

Calendar No. 433

114TH CONGRESS
2D SESSION

S. 2844

[Report No. 114-243]

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.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2016

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

A BILL

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

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

1 Development, and related agencies for the fiscal year end-
2 ing September 30, 2017, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,
8 \$116,396,000, of which not to exceed \$2,758,000 shall be
9 available for the immediate Office of the Secretary; not
10 to exceed \$1,040,000 shall be available for the immediate
11 Office of the Deputy Secretary; not to exceed \$20,772,000
12 shall be available for the Office of the General Counsel;
13 not to exceed \$11,108,000 shall be available for the Office
14 of the Under Secretary of Transportation for Policy; not
15 to exceed \$16,020,000 shall be available for the Office of
16 the Assistant Secretary for Budget and Programs; not to
17 exceed \$2,569,000 shall be available for the Office of the
18 Assistant Secretary for Governmental Affairs; not to ex-
19 ceed \$30,054,000 shall be available for the Office of the
20 Assistant Secretary for Administration; not to exceed
21 \$2,142,000 shall be available for the Office of Public Af-
22 fairs; not to exceed \$1,760,000 shall be available for the
23 Office of the Executive Secretariat; not to exceed
24 \$11,089,000 shall be available for the Office of Intel-
25 ligence, Security, and Emergency Response; and not to ex-

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

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, the De-
11 partmental Enforcement Center, and the Center for
12 Faith-Based and Neighborhood Partnerships,
13 \$30,608,000: *Provided*, That not to exceed \$25,000 of the
14 amount made available under this heading shall be avail-
15 able to the Secretary for official reception and representa-
16 tion expenses as the Secretary may determine.

17 ADMINISTRATIVE SUPPORT OFFICES

18 For necessary salaries and expenses for Administra-
19 tive Support Offices, \$503,852,000, of which \$53,451,000
20 shall be available for the Office of the Chief Financial Offi-
21 cer; \$79,053,000 shall be available for the Office of the
22 General Counsel; \$202,823,000 shall be available for the
23 Office of Administration; \$41,641,000 shall be available
24 for the Office of the Chief Human Capital Officer;
25 \$52,568,000 shall be available for the Office of Field Pol-

1 icy and Management; \$19,130,000 shall be available for
2 the Office of the Chief Procurement Officer; \$3,891,000
3 shall be available for the Office of Departmental Equal
4 Employment Opportunity; \$5,147,000 shall be available
5 for the Office of Strategic Planning and Management; and
6 \$46,148,000 shall be available for the Office of the Chief
7 Information Officer: *Provided*, That funds provided under
8 this heading may be used for necessary administrative and
9 non-administrative expenses of the Department of Hous-
10 ing and Urban Development, not otherwise provided for,
11 including purchase of uniforms, or allowances therefor, as
12 authorized by 5 U.S.C. 5901–5902; hire of passenger
13 motor vehicles; and services as authorized by 5 U.S.C.
14 3109: *Provided further*, That notwithstanding any other
15 provision of law, funds appropriated under this heading
16 may be used for advertising and promotional activities
17 that directly support program activities funded in this
18 title: *Provided further*, That the Secretary shall provide the
19 House and Senate Committees on Appropriations quar-
20 terly written notification regarding the status of pending
21 congressional reports: *Provided further*, That the Sec-
22 retary shall provide in electronic form all signed reports
23 required by Congress.

1 PROGRAM OFFICE SALARIES AND EXPENSES

2 PUBLIC AND INDIAN HOUSING

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

5 COMMUNITY PLANNING AND DEVELOPMENT

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

8 HOUSING

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

11 POLICY DEVELOPMENT AND RESEARCH

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

14 FAIR HOUSING AND EQUAL OPPORTUNITY

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

17 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

18 HOMES

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

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the working capital fund for the Department of
24 Housing and Urban Development (referred to in this para-
25 graph as the “Fund”), pursuant, in part, to section 7(f)

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

1 to the Fund, the authorities and conditions under this
2 heading shall supplement the authorities and conditions
3 provided under section 7(f).

4 PUBLIC AND INDIAN HOUSING

5 TENANT-BASED RENTAL ASSISTANCE

6 For activities and assistance for the provision of ten-
7 ant-based rental assistance authorized under the United
8 States Housing Act of 1937, as amended (42 U.S.C. 1437
9 et seq.) (“the Act” herein), not otherwise provided for,
10 \$16,431,696,000, to remain available until expended, shall
11 be available on October 1, 2016 (in addition to the
12 \$4,000,000,000 previously appropriated under this head-
13 ing that shall be available on October 1, 2016), and
14 \$4,000,000,000, to remain available until expended, shall
15 be available on October 1, 2017: *Provided*, That the
16 amounts made available under this heading are provided
17 as follows:

18 (1) \$18,355,000,000 shall be available for re-
19 newals of expiring section 8 tenant-based annual
20 contributions contracts (including renewals of en-
21 hanced vouchers under any provision of law author-
22 izing such assistance under section 8(t) of the Act)
23 and including renewal of other special purpose incre-
24 mental vouchers: *Provided*, That notwithstanding
25 any other provision of law, from amounts provided

1 under this paragraph and any carryover, the Sec-
2 retary for the calendar year 2017 funding cycle shall
3 provide renewal funding for each public housing
4 agency based on validated voucher management sys-
5 tem (VMS) leasing and cost data for the prior cal-
6 endar year and by applying an inflation factor as es-
7 tablished by the Secretary, by notice published in
8 the Federal Register, and by making any necessary
9 adjustments for the costs associated with the first-
10 time renewal of vouchers under this paragraph in-
11 cluding tenant protection, HOPE VI, and Choice
12 Neighborhoods vouchers: *Provided further*, That
13 none of the funds provided under this paragraph
14 may be used to fund a total number of unit months
15 under lease which exceeds a public housing agency's
16 authorized level of units under contract, except for
17 public housing agencies participating in the MTW
18 demonstration, which are instead governed by the
19 terms and conditions of their MTW agreements:
20 *Provided further*, That the Secretary shall, to the ex-
21 tent necessary to stay within the amount specified
22 under this paragraph (except as otherwise modified
23 under this paragraph), prorate each public housing
24 agency's allocation otherwise established pursuant to
25 this paragraph: *Provided further*, That except as

1 provided in the following provisos, the entire amount
2 specified under this paragraph (except as otherwise
3 modified under this paragraph) shall be obligated to
4 the public housing agencies based on the allocation
5 and pro rata method described above, and the Sec-
6 retary shall notify public housing agencies of their
7 annual budget by the latter of 60 days after enact-
8 ment of this Act or March 1, 2017: *Provided further,*
9 That the Secretary may extend the notification pe-
10 riod with the prior written approval of the House
11 and Senate Committees on Appropriations: *Provided*
12 *further,* That public housing agencies participating
13 in the MTW demonstration shall be funded pursuant
14 to their MTW agreements and shall be subject to
15 the same pro rata adjustments under the previous
16 provisos: *Provided further,* That the Secretary may
17 offset public housing agencies' calendar year 2017
18 allocations based on the excess amounts of public
19 housing agencies' net restricted assets accounts, in-
20 cluding HUD held programmatic reserves (in ac-
21 cordance with VMS data in calendar year 2016 that
22 is verifiable and complete), as determined by the
23 Secretary: *Provided further,* That public housing
24 agencies participating in the MTW demonstration
25 shall also be subject to the offset, as determined by

