*  
16 *ther*, That for all match requirements applicable to funds  
17 made available under this heading for this fiscal year and  
18 prior years, a grantee may use (or could have used) as  
19 a source of match funds other funds administered by the  
20 Secretary and other Federal agencies unless there is (or  
21 was) a specific statutory prohibition on any such use of  
22 any such funds: *Provided further*, That the Secretary shall  
23 collect system performance measures for each continuum  
24 of care, and that relative to fiscal year 2015, under the  
25 Continuum of Care competition with respect to funds

1 made available under this heading, the Secretary shall  
2 base an increasing share of the score on performance cri-  
3 teria: *Provided further*, That none of the funds provided  
4 under this heading shall be available to provide funding  
5 for new projects, except for projects created through re-  
6 allocation, unless the Secretary determines that the con-  
7 tinuum of care has demonstrated that projects are evalu-  
8 ated and ranked based on the degree to which they im-  
9 prove the continuum of care's system performance: *Pro-*  
10 *vided further*, That the Secretary shall prioritize funding  
11 under the Continuum of Care program to continuums of  
12 care that have demonstrated a capacity to reallocate fund-  
13 ing from lower performing projects to higher performing  
14 projects: *Provided further*, That all awards of assistance  
15 under this heading shall be required to coordinate and in-  
16 tegrate homeless programs with other mainstream health,  
17 social services, and employment programs for which home-  
18 less populations may be eligible: *Provided further*, That  
19 any unobligated amounts remaining from funds appro-  
20 priated under this heading in fiscal year 2012 and prior  
21 years for project-based rental assistance for rehabilitation  
22 projects with 10-year grant terms may be used for pur-  
23 poses under this heading, notwithstanding the purposes  
24 for which such funds were appropriated: *Provided further*,  
25 That all balances for Shelter Plus Care renewals pre-

1 viously funded from the Shelter Plus Care Renewal ac-  
2 count and transferred to this account shall be available,  
3 if recaptured, for Continuum of Care renewals in fiscal  
4 year 2017: *Provided further*, That the Department shall  
5 notify grantees of their formula allocation from amounts  
6 allocated (which may represent initial or final amounts al-  
7 located) for the Emergency Solutions Grant program with-  
8 in 60 days of enactment of this Act: *Provided further*, That  
9 youth aged 24 and under seeking assistance under this  
10 heading shall not be required to provide third party docu-  
11 mentation to establish their eligibility under 42 U.S.C.  
12 11302(a) or (b) to receive services: *Provided further*, That  
13 unaccompanied youth aged 24 and under or families head-  
14 ed by youth aged 24 and under who are living in unsafe  
15 situations may be served by youth-serving providers fund-  
16 ed under this heading: *Provided further*, That the Sec-  
17 retary may use amounts made available under this head-  
18 ing for the Continuum of Care program to renew a grant  
19 originally awarded pursuant to the matter under the head-  
20 ing “Department of Housing and Urban Development—  
21 Permanent Supportive Housing” in chapter 6 of title III  
22 of the Supplemental Appropriations Act, 2008 (Public  
23 Law 110–252; 122 Stat. 2351) for assistance under sub-  
24 title F of title IV of the McKinney-Vento Homeless Assist-  
25 ance Act (42 U.S.C. 11403 et seq.): *Provided further*, That

1 such renewal grant shall be awarded to the same grantee  
2 and be subject to the provisions of such Continuum of  
3 Care program except that the funds may be used outside  
4 the geographic area of the continuum of care.

## 5 HOUSING PROGRAMS

### 6 PROJECT-BASED RENTAL ASSISTANCE

7 For activities and assistance for the provision of  
8 project-based subsidy contracts under the United States  
9 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the  
10 Act”), not otherwise provided for, \$10,501,000,000, to re-  
11 main available until expended, shall be available on Octo-  
12 ber 1, 2016 (in addition to the \$400,000,000 previously  
13 appropriated under this heading that became available Oc-  
14 tober 1, 2016), and \$400,000,000, to remain available  
15 until expended, shall be available on October 1, 2017: *Pro-*  
16 *vided*, That the amounts made available under this head-  
17 ing shall be available for expiring or terminating section  
18 8 project-based subsidy contracts (including section 8  
19 moderate rehabilitation contracts), for amendments to sec-  
20 tion 8 project-based subsidy contracts (including section  
21 8 moderate rehabilitation contracts), for contracts entered  
22 into pursuant to section 441 of the McKinney-Vento  
23 Homeless Assistance Act (42 U.S.C. 11401), for renewal  
24 of section 8 contracts for units in projects that are subject  
25 to approved plans of action under the Emergency Low In-

1 come Housing Preservation Act of 1987 or the Low-In-  
2 come Housing Preservation and Resident Homeownership  
3 Act of 1990, and for administrative and other expenses  
4 associated with project-based activities and assistance  
5 funded under this paragraph: *Provided further*, That of  
6 the total amounts provided under this heading, not to ex-  
7 ceed \$235,000,000 shall be available for performance-  
8 based contract administrators for section 8 project-based  
9 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*  
10 *further*, That the Secretary of Housing and Urban Devel-  
11 opment may also use such amounts in the previous proviso  
12 for performance-based contract administrators for the ad-  
13 ministration of: interest reduction payments pursuant to  
14 section 236(a) of the National Housing Act (12 U.S.C.  
15 1715z-1(a)); rent supplement payments pursuant to sec-  
16 tion 101 of the Housing and Urban Development Act of  
17 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-  
18 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental  
19 assistance contracts for the elderly under section  
20 202(e)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);  
21 project rental assistance contracts for supportive housing  
22 for persons with disabilities under section 811(d)(2) of the  
23 Cranston-Gonzalez National Affordable Housing Act (42  
24 U.S.C. 8013(d)(2)); project assistance contracts pursuant  
25 to section 202(h) of the Housing Act of 1959 (Public Law

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



## HOUSING FOR THE ELDERLY

1  
2 For amendments to capital advance contracts for  
3 housing for the elderly, as authorized by section 202 of  
4 the Housing Act of 1959, as amended, and for project  
5 rental assistance for the elderly under section 202(e)(2)  
6 of such Act, including amendments to contracts for such  
7 assistance and renewal of expiring contracts for such as-  
8 sistance for up to a 1-year term, and for senior preserva-  
9 tion rental assistance contracts, including renewals, as au-  
10 thorized by section 811(e) of the American Housing and  
11 Economic Opportunity Act of 2000, as amended, and for  
12 supportive services associated with the housing,  
13 \$505,000,000 to remain available until September 30,  
14 2020: *Provided*, That of the amount provided under this  
15 heading, up to \$75,000,000 shall be for service coordina-  
16 tors and the continuation of existing congregate service  
17 grants for residents of assisted housing projects: *Provided*  
18 *further*, That amounts under this heading shall be avail-  
19 able for Real Estate Assessment Center inspections and  
20 inspection-related activities associated with section 202  
21 projects: *Provided further*, That the Secretary may waive  
22 the provisions of section 202 governing the terms and con-  
23 ditions of project rental assistance, except that the initial  
24 contract term for such assistance shall not exceed 5 years  
25 in duration: *Provided further*, That upon request of the