1 the Secretary, excluding amounts subject to the sin-
2 gle fund budget authority provisions of their MTW
3 agreements, from the agencies' calendar year 2017
4 MTW funding allocation: *Provided further*, That the
5 Secretary shall use any offset referred to in the pre-
6 vious two provisos throughout the calendar year to
7 prevent the termination of rental assistance for fam-
8 ilies as the result of insufficient funding, as deter-
9 mined by the Secretary, and to avoid or reduce the
10 proration of renewal funding allocations: *Provided*
11 *further*, That up to \$75,000,000 shall be available
12 only: (1) for adjustments in the allocations for public
13 housing agencies, after application for an adjust-
14 ment by a public housing agency that experienced a
15 significant increase, as determined by the Secretary,
16 in renewal costs of vouchers resulting from unfore-
17 seen circumstances or from portability under section
18 8(r) of the Act; (2) for vouchers that were not in use
19 during the previous 12-month period in order to be
20 available to meet a commitment pursuant to section
21 8(o)(13) of the Act; (3) for adjustments for costs as-
22 sociated with HUD-Veterans Affairs Supportive
23 Housing (HUD-VASH) vouchers; and (4) for public
24 housing agencies that despite taking reasonable cost
25 savings measures, as determined by the Secretary,

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

6 (2) \$110,000,000 shall be for section 8 rental
7 assistance for relocation and replacement of housing
8 units that are demolished or disposed of pursuant to
9 section 18 of the Act, conversion of section 23
10 projects to assistance under section 8, the family
11 unification program under section 8(x) of the Act,
12 relocation of witnesses in connection with efforts to
13 combat crime in public and assisted housing pursu-
14 ant to a request from a law enforcement or prosecu-
15 tion agency, enhanced vouchers under any provision
16 of law authorizing such assistance under section 8(t)
17 of the Act, HOPE VI and Choice Neighborhood
18 vouchers, mandatory and voluntary conversions, and
19 tenant protection assistance including replacement
20 and relocation assistance or for project-based assist-
21 ance to prevent the displacement of unassisted elder-
22 ly tenants currently residing in section 202 prop-
23 erties financed between 1959 and 1974 that are refi-
24 nanced pursuant to Public Law 106–569, as amend-
25 ed, or under the authority as provided under this

1 Act: *Provided*, That when a public housing develop-
2 ment is submitted for demolition or disposition
3 under section 18 of the Act, the Secretary may pro-
4 vide section 8 rental assistance when the units pose
5 an imminent health and safety risk to residents:
6 *Provided further*, That the Secretary may only pro-
7 vide replacement vouchers for units that were occu-
8 pied within the previous 24 months that cease to be
9 available as assisted housing, subject only to the
10 availability of funds: *Provided further*, That any ten-
11 ant protection voucher made available from amounts
12 under this paragraph shall not be reissued by any
13 public housing agency, except the replacement
14 vouchers as defined by the Secretary by notice, when
15 the initial family that received any such voucher no
16 longer receives such voucher, and the authority for
17 any public housing agency to issue any such voucher
18 shall cease to exist;

19 (3) \$1,768,696,000 shall be for administrative
20 and other expenses of public housing agencies in ad-
21 ministering the section 8 tenant-based rental assist-
22 ance program, of which up to \$10,000,000 shall be
23 available to the Secretary to allocate to public hous-
24 ing agencies that need additional funds to admin-
25 ister their section 8 programs, including fees associ-

1 ated with section 8 tenant protection rental assist-
2 ance, the administration of disaster related vouchers,
3 Veterans Affairs Supportive Housing vouchers, and
4 other special purpose incremental vouchers: *Pro-*
5 *vided*, That no less than \$1,758,696,000 of the
6 amount provided in this paragraph shall be allocated
7 to public housing agencies for the calendar year
8 2017 funding cycle based on section 8(q) of the Act
9 (and related Appropriation Act provisions) as in ef-
10 fect immediately before the enactment of the Quality
11 Housing and Work Responsibility Act of 1998 (Pub-
12 lic Law 105–276): *Provided further*, That if the
13 amounts made available under this paragraph are
14 insufficient to pay the amounts determined under
15 the previous proviso, the Secretary may decrease the
16 amounts allocated to agencies by a uniform percent-
17 age applicable to all agencies receiving funding
18 under this paragraph or may, to the extent nec-
19 essary to provide full payment of amounts deter-
20 mined under the previous proviso, utilize unobligated
21 balances, including recaptures and carryovers, re-
22 maining from funds appropriated to the Department
23 of Housing and Urban Development under this
24 heading from prior fiscal years, excluding special
25 purpose vouchers, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided*
2 *further*, That all public housing agencies partici-
3 pating in the MTW demonstration shall be funded
4 pursuant to their MTW agreements, and shall be
5 subject to the same uniform percentage decrease as
6 under the previous proviso: *Provided further*, That
7 amounts provided under this paragraph shall be only
8 for activities related to the provision of tenant-based
9 rental assistance authorized under section 8, includ-
10 ing related development activities;

11 (4) \$110,000,000 for the renewal of tenant-
12 based assistance contracts under section 811 of the
13 Cranston-Gonzalez National Affordable Housing Act
14 (42 U.S.C. 8013), including necessary administra-
15 tive expenses: *Provided*, That administrative and
16 other expenses of public housing agencies in admin-
17 istering the special purpose vouchers in this para-
18 graph shall be funded under the same terms and be
19 subject to the same pro rata reduction as the per-
20 cent decrease for administrative and other expenses
21 to public housing agencies under paragraph (3) of
22 this heading;

23 (5) \$7,000,000 shall be for rental assistance
24 and associated administrative fees for Tribal HUD-
25 VA Supportive Housing to serve Native American

1 veterans that are homeless or at-risk of homeless-
2 ness living on or near a reservation or other Indian
3 areas: *Provided*, That such amount shall be made
4 available for renewal grants to the recipients that re-
5 ceived assistance under the rental assistance and
6 supportive housing demonstration program for Na-
7 tive American veterans authorized under the heading
8 “Tenant-Based Rental Assistance” in title II of divi-
9 sion K of the Consolidated and Further Continuing
10 Appropriations Act, 2015 (Public Law 113–235,
11 128 Stat. 2733): *Provided further*, That the Sec-
12 retary shall be authorized to specify criteria for re-
13 newal grants, including data on the utilization of as-
14 sistance reported by grant recipients under the dem-
15 onstration program: *Provided further*, That any
16 amounts remaining after such renewal assistance is
17 awarded may be available for new grants to recipi-
18 ents eligible to receive block grants under the Native
19 American Housing Assistance and Self-Determina-
20 tion Act of 1996 (25 U.S.C. section 4101 et seq.)
21 for rental assistance and associated administrative
22 fees for Tribal HUD–VA Supportive Housing to
23 serve Native American veterans that are homeless or
24 at-risk of homelessness living on or near a reserva-
25 tion or other Indian areas: *Provided further*, That

1 funds shall be awarded based on need and adminis-
2 trative capacity established by the Secretary in a
3 Notice published in the Federal Register after co-
4 ordination with the Secretary of the Department of
5 Veterans Affairs: *Provided further*, That renewal
6 grants and new grants under this paragraph shall be
7 administered by block grant recipients in accordance
8 with program requirements under the Native Amer-
9 ican Housing Assistance and Self-Determination Act
10 of 1996: *Provided further*, That assistance under
11 this paragraph shall be modeled after, with nec-
12 essary and appropriate adjustments for Native
13 American grant recipients and veterans, the rental
14 assistance and supportive housing program known
15 as HUD–VASH program, including administration
16 in conjunction with the Department of Veterans Af-
17 fairs and overall implementation of section 8(o)(19)
18 of the United States Housing Act of 1937: *Provided*
19 *further*, That the Secretary of Housing and Urban
20 Development may waive, or specify alternative re-
21 quirements for any provision of any statute or regu-
22 lation that the Secretary of Housing and Urban De-
23 velopment administers in connection with the use of
24 funds made available under this paragraph (except
25 for requirements related to fair housing, non-

1 discrimination, labor stands, and the environment),
2 upon a finding by the Secretary that any such waiv-
3 ers or alternative requirements are necessary for the
4 effective delivery and administration of such assist-
5 ance: *Provided further*, That grant recipients shall
6 report to the Secretary on utilization of such rental
7 assistance and other program data, as prescribed by
8 the Secretary;

9 (6) \$50,000,000 for incremental rental voucher
10 assistance for use through a supported housing pro-
11 gram administered in conjunction with the Depart-
12 ment of Veterans Affairs as authorized under section
13 8(o)(19) of the United States Housing Act of 1937:
14 *Provided*, That the Secretary of Housing and Urban
15 Development shall make such funding available, not-
16 withstanding section 204 (competition provision) of
17 this title, to public housing agencies that partner
18 with eligible VA Medical Centers or other entities as
19 designated by the Secretary of the Department of
20 Veterans Affairs, based on geographical need for
21 such assistance as identified by the Secretary of the
22 Department of Veterans Affairs, public housing
23 agency administrative performance, and other fac-
24 tors as specified by the Secretary of Housing and
25 Urban Development in consultation with the Sec-

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

18 (7) \$20,000,000 shall be made available for
19 new incremental voucher assistance through the
20 family unification program as authorized by section
21 8(x) of the Act: *Provided*, That the assistance made
22 available under this paragraph shall continue to re-
23 main available for family unification upon turnover:
24 *Provided further*, That for any public housing agency
25 administering voucher assistance appropriated in a

1 prior Act under the family unification program that
 2 determines that it no longer has an identified need
 3 for such assistance upon turnover, such agency shall
 4 notify the Secretary, and the Secretary shall recap-
 5 ture such assistance from the agency and reallocate
 6 it to any other public housing agency or agencies
 7 based on need for voucher assistance in connection
 8 with such program;

9 (8) \$11,000,000 shall be made available for the
 10 housing choice voucher mobility demonstration au-
 11 thorized under section 243 of this title; and

12 (9) the Secretary shall separately track all spe-
 13 cial purpose vouchers funded under this heading.

14 HOUSING CERTIFICATE FUND

15 (INCLUDING RESCISSIONS)

16 Unobligated balances, including recaptures and car-
 17 ryover, remaining from funds appropriated to the Depart-
 18 ment of Housing and Urban Development under this
 19 heading, the heading “Annual Contributions for Assisted
 20 Housing” and the heading “Project-Based Rental Assist-
 21 ance”, for fiscal year 2017 and prior years may be used
 22 for renewal of or amendments to section 8 project-based
 23 contracts and for performance-based contract administra-
 24 tors, notwithstanding the purposes for which such funds
 25 were appropriated: *Provided*, That any obligated balances

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

11 PUBLIC HOUSING CAPITAL FUND

12 For the Public Housing Capital Fund Program to
13 carry out capital and management activities for public
14 housing agencies, as authorized under section 9 of the
15 United States Housing Act of 1937 (42 U.S.C. 1437g)
16 (the “Act”) \$1,925,000,000, to remain available until
17 September 30, 2020: *Provided*, That notwithstanding any
18 other provision of law or regulation, during fiscal year
19 2017, the Secretary of Housing and Urban Development
20 may not delegate to any Department official other than
21 the Deputy Secretary and the Assistant Secretary for
22 Public and Indian Housing any authority under paragraph
23 (2) of section 9(j) regarding the extension of the time peri-
24 ods under such section: *Provided further*, That for pur-
25 poses of such section 9(j), the term “obligate” means, with

1 respect to amounts, that the amounts are subject to a
2 binding agreement that will result in outlays, immediately
3 or in the future: *Provided further*, That up to \$10,000,000
4 shall be to support ongoing public housing financial and
5 physical assessment activities: *Provided further*, That up
6 to \$1,000,000 shall be to support the costs of administra-
7 tive and judicial receiverships: *Provided further*, That of
8 the total amount provided under this heading, not to ex-
9 ceed \$21,500,000 shall be available for the Secretary to
10 make grants, notwithstanding section 204 of this Act, to
11 public housing agencies for emergency capital needs in-
12 cluding safety and security measures necessary to address
13 crime and drug-related activity as well as needs resulting
14 from unforeseen or unpreventable emergencies and nat-
15 ural disasters excluding Presidentially declared emer-
16 gencies and natural disasters under the Robert T. Stafford
17 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
18 seq.) occurring in fiscal year 2017: *Provided further*, That
19 of the amount made available under the previous proviso,
20 not less than \$5,000,000 shall be for safety and security
21 measures: *Provided further*, That in addition to the
22 amount in the previous proviso for such safety and secu-
23 rity measures, any amounts that remain available, after
24 all applications received on or before September 30, 2018,
25 for emergency capital needs have been processed, shall be

1 allocated to public housing agencies for such safety and
2 security measures: *Provided further*, That of the total
3 amount provided under this heading \$35,000,000 shall be
4 for supportive services, service coordinator and congregate
5 services as authorized by section 34 of the Act (42 U.S.C.
6 1437z-6) and the Native American Housing Assistance
7 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
8 seq.): *Provided further*, That of the total amount made
9 available under this heading, \$15,000,000 shall be for a
10 Jobs-Plus initiative modeled after the Jobs-Plus dem-
11 onstration: *Provided further*, That the funding provided
12 under the previous proviso shall provide competitive grants
13 to partnerships between public housing authorities, local
14 workforce investment boards established under section
15 117 of the Workforce Investment Act of 1998, and other
16 agencies and organizations that provide support to help
17 public housing residents obtain employment and increase
18 earnings: *Provided further*, That applicants must dem-
19 onstrate the ability to provide services to residents, part-
20 ner with workforce investment boards, and leverage service
21 dollars: *Provided further*, That the Secretary may allow
22 public housing agencies to request exemptions from rent
23 and income limitation requirements under sections 3 and
24 6 of the United States Housing Act of 1937 as necessary
25 to implement the Jobs-Plus program, on such terms and