1 Secretary of Housing and Urban Development, project  
2 funds that are held in residual receipts accounts for any  
3 project subject to a section 202 project rental assistance  
4 contract, and that upon termination of such contract are  
5 in excess of an amount to be determined by the Secretary,  
6 shall be remitted to the Department and deposited in this  
7 account, to be available until September 30, 2020: *Pro-*  
8 *vided further*, That amounts deposited in this account pur-  
9 suant to the previous proviso shall be available, in addition  
10 to the amounts otherwise provided by this heading, for  
11 amendments and renewals: *Provided further*, That unobli-  
12 gated balances, including recaptures and carryover, re-  
13 maining from funds transferred to or appropriated under  
14 this heading shall be available for amendments and renew-  
15 als notwithstanding the purposes for which such funds  
16 originally were appropriated.

17 HOUSING FOR PERSONS WITH DISABILITIES

18 For amendments to capital advance contracts for  
19 supportive housing for persons with disabilities, as author-  
20 ized by section 811 of the Cranston-Gonzalez National Af-  
21 fordable Housing Act (42 U.S.C. 8013), for project rental  
22 assistance for supportive housing for persons with disabil-  
23 ities under section 811(d)(2) of such Act and for project  
24 assistance contracts pursuant to section 202(h) of the  
25 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),

1 including amendments to contracts for such assistance  
2 and renewal of expiring contracts for such assistance for  
3 up to a 1-year term, for project rental assistance to State  
4 housing finance agencies and other appropriate entities as  
5 authorized under section 811(b)(3) of the Cranston-Gon-  
6 zalez National Housing Act, and for supportive services  
7 associated with the housing for persons with disabilities  
8 as authorized by section 811(b)(1) of such Act,  
9 \$154,000,000, to remain available until September 30,  
10 2020: *Provided*, That amounts made available under this  
11 heading shall be available for Real Estate Assessment  
12 Center inspections and inspection-related activities associ-  
13 ated with section 811 projects: *Provided further*, That, in  
14 this fiscal year, upon the request of the Secretary of Hous-  
15 ing and Urban Development, project funds that are held  
16 in residual receipts accounts for any project subject to a  
17 section 811 project rental assistance contract and that  
18 upon termination of such contract are in excess of an  
19 amount to be determined by the Secretary shall be remit-  
20 ted to the Department and deposited in this account, to  
21 be available until September 30, 2020: *Provided further*,  
22 That amounts deposited in this account pursuant to the  
23 previous proviso shall be available in addition to the  
24 amounts otherwise provided by this heading for amend-  
25 ments and renewals: *Provided further*, That unobligated

1 balances, including recaptures and carryover, remaining  
2 from funds transferred to or appropriated under this  
3 heading shall be used for amendments and renewals not-  
4 withstanding the purposes for which such funds originally  
5 were appropriated.

6                   HOUSING COUNSELING ASSISTANCE

7           For contracts, grants, and other assistance excluding  
8 loans, as authorized under section 106 of the Housing and  
9 Urban Development Act of 1968, as amended,  
10 \$55,000,000, to remain available until September 30,  
11 2018, including up to \$4,500,000 for administrative con-  
12 tract services: *Provided*, That grants made available from  
13 amounts provided under this heading shall be awarded  
14 within 180 days of enactment of this Act: *Provided further*,  
15 That funds shall be used for providing counseling and ad-  
16 vice to tenants and homeowners, both current and pro-  
17 spective, with respect to property maintenance, financial  
18 management/literacy, and such other matters as may be  
19 appropriate to assist them in improving their housing con-  
20 ditions, meeting their financial needs, and fulfilling the re-  
21 sponsibilities of tenancy or homeownership; for program  
22 administration; and for housing counselor training: *Pro-*  
23 *vided further*, That for purposes of providing such grants  
24 from amounts provided under this heading, the Secretary

1 may enter into multiyear agreements as appropriate, sub-  
2 ject to the availability of annual appropriations.

3 OTHER ASSISTED HOUSING PROGRAMS

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, \$20,000,000, 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 \$11,500,000, to remain available until expended, of which  
25 \$11,500,000 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 2017 so as to result in a final fiscal  
10 year 2017 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 2017 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, 2018: *Provided*, That during fiscal year  
7 2017, 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, \$130,000,000, to remain available  
17 until September 30, 2018: *Provided further*, That to the  
18 extent guaranteed loan commitments exceed  
19 \$200,000,000,000 on or before April 1, 2017, 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.

## 1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

2 New commitments to guarantee loans insured under  
3 the General and Special Risk Insurance Funds, as author-  
4 ized by sections 238 and 519 of the National Housing Act  
5 (12 U.S.C. 1715z-3 and 1735c), shall not exceed  
6 \$30,000,000,000 in total loan principal, any part of which  
7 is to be guaranteed, to remain available until September  
8 30, 2018: *Provided*, That during fiscal year 2017, gross  
9 obligations for the principal amount of direct loans, as au-  
10 thorized by sections 204(g), 207(l), 238, and 519(a) of  
11 the National Housing Act, shall not exceed \$5,000,000,  
12 which shall be for loans to nonprofit and governmental en-  
13 tities in connection with the sale of single family real prop-  
14 erties owned by the Secretary and formerly insured under  
15 such Act.

## 16 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

## 17 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

## 18 GUARANTEE PROGRAM ACCOUNT

19 New commitments to issue guarantees to carry out  
20 the purposes of section 306 of the National Housing Act,  
21 as amended (12 U.S.C. 1721(g)), shall not exceed  
22 \$500,000,000,000, to remain available until September  
23 30, 2018: *Provided*, That \$23,000,000 shall be available  
24 for necessary salaries and expenses of the Office of Gov-  
25 ernment National Mortgage Association: *Provided further*,



1 That to the extent that guaranteed loan commitments ex-  
2 ceed \$155,000,000,000 on or before April 1, 2017, an ad-  
3 ditional \$100 for necessary salaries and expenses shall be  
4 available until expended for each \$1,000,000 in additional  
5 guaranteed loan commitments (including a pro rata  
6 amount for any amount below \$1,000,000), but in no case  
7 shall funds made available by this proviso exceed  
8 \$3,000,000: *Provided further*, That receipts from Commit-  
9 ment and Multiclass fees collected pursuant to title III of  
10 the National Housing Act, as amended, shall be credited  
11 as offsetting collections to this account.