1 conditions as the Secretary may approve upon a finding
2 by the Secretary that any such waivers or alternative re-
3 quirements are necessary for the effective implementation
4 of the Jobs-Plus initiative as a voluntary program for resi-
5 dents: *Provided further*, That the Secretary shall publish
6 by notice in the Federal Register any waivers or alter-
7 native requirements pursuant to the preceding proviso no
8 later than 10 days before the effective date of such notice:
9 *Provided further*, That for funds provided under this head-
10 ing, the limitation in section 9(g)(1) of the Act shall be
11 25 percent: *Provided further*, That the Secretary may
12 waive the limitation in the previous proviso to allow public
13 housing agencies to fund activities authorized under sec-
14 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
15 retary shall notify public housing agencies requesting
16 waivers under the previous proviso if the request is ap-
17 proved or denied within 14 days of submitting the request:
18 *Provided further*, That from the funds made available
19 under this heading, the Secretary shall provide bonus
20 awards in fiscal year 2017 to public housing agencies that
21 are designated high performers: *Provided further*, That the
22 Department shall notify public housing agencies of their
23 formula allocation within 60 days of enactment of this Act:
24 *Provided further*, That of the total amount provided under
25 this heading, \$25,000,000 shall be available for competi-

1 tive grants to public housing agencies to evaluate and re-
2 duce lead-based paint hazards in public housing by car-
3 rying out the activities of risk assessments, abatement,
4 and interim controls (as those terms are defined in section
5 1004 of the Residential Lead-Based Paint Hazard Reduc-
6 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further*,
7 That for purposes of environmental review, a grant under
8 the previous proviso shall be considered funds for projects
9 or activities under title I of the United States Housing
10 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
11 tion 26 of such Act (42 U.S.C. 1437x) and shall be subject
12 to the regulations implementing such section.

13 PUBLIC HOUSING OPERATING FUND

14 For 2017 payments to public housing agencies for the
15 operation and management of public housing, as author-
16 ized by section 9(e) of the United States Housing Act of
17 1937 (42 U.S.C. 1437g(e)), \$4,675,000,000, to remain
18 available until September 30, 2018.

19 CHOICE NEIGHBORHOODS INITIATIVE

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

1 poverty into functioning, sustainable mixed income neigh-
2 borhoods with appropriate services, schools, public assets,
3 transportation and access to jobs, \$80,000,000, to remain
4 available until September 30, 2019: *Provided*, That grant
5 funds may be used for resident and community services,
6 community development, and affordable housing needs in
7 the community, and for conversion of vacant or foreclosed
8 properties to affordable housing: *Provided further*, That
9 the use of funds made available under this heading shall
10 not be deemed to be public housing notwithstanding sec-
11 tion 3(b)(1) of such Act: *Provided further*, That grantees
12 shall commit to an additional period of affordability deter-
13 mined by the Secretary of not fewer than 20 years: *Pro-*
14 *vided further*, That grantees shall provide a match in
15 State, local, other Federal or private funds: *Provided fur-*
16 *ther*, That grantees may include local governments, tribal
17 entities, public housing authorities, and nonprofits: *Pro-*
18 *vided further*, That for-profit developers may apply jointly
19 with a public entity: *Provided further*, That for purposes
20 of environmental review, a grantee shall be treated as a
21 public housing agency under section 26 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437x), and
23 grants under this heading shall be subject to the regula-
24 tions issued by the Secretary to implement such section:
25 *Provided further*, That of the amount provided, not less

1 than \$48,000,000 shall be awarded to public housing
2 agencies: *Provided further*, That such grantees shall create
3 partnerships with other local organizations including as-
4 sisted housing owners, service agencies, and resident orga-
5 nizations: *Provided further*, That no more than \$5,000,000
6 of funds made available under this heading may be pro-
7 vided as grants to undertake comprehensive local planning
8 with input from residents and the community: *Provided*
9 *further*, That unobligated balances, including recaptures,
10 remaining from funds appropriated under the heading
11 “Revitalization of Severely Distressed Public Housing
12 (HOPE VI)” in fiscal year 2011 and prior fiscal years
13 may be used for purposes under this heading, notwith-
14 standing the purposes for which such amounts were appro-
15 priated: *Provided further*, That implementation grants
16 awarded under this heading may only be awarded to
17 grantees that have previously been awarded planning
18 grants.

19 FAMILY SELF-SUFFICIENCY

20 For the Family Self-Sufficiency program to support
21 family self-sufficiency coordinators under section 23 of the
22 United States Housing Act of 1937, to promote the devel-
23 opment of local strategies to coordinate the use of assist-
24 ance under sections 8(o) and 9 of such Act with public
25 and private resources, and enable eligible families to

1 achieve economic independence and self-sufficiency,
2 \$75,000,000, to remain available until September 30,
3 2018: *Provided*, That the Secretary may, by Federal Reg-
4 ister notice, waive or specify alternative requirements
5 under sections b(3), b(4), b(5), or c(1) of section 23 of
6 such Act in order to facilitate the operation of a unified
7 self-sufficiency program for individuals receiving assist-
8 ance under different provisions of the Act, as determined
9 by the Secretary: *Provided further*, That owners of a pri-
10 vately owned multifamily property with a section 8 con-
11 tract may voluntarily make a Family Self-Sufficiency pro-
12 gram available to the assisted tenants of such property
13 in accordance with procedures established by the Sec-
14 retary: *Provided further*, That such procedures established
15 pursuant to the previous proviso shall permit participating
16 tenants to accrue escrow funds in accordance with section
17 23(d)(2) and shall allow owners to use funding from resid-
18 ual receipt accounts to hire coordinators for their own
19 Family Self-Sufficiency program.

20 INDIAN BLOCK GRANTS

21 For activities and assistance authorized under title
22 I of the Native American Housing Assistance and Self-
23 Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111
24 et seq.), title I of the Housing and Community Develop-
25 ment Act of 1974 with respect to Indian tribes (42 U.S.C.

1 5306(a)(1)), and related technical assistance,
2 \$714,000,000, to remain available until September 30,
3 2021: *Provided*, That the amounts made available under
4 this heading are provided as follows:

5 (1) \$646,500,000 shall be available for the In-
6 dian Housing Block Grant program, as authorized
7 under title I of NAHASDA: *Provided*, That, not-
8 withstanding NAHASDA, to determine the amount
9 of the allocation under title I of such Act for each
10 Indian tribe, the Secretary shall apply the formula
11 under section 302 of such Act with the need compo-
12 nent based on single-race census data and with the
13 need component based on multi-race census data,
14 and the amount of the allocation for each Indian
15 tribe shall be the greater of the two resulting alloca-
16 tion amounts: *Provided further*, That notwith-
17 standing section 302(d) of NAHASDA, if on Janu-
18 ary 1, 2017, a recipient's total amount of
19 undisbursed block grant funds in the Department's
20 line of credit control system is greater than three
21 times the formula allocation it would otherwise re-
22 ceive under the first proviso under this paragraph,
23 the Secretary shall adjust that recipient's formula
24 allocation down by the difference between its total
25 amount of undisbursed block grant funds in the De-

1 department's line of credit control system on January
2 1, 2017, and three times the formula allocation it
3 would otherwise receive: *Provided further*, That not-
4 withstanding the previous two provisos, no Indian
5 tribe shall receive an allocation amount greater than
6 10 percent of the total amount made available under
7 this paragraph: *Provided further*, That grant
8 amounts not allocated to a recipient pursuant to the
9 previous two provisos shall be allocated under the
10 need component of the formula proportionately
11 among all other Indian tribes not subject to an ad-
12 justment under such provisos: *Provided further*, That
13 the second and third provisos shall not apply to any
14 Indian tribe that would otherwise receive a formula
15 allocation of less than \$8,000,000: *Provided further*,
16 That to take effect, the four previous provisos do not
17 require issuance or amendment of any regulation,
18 and shall not be construed to confer hearing rights
19 under any section of NAHASDA or its implementing
20 regulations: *Provided further*, That the Department
21 will notify grantees of their formula allocation within
22 60 days of the date of enactment of this Act;