12 POLICY DEVELOPMENT AND RESEARCH

13 RESEARCH AND TECHNOLOGY

14 For contracts, grants, and necessary expenses of pro-  
15 grams of research and studies relating to housing and  
16 urban problems, not otherwise provided for, as authorized  
17 by title V of the Housing and Urban Development Act  
18 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
19 out the functions of the Secretary of Housing and Urban  
20 Development under section 1(a)(1)(i) of Reorganization  
21 Plan No. 2 of 1968, and for technical assistance,  
22 \$80,000,000, to remain available until September 30,  
23 2018: *Provided*, That with respect to amounts made avail-  
24 able under this heading, notwithstanding section 204 of  
25 this title, the Secretary may enter into cooperative agree-

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

18           FAIR HOUSING AND EQUAL OPPORTUNITY

19                   FAIR HOUSING ACTIVITIES

20           For contracts, grants, and other assistance, not oth-  
21 erwise provided for, as authorized by title VIII of the Civil  
22 Rights Act of 1968, as amended by the Fair Housing  
23 Amendments Act of 1988, and section 561 of the Housing  
24 and Community Development Act of 1987, as amended,  
25 \$65,300,000, to remain available until September 30,

1 2018: *Provided*, That notwithstanding 31 U.S.C. 3302,  
2 the Secretary may assess and collect fees to cover the costs  
3 of the Fair Housing Training Academy, and may use such  
4 funds to provide such training: *Provided further*, That no  
5 funds made available under this heading shall be used to  
6 lobby the executive or legislative branches of the Federal  
7 Government in connection with a specific contract, grant,  
8 or loan: *Provided further*, That of the funds made available  
9 under this heading, \$300,000 shall be available to the Sec-  
10 retary of Housing and Urban Development for the cre-  
11 ation and promotion of translated materials and other pro-  
12 grams that support the assistance of persons with limited  
13 English proficiency in utilizing the services provided by  
14 the Department of Housing and Urban Development.

15 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

16 HOMES

17 LEAD HAZARD REDUCTION

18 For the Lead Hazard Reduction Program, as author-  
19 ized by section 1011 of the Residential Lead-Based Paint  
20 Hazard Reduction Act of 1992, \$130,000,000, to remain  
21 available until September 30, 2018, of which \$20,000,000  
22 shall be for the Healthy Homes Initiative, pursuant to sec-  
23 tions 501 and 502 of the Housing and Urban Develop-  
24 ment Act of 1970 that shall include research, studies, test-  
25 ing, and demonstration efforts, including education and

1 outreach concerning lead-based paint poisoning and other  
2 housing-related diseases and hazards: *Provided*, That for  
3 purposes of environmental review, pursuant to the Na-  
4 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
5 et seq.) and other provisions of the law that further the  
6 purposes of such Act, a grant under the Healthy Homes  
7 Initiative, or the Lead Technical Studies program under  
8 this heading or under prior appropriations Acts for such  
9 purposes under this heading, shall be considered to be  
10 funds for a special project for purposes of section 305(c)  
11 of the Multifamily Housing Property Disposition Reform  
12 Act of 1994: *Provided further*, That of the total amount  
13 made available under this heading, \$45,000,000 shall be  
14 made available on a competitive basis for areas with the  
15 highest lead paint abatement needs: *Provided further*,  
16 That each recipient of funds provided under the previous  
17 proviso shall contribute an amount not less than 25 per-  
18 cent of the total: *Provided further*, That each applicant  
19 shall certify adequate capacity that is acceptable to the  
20 Secretary to carry out the proposed use of funds pursuant  
21 to a notice of funding availability: *Provided further*, That  
22 amounts made available under this heading in this or prior  
23 appropriations Acts, and that still remain available, may  
24 be used for any purpose under this heading notwith-  
25 standing the purpose for which such amounts were appro-

1 priated if a program competition is undersubscribed and  
2 there are other program competitions under this heading  
3 that are oversubscribed.

4 INFORMATION TECHNOLOGY FUND

5 For the development of, modifications to, and infra-  
6 structure for Department-wide and program-specific infor-  
7 mation technology systems, for the continuing operation  
8 and maintenance of both Department-wide and program-  
9 specific information systems, and for program-related  
10 maintenance activities, \$100,000,000 shall remain avail-  
11 able until September 30, 2018: *Provided*, That any  
12 amounts transferred to this Fund under this Act shall re-  
13 main available until expended: *Provided further*, That any  
14 amounts transferred to this Fund from amounts appro-  
15 priated by previously enacted appropriations Acts may be  
16 used for the purposes specified under this Fund, in addi-  
17 tion to any other information technology purposes for  
18 which such amounts were appropriated.

19 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

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

23 SEC. 202. None of the amounts made available under  
24 this Act may be used during fiscal year 2017 to investigate  
25 or prosecute under the Fair Housing Act any otherwise

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

6       SEC. 203. Sections 203 and 209 of division C of Pub-  
7 lic Law 112–55 (125 Stat. 693–694) shall apply during  
8 fiscal year 2017 as if such sections were included in this  
9 title, except that during such fiscal year such sections shall  
10 be applied by substituting “fiscal year 2017” for “fiscal  
11 year 2011” and for “fiscal year 2012” each place such  
12 terms appear, and shall be amended to reflect revised de-  
13 lineations of statistical areas established by the Office of  
14 Management and Budget pursuant to 44 U.S.C.  
15 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No.  
16 10253.

17       SEC. 204. Except as explicitly provided in law, any  
18 grant, cooperative agreement or other assistance made  
19 pursuant to title II of this Act shall be made on a competi-  
20 tive basis and in accordance with section 102 of the De-  
21 partment of Housing and Urban Development Reform Act  
22 of 1989 (42 U.S.C. 3545).

23       SEC. 205. Funds of the Department of Housing and  
24 Urban Development subject to the Government Corpora-  
25 tion Control Act or section 402 of the Housing Act of

1 1950 shall be available, without regard to the limitations  
2 on administrative expenses, for legal services on a contract  
3 or fee basis, and for utilizing and making payment for  
4 services and facilities of the Federal National Mortgage  
5 Association, Government National Mortgage Association,  
6 Federal Home Loan Mortgage Corporation, Federal Fi-  
7 nancing Bank, Federal Reserve banks or any member  
8 thereof, Federal Home Loan banks, and any insured bank  
9 within the meaning of the Federal Deposit Insurance Cor-  
10 poration Act, as amended (12 U.S.C. 1811–1).