23 (2) \$2,000,000 shall be made available for the
24 cost of guaranteed notes and other obligations, as
25 authorized by title VI of NAHASDA: *Provided*, That

1 such costs, including the costs of modifying such
2 notes and other obligations, shall be as defined in
3 section 502 of the Congressional Budget Act of
4 1974, as amended: *Provided further*, That these
5 funds are available to subsidize the total principal
6 amount of any notes and other obligations, any part
7 of which is to be guaranteed, not to exceed
8 \$17,857,142 to remain available until September 30,
9 2021;

10 (3) \$60,000,000 shall be for grants to Indian
11 tribes for carrying out the Community Development
12 Block Grant program as authorized under title I of
13 the Housing and Community Development Act of
14 1974, notwithstanding section 106(a)(1) of such
15 Act, of which, up to \$4,000,000 may be used for
16 emergencies that constitute imminent threats to
17 health and safety notwithstanding any other provi-
18 sion of law (including section 204 of this title): *Pro-*
19 *vided*, That not to exceed 20 percent of any grant
20 made with funds appropriated under this paragraph
21 shall be expended for planning and management de-
22 velopment and administration; and

23 (4) \$5,500,000 shall be to support the inspec-
24 tion of Indian housing units, contract expertise,
25 training, and technical assistance needs in Indian

1 country related to funding provided under this head-
2 ing.

3 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

4 ACCOUNT

5 For the cost of guaranteed loans, as authorized by
6 section 184 of the Housing and Community Development
7 Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to re-
8 main available until expended: *Provided*, That such costs,
9 including the costs of modifying such loans, shall be as
10 defined in section 502 of the Congressional Budget Act
11 of 1974: *Provided further*, That these funds are available
12 to subsidize total loan principal, any part of which is to
13 be guaranteed, up to \$1,341,463,415, to remain available
14 until expended: *Provided further*, That up to \$750,000 of
15 this amount may be for administrative contract expenses
16 including management processes and systems to carry out
17 the loan guarantee program: *Provided further*, That an ad-
18 ditional \$1,000,000 shall be available until expended for
19 such costs of guaranteed loans authorized under such sec-
20 tion 184 issued to tribes and Indian housing authorities
21 for the construction of rental housing for law enforcement,
22 healthcare, educational, technical and other skilled work-
23 ers: *Provided further*, That the funds specified in the pre-
24 vious proviso are available to subsidize total loan principal,
25 any part of which is to be guaranteed, up to \$243,902,439

1 to remain available until expended: *Provided further*, That
2 the Secretary may specify any additional program require-
3 ments with respect to the previous two provisos through
4 publication of a Mortgagee Letter or Notice.

5 NATIVE HAWAIIAN HOUSING BLOCK GRANT

6 For the Native Hawaiian Housing Block Grant pro-
7 gram, as authorized under title VIII of the Native Amer-
8 ican Housing Assistance and Self-Determination Act of
9 1996 (25 U.S.C. 4111 et seq.), \$5,000,000, to remain
10 available until September 30, 2021.

11 COMMUNITY PLANNING AND DEVELOPMENT

12 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

13 For carrying out the Housing Opportunities for Per-
14 sons with AIDS program, as authorized by the AIDS
15 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
16 \$335,000,000, to remain available until September 30,
17 2018, except that amounts allocated pursuant to section
18 854(e)(3) of such Act shall remain available until Sep-
19 tember 30, 2019: *Provided*, That the Secretary shall renew
20 all expiring contracts for permanent supportive housing
21 that initially were funded under section 854(e)(3) of such
22 Act from funds made available under this heading in fiscal
23 year 2010 and prior fiscal years that meet all program
24 requirements before awarding funds for new contracts
25 under such section: *Provided further*, That notwith-

1 standing section 854(c)(1) of such Act or any imple-
2 menting regulation, the Secretary shall allocate 90 percent
3 of the funds by formula, of which 75 percent shall be
4 among cities that are the most populous unit of general
5 local government in a metropolitan statistical area with
6 a population greater than 500,000 and have more than
7 2,000 persons living with the human immunodeficiency
8 virus (HIV) or AIDS, and States with more than 2,000
9 persons living with HIV or AIDS outside of metropolitan
10 statistical areas, as reported to and confirmed by the Di-
11 rector of the Centers for Disease Control and Prevention
12 (CDC) as of December 31 of the most recent calendar
13 year for which such data is available, and of which 25 per-
14 cent shall be among such eligible States and cities that
15 are the most populous unit of general local government
16 in a metropolitan statistical area based on fair market
17 rents and area poverty indexes, as determined by the Sec-
18 retary: *Provided further*, That a grantee's share shall not
19 reflect a loss greater than 5 percent or a gain greater than
20 10 percent of the share of total available formula funds
21 that the grantee received in the preceding fiscal year: *Pro-*
22 *vided further*, That any grantee that received a formula
23 allocation in fiscal year 2016 shall continue to be eligible
24 for formula allocation in this fiscal year: *Provided further*,

1 That the Department shall notify grantees of their for-
2 mula allocation within 60 days of enactment of this Act.

3 COMMUNITY DEVELOPMENT FUND

4 For assistance to units of State and local govern-
5 ment, and to other entities, for economic and community
6 development activities, and for other purposes,
7 \$3,000,000,000, to remain available until September 30,
8 2019, unless otherwise specified: *Provided*, That of the
9 total amount provided, \$3,000,000,000 is for carrying out
10 the community development block grant program under
11 title I of the Housing and Community Development Act
12 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
13 et seq.): *Provided further*, That unless explicitly provided
14 for under this heading, not to exceed 20 percent of any
15 grant made with funds appropriated under this heading
16 shall be expended for planning and management develop-
17 ment and administration: *Provided further*, That a metro-
18 politan city, urban county, unit of general local govern-
19 ment, or Indian tribe, or insular area that directly or indi-
20 rectly receives funds under this heading may not sell,
21 trade, or otherwise transfer all or any portion of such
22 funds to another such entity in exchange for any other
23 funds, credits or non-Federal considerations, but must use
24 such funds for activities eligible under title I of the Act:
25 *Provided further*, That notwithstanding section 105(e)(1)

1 of the Act, no funds provided under this heading may be
2 provided to a for-profit entity for an economic develop-
3 ment project under section 105(a)(17) unless such project
4 has been evaluated and selected in accordance with guide-
5 lines required under subparagraph (e)(2): *Provided fur-*
6 *ther*, That the Department shall notify grantees of their
7 formula allocation within 60 days of enactment of this Act.

8 COMMUNITY DEVELOPMENT LOAN GUARANTEES

9 PROGRAM ACCOUNT

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

23 HOME INVESTMENT PARTNERSHIPS PROGRAM

24 For the HOME Investment Partnerships program, as
25 authorized under title II of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act, as amended,
 2 \$950,000,000, to remain available until September 30,
 3 2020: *Provided*, That notwithstanding the amount made
 4 available under this heading, the threshold reduction re-
 5 quirements in sections 216(10) and 217(b)(4) of such Act
 6 shall not apply to allocations of such amount: *Provided*
 7 *further*, That the requirements under provisos 2 through
 8 6 under this heading for fiscal year 2012 and such re-
 9 quirements applicable pursuant to the “Full-Year Con-
 10 tinuing Appropriations Act, 2013”, shall not apply to any
 11 project to which funds were committed on or after August
 12 23, 2013, but such projects shall instead be governed by
 13 the Final Rule titled “Home Investment Partnerships
 14 Program; Improving Performance and Accountability; Up-
 15 dating Property Standards” which became effective on
 16 such date: *Provided further*, That the Department shall
 17 notify grantees of their formula allocation within 60 days
 18 of enactment of this Act.

19 SELF-HELP AND ASSISTED HOMEOWNERSHIP

20 OPPORTUNITY PROGRAM

21 For the Self-Help and Assisted Homeownership Op-
 22 portunity Program, as authorized under section 11 of the
 23 Housing Opportunity Program Extension Act of 1996, as
 24 amended, \$50,000,000, to remain available until Sep-
 25 tember 30, 2019: *Provided*, That of the total amount pro-

1 vided under this heading, \$10,000,000 shall be made
2 available to the Self-Help and Assisted Homeownership
3 Opportunity Program as authorized under section 11 of
4 the Housing Opportunity Program Extension Act of 1996,
5 as amended: *Provided further*, That of the total amount
6 provided under this heading, \$35,000,000 shall be made
7 available for the second, third, and fourth capacity build-
8 ing activities authorized under section 4(a) of the HUD
9 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
10 which not less than \$5,000,000 shall be made available
11 for rural capacity building activities: *Provided further*,
12 That of the total amount provided under this heading,
13 \$5,000,000 shall be made available for capacity building
14 by national rural housing organizations with experience
15 assessing national rural conditions and providing financ-
16 ing, training, technical assistance, information, and re-
17 search to local nonprofits, local governments and Indian
18 Tribes serving high need rural communities: *Provided fur-*
19 *ther*, That an additional \$4,000,000, to remain available
20 until expended, shall be for a program to rehabilitate and
21 modify homes of disabled or low-income veterans as au-
22 thorized under section 1079 of Public Law 113–291.

23 HOMELESS ASSISTANCE GRANTS

24 For the emergency solutions grants program as au-
25 thorized under subtitle B of title IV of the McKinney-

1 Vento Homeless Assistance Act, as amended; the con-
2 tinuum of care program as authorized under subtitle C
3 of title IV of such Act; and the rural housing stability as-
4 sistance program as authorized under subtitle D of title
5 IV of such Act, \$2,330,000,000, to remain available until
6 September 30, 2019: *Provided*, That any rental assistance
7 amounts that are recaptured under such continuum of
8 care program shall remain available until expended: *Pro-*
9 *vided further*, That not less than \$250,000,000 of the
10 funds appropriated under this heading shall be available
11 for such emergency solutions grants program: *Provided*
12 *further*, That not less than \$2,013,000,000 of the funds
13 appropriated under this heading shall be available for such
14 continuum of care and rural housing stability assistance
15 programs: *Provided further*, That up to \$7,000,000 of the
16 funds appropriated under this heading shall be available
17 for the national homeless data analysis project: *Provided*
18 *further*, That all funds awarded for supportive services
19 under the continuum of care program and the rural hous-
20 ing stability assistance program shall be matched by not
21 less than 25 percent in cash or in kind by each grantee:
22 *Provided further*, That for all match requirements applica-
23 ble to funds made available under this heading for this
24 fiscal year and prior years, a grantee may use (or could
25 have used) as a source of match funds other funds admin-

1 istered by the Secretary and other Federal agencies unless
2 there is (or was) a specific statutory prohibition on any
3 such use of any such funds: *Provided further*, That none
4 of the funds provided under this heading shall be available
5 to provide funding for new projects, except for projects
6 created through reallocation, unless the Secretary deter-
7 mines that the continuum of care has demonstrated that
8 projects are evaluated and ranked based on the degree to
9 which they improve the continuum of care's system per-
10 formance: *Provided further*, That the Secretary shall
11 prioritize funding under the continuum of care program
12 to continuums of care that have demonstrated a capacity
13 to reallocate funding from lower performing projects to
14 higher performing projects: *Provided further*, That any un-
15 obligated amounts remaining from funds appropriated
16 under this heading in fiscal year 2012 and prior years for
17 project-based rental assistance for rehabilitation projects
18 with 10-year grant terms may be used for purposes under
19 this heading, notwithstanding the purposes for which such
20 funds were appropriated: *Provided further*, That all bal-
21 ances for Shelter Plus Care renewals previously funded
22 from the Shelter Plus Care Renewal account and trans-
23 ferred to this account shall be available, if recaptured, for
24 continuum of care renewals in fiscal year 2017: *Provided*
25 *further*, That the Department shall notify grantees of their

1 formula allocation from amounts allocated (which may
2 represent initial or final amounts allocated) for the emer-
3 gency solutions grant program within 60 days of enact-
4 ment of this Act: *Provided further*, That up to
5 \$40,000,000 of the funds appropriated under this heading
6 shall be to implement projects to demonstrate how a com-
7 prehensive approach to serving homeless youth, age 24
8 and under, in up to 11 communities, including at least
9 five rural communities, can dramatically reduce youth
10 homelessness: *Provided further*, That such projects shall
11 be eligible for renewal under the continuum of care pro-
12 gram subject to the same terms and conditions as other
13 renewal applicants: *Provided further*, That youth aged 24
14 and under seeking assistance under this heading shall not
15 be required to provide third party documentation to estab-
16 lish their eligibility under 42 U.S.C. 11302(a) or (b) to
17 receive services: *Provided further*, That unaccompanied
18 youth aged 24 and under or families headed by youth aged
19 24 and under who are living in unsafe situations may be
20 served by youth-serving providers funded under this head-
21 ing.

22 HOUSING PROGRAMS

23 RENTAL ASSISTANCE DEMONSTRATION

24 For continuing activities under the heading “Rental
25 Assistance Demonstration” in the Department of Housing

1 and Urban Development Appropriations Act, 2012 (Public
2 Law 112–55), \$4,000,000, to remain available until Sep-
3 tember 30, 2020: *Provided*, That such funds shall only be
4 available to properties converting from assistance under
5 section 202(c)(2) of the Housing Act of 1959 (12 U.S.C.
6 1701q(c)(2)).

7 PROJECT-BASED RENTAL ASSISTANCE

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

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

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

1 That unobligated balances, including recaptures and car-
2 ryover, remaining from funds transferred to or appro-
3 priated under this heading may be used for the current
4 purposes authorized under this heading notwithstanding
5 the purposes for which such funds originally were appro-
6 priated.