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

17 SEC. 207. Corporations and agencies of the Depart-  
18 ment of Housing and Urban Development which are sub-  
19 ject to the Government Corporation Control Act are here-  
20 by authorized to make such expenditures, within the limits  
21 of funds and borrowing authority available to each such  
22 corporation or agency and in accordance with law, and to  
23 make such contracts and commitments without regard to  
24 fiscal year limitations as provided by section 104 of such  
25 Act as may be necessary in carrying out the programs set



1 forth in the budget for 2017 for such corporation or agen-  
2 cy except as hereinafter provided: *Provided*, That collec-  
3 tions of these corporations and agencies may be used for  
4 new loan or mortgage purchase commitments only to the  
5 extent expressly provided for in this Act (unless such loans  
6 are in support of other forms of assistance provided for  
7 in this or prior appropriations Acts), except that this pro-  
8 viso shall not apply to the mortgage insurance or guaranty  
9 operations of these corporations, or where loans or mort-  
10 gage purchases are necessary to protect the financial in-  
11 terest of the United States Government.

12       SEC. 208. The Secretary of Housing and Urban De-  
13 velopment shall provide quarterly reports to the House  
14 and Senate Committees on Appropriations regarding all  
15 uncommitted, unobligated, recaptured and excess funds in  
16 each program and activity within the jurisdiction of the  
17 Department and shall submit additional, updated budget  
18 information to these Committees upon request.

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

1           SEC. 210. A public housing agency or such other enti-  
2 ty that administers Federal housing assistance for the  
3 Housing Authority of the county of Los Angeles, Cali-  
4 fornia, and the States of Alaska, Iowa, and Mississippi  
5 shall not be required to include a resident of public hous-  
6 ing or a recipient of assistance provided under section 8  
7 of the United States Housing Act of 1937 on the board  
8 of directors or a similar governing board of such agency  
9 or entity as required under section (2)(b) of such Act.  
10 Each public housing agency or other entity that admin-  
11 isters Federal housing assistance under section 8 for the  
12 Housing Authority of the county of Los Angeles, Cali-  
13 fornia and the States of Alaska, Iowa and Mississippi that  
14 chooses not to include a resident of public housing or a  
15 recipient of section 8 assistance on the board of directors  
16 or a similar governing board shall establish an advisory  
17 board of not less than six residents of public housing or  
18 recipients of section 8 assistance to provide advice and  
19 comment to the public housing agency or other admin-  
20 istering entity on issues related to public housing and sec-  
21 tion 8. Such advisory board shall meet not less than quar-  
22 terly.

23           SEC. 211. No funds provided under this title may be  
24 used for an audit of the Government National Mortgage

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (d) For purposes of this section—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

22 (1) The Secretary shall publish by notice in the  
23 Federal Register the terms and conditions, including  
24 criteria for HUD approval, of transfers pursuant to



1 this section no later than 30 days before the effective date of such notice.

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

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

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

16 (2) is under 24 years of age;

17 (3) is not a veteran;

18 (4) is unmarried;

19 (5) does not have a dependent child;

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

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

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

16          SEC. 214. The funds made available for Native Alas-  
17          kans under the heading “Native American Housing Block  
18          Grants” in title II of this Act shall be allocated to the  
19          same Native Alaskan housing block grant recipients that  
20          received funds in fiscal year 2005.

21          SEC. 215. Notwithstanding the limitation in the first  
22          sentence of section 255(g) of the National Housing Act  
23          (12 U.S.C. 1715z-20(g)), the Secretary of Housing and  
24          Urban Development may, until September 30, 2017, in-

1 sure and enter into commitments to insure mortgages  
2 under such section 255.

3       SEC. 216. Notwithstanding any other provision of  
4 law, in fiscal year 2017, in managing and disposing of any  
5 multifamily property that is owned or has a mortgage held  
6 by the Secretary of Housing and Urban Development, and  
7 during the process of foreclosure on any property with a  
8 contract for rental assistance payments under section 8  
9 of the United States Housing Act of 1937 or other Fed-  
10 eral programs, the Secretary shall maintain any rental as-  
11 sistance payments under section 8 of the United States  
12 Housing Act of 1937 and other programs that are at-  
13 tached to any dwelling units in the property. To the extent  
14 the Secretary determines, in consultation with the tenants  
15 and the local government, that such a multifamily prop-  
16 erty owned or held by the Secretary is not feasible for con-  
17 tinued rental assistance payments under such section 8  
18 or other programs, based on consideration of (1) the costs  
19 of rehabilitating and operating the property and all avail-  
20 able Federal, State, and local resources, including rent ad-  
21 justments under section 524 of the Multifamily Assisted  
22 Housing Reform and Affordability Act of 1997  
23 (“MAHRAA”) and (2) environmental conditions that can-  
24 not be remedied in a cost-effective fashion, the Secretary  
25 may, in consultation with the tenants of that property,

1 contract for project-based rental assistance payments with  
2 an owner or owners of other existing housing properties,  
3 or provide other rental assistance. The Secretary shall also  
4 take appropriate steps to ensure that project-based con-  
5 tracts remain in effect prior to foreclosure, subject to the  
6 exercise of contractual abatement remedies to assist relo-  
7 cation of tenants for imminent major threats to health and  
8 safety after written notice to and informed consent of the  
9 affected tenants and use of other available remedies, such  
10 as partial abatements or receivership. After disposition of  
11 any multifamily property described under this section, the  
12 contract and allowable rent levels on such properties shall  
13 be subject to the requirements under section 524 of  
14 MAHRAA.

15       SEC. 217. The commitment authority funded by fees  
16 as provided under the heading “Community Development  
17 Loan Guarantees Program Account” may be used to guar-  
18 antee, or make commitments to guarantee, notes, or other  
19 obligations issued by any State on behalf of non-entitle-  
20 ment communities in the State in accordance with the re-  
21 quirements of section 108 of the Housing and Community  
22 Development Act of 1974: *Provided*, That any State re-  
23 ceiving such a guarantee or commitment shall distribute  
24 all funds subject to such guarantee to the units of general

1 local government in non-entitlement areas that received  
2 the commitment.

3       SEC. 218. Public housing agencies that own and oper-  
4 ate 400 or fewer public housing units may elect to be ex-  
5 empt from any asset management requirement imposed by  
6 the Secretary of Housing and Urban Development in con-  
7 nection with the operating fund rule: *Provided*, That an  
8 agency seeking a discontinuance of a reduction of subsidy  
9 under the operating fund formula shall not be exempt  
10 from asset management requirements.

11       SEC. 219. With respect to the use of amounts pro-  
12 vided in this Act and in future Acts for the operation, cap-  
13 ital improvement and management of public housing as  
14 authorized by sections 9(d) and 9(e) of the United States  
15 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the  
16 Secretary shall not impose any requirement or guideline  
17 relating to asset management that restricts or limits in  
18 any way the use of capital funds for central office costs  
19 pursuant to section 9(g)(1) or 9(g)(2) of the United States  
20 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*  
21 *vided*, That a public housing agency may not use capital  
22 funds authorized under section 9(d) for activities that are  
23 eligible under section 9(e) for assistance with amounts  
24 from the operating fund in excess of the amounts per-  
25 mitted under section 9(g)(1) or 9(g)(2).

1        SEC. 220. No official or employee of the Department  
2 of Housing and Urban Development shall be designated  
3 as an allotment holder unless the Office of the Chief Fi-  
4 nancial Officer has determined that such allotment holder  
5 has implemented an adequate system of funds control and  
6 has received training in funds control procedures and di-  
7 rectives. The Chief Financial Officer shall ensure that  
8 there is a trained allotment holder for each HUD sub-  
9 office under the accounts “Executive Offices” and “Ad-  
10 ministrative Support Offices,” as well as each account re-  
11 ceiving appropriations for “Program Office Salaries and  
12 Expenses”, “Government National Mortgage Associa-  
13 tion—Guarantees of Mortgage-Backed Securities Loan  
14 Guarantee Program Account”, and “Office of Inspector  
15 General” within the Department of Housing and Urban  
16 Development.

17        SEC. 221. The Secretary of the Department of Hous-  
18 ing and Urban Development shall, for fiscal year 2017,  
19 notify the public through the Federal Register and other  
20 means, as determined appropriate, of the issuance of a no-  
21 tice of the availability of assistance or notice of funding  
22 availability (NOFA) for any program or discretionary  
23 fund administered by the Secretary that is to be competi-  
24 tively awarded. Notwithstanding any other provision of  
25 law, for fiscal year 2017, the Secretary may make the

1 NOFA available only on the Internet at the appropriate  
2 Government web site or through other electronic media,  
3 as determined by the Secretary.

4       SEC. 222. Payment of attorney fees in program-re-  
5 lated litigation shall be paid from the individual program  
6 office and Office of General Counsel salaries and expenses  
7 appropriations. The annual budget submission for the pro-  
8 gram offices and the Office of General Counsel shall in-  
9 clude any such projected litigation costs for attorney fees  
10 as a separate line item request. No funds provided in this  
11 title may be used to pay any such litigation costs for attor-  
12 ney fees until the Department submits for review a spend-  
13 ing plan for such costs to the House and Senate Commit-  
14 tees on Appropriations.

15       SEC. 223. The Secretary is authorized to transfer up  
16 to 10 percent or \$4,000,000, whichever is less, of funds  
17 appropriated for any office under the heading “Adminis-  
18 trative Support Offices” or for any account under the gen-  
19 eral heading “Program Office Salaries and Expenses” to  
20 any other such office or account: *Provided*, That no appro-  
21 priation for any such office or account shall be increased  
22 or decreased by more than 10 percent or \$4,000,000,  
23 whichever is less, without prior written approval of the  
24 House and Senate Committees on Appropriations: *Pro-*  
25 *vided further*, That the Secretary shall provide notification

1 to such Committees three business days in advance of any  
2 such transfers under this section up to 10 percent or  
3 \$4,000,000, whichever is less.

4 SEC. 224. The Disaster Housing Assistance Pro-  
5 grams, administered by the Department of Housing and  
6 Urban Development, shall be considered a “program of  
7 the Department of Housing and Urban Development”  
8 under section 904 of the McKinney Act for the purpose  
9 of income verifications and matching.

10 SEC. 225. (a) The Secretary of Housing and Urban  
11 Development shall take the required actions under sub-  
12 section (b) when a multifamily housing project with a sec-  
13 tion 8 contract or contract for similar project-based assist-  
14 ance:

15 (1) receives a Real Estate Assessment Center  
16 (REAC) score of 30 or less; or

17 (2) receives a REAC score between 31 and 59  
18 and:

19 (A) fails to certify in writing to HUD with-  
20 in 60 days that all deficiencies have been cor-  
21 rected; or

22 (B) receives consecutive scores of less than  
23 60 on REAC inspections.

24 Such requirements shall apply to insured and noninsured  
25 projects with assistance attached to the units under sec-



1 tion 8 of the United States Housing Act of 1937 (42  
2 U.S.C. 1437f), but do not apply to such units assisted  
3 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to  
4 public housing units assisted with capital or operating  
5 funds under section 9 of the United States Housing Act  
6 of 1937 (42 U.S.C. 1437g).

7 (b) The Secretary shall take the following required  
8 actions as authorized under subsection (a):

9 (1) The Secretary shall notify the owner and  
10 provide an opportunity for response within 30 days.  
11 If the violations remain, the Secretary shall develop  
12 a Compliance, Disposition and Enforcement Plan  
13 within 60 days, with a specified timetable for cor-  
14 recting all deficiencies. The Secretary shall provide  
15 notice of the Plan to the owner, tenants, the local  
16 government, any mortgagees, and any contract ad-  
17 ministrators.

18 (2) At the end of the term of the Compliance,  
19 Disposition and Enforcement Plan, if the owner fails  
20 to fully comply with such plan, the Secretary may  
21 require immediate replacement of project manage-  
22 ment with a management agent approved by the  
23 Secretary, and shall take one or more of the fol-  
24 lowing actions, and provide additional notice of those  
25 actions to the owner and the parties specified above:

1 (A) impose civil money penalties;

2 (B) abate the section 8 contract, including  
3 partial abatement, as determined by the Sec-  
4 retary, until all deficiencies have been corrected;

5 (C) pursue transfer of the project to an  
6 owner, approved by the Secretary under estab-  
7 lished procedures, which will be obligated to  
8 promptly make all required repairs and to ac-  
9 cept renewal of the assistance contract as long  
10 as such renewal is offered; or

11 (D) seek judicial appointment of a receiver  
12 to manage the property and cure all project de-  
13 ficiencies or seek a judicial order of specific per-  
14 formance requiring the owner to cure all project  
15 deficiencies.