7 HOUSING COUNSELING ASSISTANCE

8 For contracts, grants, and other assistance excluding
9 loans, as authorized under section 106 of the Housing and
10 Urban Development Act of 1968, as amended,
11 \$47,000,000, to remain available until September 30,
12 2018, including up to \$4,500,000 for administrative con-
13 tract services: *Provided*, That grants made available from
14 amounts provided under this heading shall be awarded
15 within 180 days of enactment of this Act: *Provided further*,
16 That funds shall be used for providing counseling and ad-
17 vice to tenants and homeowners, both current and pro-
18 spective, with respect to property maintenance, financial
19 management/literacy, and such other matters as may be
20 appropriate to assist them in improving their housing con-
21 ditions, meeting their financial needs, and fulfilling the re-
22 sponsibilities of tenancy or homeownership; for program
23 administration; and for housing counselor training: *Pro-*
24 *vided further*, That for purposes of providing such grants
25 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 RENTAL HOUSING ASSISTANCE

4 For amendments to contracts under section 101 of
5 the Housing and Urban Development Act of 1965 (12
6 U.S.C. 1701s) and section 236(f)(2) of the National
7 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
8 insured rental housing projects, \$20,000,000, to remain
9 available until expended: *Provided*, That such amount, to-
10 gether with unobligated balances from recaptured
11 amounts appropriated prior to fiscal year 2006 from ter-
12 minated contracts under such sections of law, and any un-
13 obligated balances, including recaptures and carryover, re-
14 maining from funds appropriated under this heading after
15 fiscal year 2005, shall also be available for extensions of
16 up to one year for expiring contracts under such sections
17 of law.

18 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

19 FUND

20 For necessary expenses as authorized by the National
21 Manufactured Housing Construction and Safety Stand-
22 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
23 \$10,500,000, to remain available until expended, of which
24 \$10,500,000 is to be derived from the Manufactured
25 Housing Fees Trust Fund: *Provided*, That not to exceed

1 the total amount appropriated under this heading shall be
2 available from the general fund of the Treasury to the ex-
3 tent necessary to incur obligations and make expenditures
4 pending the receipt of collections to the Fund pursuant
5 to section 620 of such Act: *Provided further*, That the
6 amount made available under this heading from the gen-
7 eral fund shall be reduced as such collections are received
8 during fiscal year 2017 so as to result in a final fiscal
9 year 2017 appropriation from the general fund estimated
10 at zero, and fees pursuant to such section 620 shall be
11 modified as necessary to ensure such a final fiscal year
12 2017 appropriation: *Provided further*, That for the dispute
13 resolution and installation programs, the Secretary of
14 Housing and Urban Development may assess and collect
15 fees from any program participant: *Provided further*, That
16 such collections shall be deposited into the Fund, and the
17 Secretary, as provided herein, may use such collections,
18 as well as fees collected under section 620, for necessary
19 expenses of such Act: *Provided further*, That, notwith-
20 standing the requirements of section 620 of such Act, the
21 Secretary may carry out responsibilities of the Secretary
22 under such Act through the use of approved service pro-
23 viders that are paid directly by the recipients of their serv-
24 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.

18 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

19 New commitments to guarantee loans insured under
20 the General and Special Risk Insurance Funds, as author-
21 ized by sections 238 and 519 of the National Housing Act
22 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
23 \$30,000,000,000 in total loan principal, any part of which
24 is to be guaranteed, to remain available until September
25 30, 2018: *Provided*, That during fiscal year 2017, gross

1 obligations for the principal amount of direct loans, as au-
 2 thorized by sections 204(g), 207(l), 238, and 519(a) of
 3 the National Housing Act, shall not exceed \$5,000,000,
 4 which shall be for loans to nonprofit and governmental en-
 5 tities in connection with the sale of single family real prop-
 6 erties owned by the Secretary and formerly insured under
 7 such Act.

8 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 9 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 10 GUARANTEE PROGRAM ACCOUNT

11 New commitments to issue guarantees to carry out
 12 the purposes of section 306 of the National Housing Act,
 13 as amended (12 U.S.C. 1721(g)), shall not exceed
 14 \$500,000,000,000, to remain available until September
 15 30, 2018: *Provided*, That \$23,000,000 shall be available
 16 for necessary salaries and expenses of the Office of Gov-
 17 ernment National Mortgage Association: *Provided further*,
 18 That to the extent that guaranteed loan commitments ex-
 19 ceed \$155,000,000,000 on or before April 1, 2017, an ad-
 20 ditional \$100 for necessary salaries and expenses shall be
 21 available until expended for each \$1,000,000 in additional
 22 guaranteed loan commitments (including a pro rata
 23 amount for any amount below \$1,000,000), but in no case
 24 shall funds made available by this proviso exceed
 25 \$3,000,000: *Provided further*, That receipts from Commit-

1 ment and Multiclass fees collected pursuant to title III of
2 the National Housing Act, as amended, shall be credited
3 as offsetting collections to this account.

4 POLICY DEVELOPMENT AND RESEARCH

5 RESEARCH AND TECHNOLOGY

6 For contracts, grants, and necessary expenses of pro-
7 grams of research and studies relating to housing and
8 urban problems, not otherwise provided for, as authorized
9 by title V of the Housing and Urban Development Act
10 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
11 out the functions of the Secretary of Housing and Urban
12 Development under section 1(a)(1)(i) of Reorganization
13 Plan No. 2 of 1968, and for technical assistance,
14 \$90,000,000, to remain available until September 30,
15 2018: *Provided*, That with respect to amounts made avail-
16 able under this heading, notwithstanding section 204 of
17 this title, the Secretary may enter into cooperative agree-
18 ments funded with philanthropic entities, other Federal
19 agencies, or State or local governments and their agencies
20 for research projects: *Provided further*, That with respect
21 to the previous proviso, such partners to the cooperative
22 agreements must contribute at least a 50 percent match
23 toward the cost of the project: *Provided further*, That for
24 non-competitive agreements entered into in accordance
25 with the previous two provisos, the Secretary of Housing

1 and Urban Development shall comply with section 2(b) of
2 the Federal Funding Accountability and Transparency
3 Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu
4 of compliance with section 102(a)(4)(C) with respect to
5 documentation of award decisions: *Provided further*, That
6 prior to obligation of technical assistance funding, the Sec-
7 retary shall submit a plan, for approval, to the House and
8 Senate Committees on Appropriations on how it will allo-
9 cate funding for this activity: *Provided further*, That none
10 of the funds provided under this heading may be available
11 for the doctoral dissertation research grant program.

12 FAIR HOUSING AND EQUAL OPPORTUNITY

13 FAIR HOUSING ACTIVITIES

14 For contracts, grants, and other assistance, not oth-
15 erwise provided for, as authorized by title VIII of the Civil
16 Rights Act of 1968, as amended by the Fair Housing
17 Amendments Act of 1988, and section 561 of the Housing
18 and Community Development Act of 1987, as amended,
19 \$65,300,000, to remain available until September 30,
20 2018: *Provided*, That notwithstanding 31 U.S.C. 3302,
21 the Secretary may assess and collect fees to cover the costs
22 of the Fair Housing Training Academy, and may use such
23 funds to provide such training: *Provided further*, That no
24 funds made available under this heading shall be used to
25 lobby the executive or legislative branches of the Federal

1 Government in connection with a specific contract, grant,
 2 or loan: *Provided further*, That of the funds made available
 3 under this heading, \$300,000 shall be available to the Sec-
 4 retary of Housing and Urban Development for the cre-
 5 ation and promotion of translated materials and other pro-
 6 grams that support the assistance of persons with limited
 7 English proficiency in utilizing the services provided by
 8 the Department of Housing and Urban Development.