16 (c) The Secretary shall also take appropriate steps  
17 to ensure that project-based contracts remain in effect,  
18 subject to the exercise of contractual abatement remedies  
19 to assist relocation of tenants for imminent major threats  
20 to health and safety after written notice to and informed  
21 consent of the affected tenants and use of other remedies  
22 set forth above. To the extent the Secretary determines,  
23 in consultation with the tenants and the local government,  
24 that the property is not feasible for continued rental as-  
25 sistance payments under such section 8 or other programs,

1 based on consideration of (1) the costs of rehabilitating  
2 and operating the property and all available Federal,  
3 State, and local resources, including rent adjustments  
4 under section 524 of the Multifamily Assisted Housing  
5 Reform and Affordability Act of 1997 (“MAHRAA”) and  
6 (2) environmental conditions that cannot be remedied in  
7 a cost-effective fashion, the Secretary may, in consultation  
8 with the tenants of that property, contract for project-  
9 based rental assistance payments with an owner or owners  
10 of other existing housing properties, or provide other rent-  
11 al assistance. The Secretary shall report semi-annually on  
12 all properties covered by this section that are assessed  
13 through the Real Estate Assessment Center and have  
14 physical inspection scores of less than 30 or have consecu-  
15 tive physical inspection scores of less than 60. The report  
16 shall include:

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

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

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

12       SEC. 227. None of the funds in this Act may be avail-  
13 able for the doctoral dissertation research grant program  
14 at the Department of Housing and Urban Development.

15       SEC. 228. None of the funds in this Act provided to  
16 the Department of Housing and Urban Development may  
17 be used to make a grant award unless the Secretary noti-  
18 fies the House and Senate Committees on Appropriations  
19 not less than 3 full business days before any project,  
20 State, locality, housing authority, tribe, nonprofit organi-  
21 zation, or other entity selected to receive a grant award  
22 is announced by the Department or its offices.

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

1       SEC. 230. None of the funds made available in this  
2 Act shall be used by the Federal Housing Administration,  
3 the Government National Mortgage Administration, or the  
4 Department of Housing and Urban Development to in-  
5 sure, securitize, or establish a Federal guarantee of any  
6 mortgage or mortgage backed security that refinances or  
7 otherwise replaces a mortgage that has been subject to  
8 eminent domain condemnation or seizure, by a State, mu-  
9 nicipality, or any other political subdivision of a State.

10       SEC. 231. None of the funds made available by this  
11 Act may be used to terminate the status of a unit of gen-  
12 eral local government as a metropolitan city (as defined  
13 in section 102 of the Housing and Community Develop-  
14 ment Act of 1974 (42 U.S.C. 5302)) with respect to  
15 grants under section 106 of such Act (42 U.S.C. 5306).

16       SEC. 232. Amounts made available under this Act  
17 which are either appropriated, allocated, advanced on a  
18 reimbursable basis, or transferred to the Office of Policy  
19 Development and Research in the Department of Housing  
20 and Urban Development and functions thereof, for re-  
21 search, evaluation, or statistical purposes, and which are  
22 unexpended at the time of completion of a contract, grant,  
23 or cooperative agreement, may be deobligated and shall  
24 immediately become available and may be reobligated in  
25 that fiscal year or the subsequent fiscal year for the re-

1 search, evaluation, or statistical purposes for which the  
2 amounts are made available to that Office subject to re-  
3 programming requirements in section 405 of this Act.

4       SEC. 233. None of the funds provided in this Act or  
5 any other act may be used for awards, including perform-  
6 ance, special act, or spot, for any employee of the Depart-  
7 ment of Housing and Urban Development who has been  
8 subject to administrative discipline in fiscal years 2016 or  
9 2017, including suspension from work.

10       SEC. 234. Unobligated balances, including recaptures  
11 and carryover, remaining from funds appropriated to the  
12 Department of Housing and Urban Development for ad-  
13 ministrative costs of the Office of Community Planning  
14 and Development associated with funds appropriated to  
15 the Department for specific disaster relief and related pur-  
16 poses and designated by Congress as an emergency re-  
17 quirement pursuant to a Concurrent Resolution on the  
18 Budget or the Balanced Budget and Emergency Deficit  
19 Control Act, including information technology costs and  
20 costs for administering and overseeing such specific dis-  
21 aster related funds, shall be transferred to the Program  
22 Office Salaries and Expenses, Community Planning and  
23 Development account for the Department, shall remain  
24 available until expended, and may be used for such admin-  
25 istrative costs for administering any funds appropriated

1 to the Department for any disaster relief and related pur-  
2 poses in any prior or future act, notwithstanding the pur-  
3 poses for which such funds were appropriated: *Provided*,  
4 That amounts transferred pursuant to this section that  
5 were previously designated by the Congress as an emer-  
6 gency requirement pursuant to a Concurrent Resolution  
7 on the Budget or the Balanced Budget and Emergency  
8 Deficit Control Act are designated by the Congress as an  
9 emergency requirement pursuant to section  
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985 and shall be transferred only  
12 if the President subsequently so designates the entire  
13 transfer and transmits such designation to the Congress.

14 SEC. 235. CONTINUUM OF CARE TRANSITION  
15 GRANTS.—

16 (a) From amounts made available under this title  
17 under the heading “Homeless Assistance Grants”, the  
18 Secretary may award 1-year transition grants to recipients  
19 of funds for activities under subtitle C of the McKinney-  
20 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)  
21 to transition from one Continuum of Care program compo-  
22 nent to another.

23 (b) No more than 25 percent of each transition grant  
24 may be used for costs of eligible activities of the program  
25 component originally funded.

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

4 (d) In order to be eligible to receive a transition  
5 grant, the funding recipient must have the consent of the  
6 Continuum of Care and meet standards determined by the  
7 Secretary.

8 SEC. 236. None of the funds appropriated by this Act  
9 shall be used to implement, administer, carry-out, or en-  
10 force Executive Order 13690 and the Federal Flood Risk  
11 Management Standard (FFRMS) until 90 days after the  
12 Secretary provides a report to the House and Senate Com-  
13 mittees on Appropriations that includes:

14 (a) a comprehensive list of HUD programs that will  
15 be impacted by Executive Order 13690 and the FFRMS;

16 (b) an analysis of the near term and long term costs  
17 and benefits of Executive Order 13690 and the FFRMS;  
18 and

19 (c) a detailed nationwide floodplain map, including  
20 descriptions, definitions, and extent associated with the  
21 floodplain definitions set forth in Executive Order 13690  
22 and the FFRMS.

23 SEC. 237. (a) Effective October 1, 2016, all unobli-  
24 gated balances, including recaptures and carryover, re-  
25 maining from funds appropriated to the Department of



1 Housing and Urban Development for accounts under the  
2 headings “Management and Administration” and “Pro-  
3 gram Office Salaries and Expenses” in division L of Pub-  
4 lic Law 114–113 are rescinded; and

5 (b) All unobligated balances available, and that be-  
6 come available, as a result of actions under 42 U.S.C.  
7 5304(e) or 42 U.S.C. 5311 are hereby rescinded.

8 This title may be cited as the “Department of Hous-  
9 ing and Urban Development Appropriations Act, 2017”.

### 10 TITLE III—RELATED AGENCIES

#### 11 ACCESS BOARD

#### 12 SALARIES AND EXPENSES

13 For expenses necessary for the Access Board, as au-  
14 thorized by section 502 of the Rehabilitation Act of 1973,  
15 as amended, \$8,190,000: *Provided*, That, notwithstanding  
16 any other provision of law, there may be credited to this  
17 appropriation funds received for publications and training  
18 expenses.

#### 19 FEDERAL MARITIME COMMISSION

#### 20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Maritime  
22 Commission as authorized by section 201(d) of the Mer-  
23 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-  
24 cluding services as authorized by 5 U.S.C. 3109; hire of  
25 passenger motor vehicles as authorized by 31 U.S.C.

1 1343(b); and uniforms or allowances therefor *e*, as author-  
2 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That  
3 not to exceed \$2,000 shall be available for official recep-  
4 tion and representation expenses.

5 NATIONAL RAILROAD PASSENGER CORPORATION OFFICE  
6 OF INSPECTOR GENERAL  
7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Inspector  
9 General for the National Railroad Passenger Corporation  
10 to carry out the provisions of the Inspector General Act  
11 of 1978, as amended, \$23,274,000: *Provided*, That the In-  
12 spector General shall have all necessary authority, in car-  
13 rying out the duties specified in the Inspector General Act,  
14 as amended (5 U.S.C. App. 3), to investigate allegations  
15 of fraud, including false statements to the government (18  
16 U.S.C. 1001), by any person or entity that is subject to  
17 regulation by the National Railroad Passenger Corpora-  
18 tion: *Provided further*, That the Inspector General may  
19 enter into contracts and other arrangements for audits,  
20 studies, analyses, and other services with public agencies  
21 and with private persons, subject to the applicable laws  
22 and regulations that govern the obtaining of such services  
23 within the National Railroad Passenger Corporation: *Pro-*  
24 *vided further*, That the Inspector General may select, ap-  
25 point, and employ such officers and employees as may be

1 necessary for carrying out the functions, powers, and du-  
2 ties of the Office of Inspector General, subject to the appli-  
3 cable laws and regulations that govern such selections, ap-  
4 pointments, and employment within the Corporation: *Pro-*  
5 *vided further*, That concurrent with the President’s budget  
6 request for fiscal year 2017, the Inspector General shall  
7 submit to the House and Senate Committees on Appro-  
8 priations a budget request for fiscal year 2017 in similar  
9 format and substance to those submitted by executive  
10 agencies of the Federal Government.

11 NATIONAL TRANSPORTATION SAFETY BOARD

12 SALARIES AND EXPENSES

13 For necessary expenses of the National Transpor-  
14 tation Safety Board, including hire of passenger motor ve-  
15 hicles and aircraft; services as authorized by 5 U.S.C.  
16 3109, but at rates for individuals not to exceed the per  
17 diem rate equivalent to the rate for a GS–15; uniforms,  
18 or allowances therefor, as authorized by law (5 U.S.C.  
19 5901–5902), \$106,000,000, of which not to exceed \$2,000  
20 may be used for official reception and representation ex-  
21 penses. The amounts made available to the National  
22 Transportation Safety Board in this Act include amounts  
23 necessary to make lease payments on an obligation in-  
24 curred in fiscal year 2001 for a capital lease.

1 NEIGHBORHOOD REINVESTMENT CORPORATION  
2 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
3 CORPORATION

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

10 SURFACE TRANSPORTATION BOARD  
11 SALARIES AND EXPENSES

12 For necessary expenses of the Surface Transpor-  
13 tation Board, including services authorized by 5 U.S.C.  
14 3109, \$37,000,000: *Provided*, That notwithstanding any  
15 other provision of law, not to exceed \$1,250,000 from fees  
16 established by the Chairman of the Surface Transpor-  
17 tation Board shall be credited to this appropriation as off-  
18 setting collections and used for necessary and authorized  
19 expenses under this heading: *Provided further*, That the  
20 sum herein appropriated from the general fund shall be  
21 reduced on a dollar-for-dollar basis as such offsetting col-  
22 lections are received during fiscal year 2017, to result in  
23 a final appropriation from the general fund estimated at  
24 no more than \$35,750,000.

1 UNITED STATES INTERAGENCY COUNCIL ON  
2 HOMELESSNESS  
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-  
5 ries, authorized travel, hire of passenger motor vehicles,  
6 the rental of conference rooms, and the employment of ex-  
7 perts and consultants under section 3109 of title 5, United  
8 States Code) of the United States Interagency Council on  
9 Homelessness in carrying out the functions pursuant to  
10 title II of the McKinney-Vento Homeless Assistance Act,  
11 as amended, \$2,000,000.

12

13 TITLE IV  
14 GENERAL PROVISIONS—THIS ACT

15 (INCLUDING RESCISSIONS)

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

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

1       SEC. 403. The expenditure of any appropriation  
2 under this Act for any consulting service through a pro-  
3 curement contract pursuant to section 3109 of title 5,  
4 United States Code, shall be limited to those contracts  
5 where such expenditures are a matter of public record and  
6 available for public inspection, except where otherwise pro-  
7 vided under existing law, or under existing Executive order  
8 issued pursuant to existing law.

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

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

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

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

21               (4) contains any methods or content associated  
22 with religious or quasi-religious belief systems or  
23 “new age” belief systems as defined in Equal Em-  
24 ployment Opportunity Commission Notice N-  
25 915.022, dated September 2, 1988; or

1           (5) is offensive to, or designed to change, par-  
2           ticipants' personal values or lifestyle outside the  
3           workplace.

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

7           SEC. 405. (a) Except as otherwise provided in this  
8           Act, none of the funds provided in this Act, provided by  
9           previous appropriations Acts to the agencies or entities  
10          funded in this Act that remain available for obligation or  
11          expenditure in fiscal year 2017, or provided from any ac-  
12          counts in the Treasury derived by the collection of fees  
13          and available to the agencies funded by this Act, shall be  
14          available for obligation or expenditure through a re-  
15          programming of funds that—

16                 (1) creates a new program;

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

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

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

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

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

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

23                   (A) a table for each appropriation with a  
24                   separate column to display the prior year en-  
25                   acted level, the President's budget request, ad-



1 justments made by Congress, adjustments due  
2 to enacted rescissions, if appropriate, and the  
3 fiscal year enacted level;

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

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

11 SEC. 406. Except as otherwise specifically provided  
12 by law, not to exceed 50 percent of unobligated balances  
13 remaining available at the end of fiscal year 2017 from  
14 appropriations made available for salaries and expenses  
15 for fiscal year 2017 in this Act, shall remain available  
16 through September 30, 2018, for each such account for  
17 the purposes authorized: *Provided*, That a request shall  
18 be submitted to the House and Senate Committees on Ap-  
19 propriations for approval prior to the expenditure of such  
20 funds: *Provided further*, That these requests shall be made  
21 in compliance with reprogramming guidelines under sec-  
22 tion 405 of this Act.

23 SEC. 407. No funds in this Act may be used to sup-  
24 port any Federal, State, or local projects that seek to use  
25 the power of eminent domain, unless eminent domain is

1 employed only for a public use: *Provided*, That for pur-  
2 poses of this section, public use shall not be construed to  
3 include economic development that primarily benefits pri-  
4 vate entities: *Provided further*, That any use of funds for  
5 mass transit, railroad, airport, seaport or highway  
6 projects, as well as utility projects which benefit or serve  
7 the general public (including energy-related, communica-  
8 tion-related, water-related and wastewater-related infra-  
9 structure), other structures designated for use by the gen-  
10 eral public or which have other common-carrier or public-  
11 utility functions that serve the general public and are sub-  
12 ject to regulation and oversight by the government, and  
13 projects for the removal of an immediate threat to public  
14 health and safety or brownfields as defined in the Small  
15 Business Liability Relief and Brownfields Revitalization  
16 Act (Public Law 107–118) shall be considered a public  
17 use for purposes of eminent domain.

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

23       SEC. 409. No part of any appropriation contained in  
24 this Act shall be available to pay the salary for any person  
25 filling a position, other than a temporary position, for-

1 merly held by an employee who has left to enter the Armed  
2 Forces of the United States and has satisfactorily com-  
3 pleted his or her period of active military or naval service,  
4 and has within 90 days after his or her release from such  
5 service or from hospitalization continuing after discharge  
6 for a period of not more than 1 year, made application  
7 for restoration to his or her former position and has been  
8 certified by the Office of Personnel Management as still  
9 qualified to perform the duties of his or her former posi-  
10 tion and has not been restored thereto.

11 SEC. 410. No funds appropriated pursuant to this  
12 Act may be expended by an entity unless the entity agrees  
13 that in expending the assistance the entity will comply  
14 with sections 2 through 4 of the Act of March 3, 1933  
15 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-  
16 ican Act”).

17 SEC. 411. No funds appropriated or otherwise made  
18 available under this Act shall be made available to any  
19 person or entity that has been convicted of violating the  
20 Buy American Act (41 U.S.C. 10a–10c).

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

1        SEC. 413. (a) None of the funds made available by  
2 this Act may be used to approve a new foreign air carrier  
3 permit under sections 41301 through 41305 of title 49,  
4 United States Code, or exemption application under sec-  
5 tion 40109 of that title of an air carrier already holding  
6 an air operators certificate issued by a country that is  
7 party to the U.S.-E.U.-Iceland-Norway Air Transport  
8 Agreement where such approval would contravene United  
9 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-  
10 way Air Transport Agreement.

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

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

1 section the term “international conference” shall mean a  
2 conference occurring outside of the United States attended  
3 by representatives of the United States Government and  
4 of foreign governments, international organizations, or  
5 nongovernmental organizations.

6       SEC. 415. None of the funds made available by this  
7 Act may be used by the Department of Transportation,  
8 the Department of Housing and Urban Development, or  
9 any other Federal agency to lease or purchase new light  
10 duty vehicles for any executive fleet, or for an agency’s  
11 fleet inventory, except in accordance with Presidential  
12 Memorandum—Federal Fleet Performance, dated May  
13 24, 2011.

14       SEC. 416. None of the funds appropriated or other-  
15 wise made available under this Act may be used by the  
16 Surface Transportation Board of the Department of  
17 Transportation to charge or collect any filing fee for rate  
18 or practice complaints filed with the Board in an amount  
19 in excess of the amount authorized for district court civil  
20 suit filing fees under section 1914 of title 28, United  
21 States Code.

22       SEC. 417. Effective October 1, 2016, all unobligated  
23 balances, including recaptures and carryover, remaining  
24 from funds appropriated in division L of Public Law 114-  
25 113 for “Department of Transportation-Office of the Sec-

1 retary-Salaries and Expenses”, “Department of Transpor-  
2 tation-Office of the Secretary-Office of Civil Rights”, “De-  
3 partment of Transportation-Office of the Secretary-Minor-  
4 ity Business Outreach”, “Department of Transportation-  
5 Federal Transit Administration-Administrative Ex-  
6 penses”, “Department of Transportation-Pipeline and  
7 Hazardous Materials Safety Administration-Operational  
8 Expenses”, “Department of Transportation-Surface  
9 Transportation Board-Salaries and Expenses”, “Access  
10 Board-Salaries and Expenses”, “Federal Maritime Com-  
11 mission-Salaries and Expenses”, “National Railroad Pas-  
12 senger Corporation-Office of Inspector General-Salaries  
13 and Expenses”, “National Transportation Safety Board-  
14 Salaries and Expenses”, and “United States Interagency  
15 Council on Homelessness-Operating Expenses” are re-  
16 scinded.

17 SPENDING REDUCTION ACCOUNT

18 SEC. 418. The amount by which the applicable alloca-  
19 tion of new budget authority made by the Committee on  
20 Appropriations of the House of Representatives under  
21 Section 302(b) of the Congressional Budget Act of 1974  
22 exceeds the amount of proposed new budget authority is  
23 \$0.

1           This Act may be cited as the “Transportation, Hous-  
2 ing and Urban Development, and Related Agencies Appro-  
3 priations Act, 2017”.





Union Calendar No. 472

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5394**

[Report No. 114-606]

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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, 2017, and for other purposes.

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JUNE 7, 2016

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