9 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

10 HOMES

11 LEAD HAZARD REDUCTION

12 For the Lead Hazard Reduction Program, as author-
 13 ized by section 1011 of the Residential Lead-Based Paint
 14 Hazard Reduction Act of 1992, \$135,000,000, to remain
 15 available until September 30, 2018, of which \$20,000,000
 16 shall be for the Healthy Homes Initiative, pursuant to sec-
 17 tions 501 and 502 of the Housing and Urban Develop-
 18 ment Act of 1970, that shall include research, studies,
 19 testing, and demonstration efforts, including education
 20 and outreach concerning lead-based paint poisoning and
 21 other housing-related diseases and hazards: *Provided*,
 22 That for purposes of environmental review, pursuant to
 23 the National Environmental Policy Act of 1969 (42 U.S.C.
 24 4321 et seq.) and other provisions of the law that further
 25 the purposes of such Act, a grant under the Healthy

1 Homes Initiative, or the Lead Technical Studies program
2 under this heading or under prior appropriations Acts for
3 such purposes under this heading, shall be considered to
4 be funds for a special project for purposes of section
5 305(c) of the Multifamily Housing Property Disposition
6 Reform Act of 1994: *Provided further*, That of the total
7 amount made available under this heading, \$55,000,000
8 shall be made available on a competitive basis for areas
9 with the highest lead-based paint abatement needs: *Pro-*
10 *vided further*, That each recipient of funds provided under
11 the previous proviso shall contribute an amount not less
12 than 25 percent of the total: *Provided further*, That each
13 applicant shall certify adequate capacity that is acceptable
14 to the Secretary to carry out the proposed use of funds
15 pursuant to a notice of funding availability: *Provided fur-*
16 *ther*, That amounts made available under this heading in
17 this or prior appropriations Acts, and that still remain
18 available, may be used for any purpose under this heading
19 notwithstanding the purpose for which such amounts were
20 appropriated if a program competition is undersubscribed
21 and there are other program competitions under this head-
22 ing that are oversubscribed.

23 INFORMATION TECHNOLOGY FUND

24 For the development of, modifications to, and infra-
25 structure for Department-wide and program-specific infor-

1 mation technology systems, for the continuing operation
2 and maintenance of both Department-wide and program-
3 specific information systems, and for program-related
4 maintenance activities, \$273,000,000, of which
5 \$250,000,000 shall remain available until September 30,
6 2018, and of which \$23,000,000 shall remain available
7 until September 30, 2019: *Provided*, That any amounts
8 transferred to this Fund under this Act shall remain avail-
9 able until expended: *Provided further*, That any amounts
10 transferred to this Fund from amounts appropriated by
11 previously enacted appropriations Acts may be used for
12 the purposes specified under this Fund, in addition to any
13 other information technology purposes for which such
14 amounts were appropriated: *Provided further*, That not
15 more than 10 percent of the funds made available under
16 this heading for development, modernization and enhance-
17 ment may be obligated until the Secretary submits to the
18 House and Senate Committees on Appropriations, for ap-
19 proval, a plan for expenditure that—(A) identifies for each
20 modernization project: (i) the functional and performance
21 capabilities to be delivered and the mission benefits to be
22 realized, (ii) the estimated life-cycle cost, and (iii) key
23 milestones to be met; and (B) demonstrates that each
24 modernization project is: (i) compliant with the depart-
25 ment’s enterprise architecture, (ii) being managed in ac-

1 cordance with applicable life-cycle management policies
 2 and guidance, (iii) subject to the department's capital
 3 planning and investment control requirements, and (iv)
 4 supported by an adequately staffed project office.

5 OFFICE OF INSPECTOR GENERAL

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

11 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

12 URBAN DEVELOPMENT

13 (INCLUDING TRANSFER OF FUNDS)

14 (INCLUDING RESCISSION)

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

1 retary of Housing and Urban Development for which set-
2 tlement occurred after January 1, 1992, in accordance
3 with such section. Notwithstanding the previous sentence,
4 the Secretary may award up to 15 percent of the budget
5 authority or cash recaptured and not rescinded or remitted
6 to the Treasury to provide project owners with incentives
7 to refinance their project at a lower interest rate.

8 SEC. 202. None of the amounts made available under
9 this Act may be used during fiscal year 2017 to investigate
10 or prosecute under the Fair Housing Act any otherwise
11 lawful activity engaged in by one or more persons, includ-
12 ing the filing or maintaining of a nonfrivolous legal action,
13 that is engaged in solely for the purpose of achieving or
14 preventing action by a Government official or entity, or
15 a court of competent jurisdiction.

16 SEC. 203. (a) Notwithstanding any other provision
17 of law, the amount allocated for fiscal year 2017 under
18 section 854(c) of the AIDS Housing Opportunity Act (42
19 U.S.C. 12903(c)), to the city of New York, New York,
20 on behalf of the New York–Wayne–White Plains, New
21 York–New Jersey Metropolitan Division (hereafter “met-
22 ropolitan division”) of the New York–Newark–Edison,
23 NY–NJ–PA Metropolitan Statistical Area, shall be ad-
24 justed by the Secretary of Housing and Urban Develop-
25 ment by: (1) allocating to the city of Jersey City, New

1 Jersey, the proportion of the metropolitan area’s or divi-
2 sion’s amount that is based on the number of persons liv-
3 ing with HIV or AIDS, poverty and fair market rents,
4 in the portion of the metropolitan area or division that
5 is located in Hudson County, New Jersey; and (2) allo-
6 cating to the city of Paterson, New Jersey, the proportion
7 of the metropolitan area’s or division’s amount that is
8 based on the number of persons living with HIV or AIDS,
9 poverty and fair market rents, in the portion of the metro-
10 politan area or division that is located in Bergen County
11 and Passaic County, New Jersey. The recipient cities shall
12 use amounts allocated under this subsection to carry out
13 eligible activities under section 855 of the AIDS Housing
14 Opportunity Act (42 U.S.C. 12904) in their respective
15 portions of the metropolitan division that is located in New
16 Jersey.

17 (b) Notwithstanding any other provision of law, the
18 amount allocated for fiscal year 2017 under section 854(c)
19 of the AIDS Housing Opportunity Act (42 U.S.C.
20 12903(c)), to the city of Wilmington, Delaware, on behalf
21 of the Wilmington, Delaware–Maryland–New Jersey Met-
22 ropolitan Division (hereafter “metropolitan division”),
23 shall be adjusted by the Secretary of Housing and Urban
24 Development by allocating to the State of New Jersey the
25 proportion of the metropolitan division’s amount that is

1 based on the number of persons living with HIV or AIDS,
2 poverty and fair market rents, in the portion of the metro-
3 politan division that is located in New Jersey. The State
4 of New Jersey shall use amounts allocated to the State
5 under this subsection to carry out eligible activities under
6 section 855 of the AIDS Housing Opportunity Act (42
7 U.S.C. 12904) in the portion of the metropolitan division
8 that is located in New Jersey.

9 (c) Notwithstanding any other provision of law, the
10 Secretary of Housing and Urban Development shall allo-
11 cate to Wake County, North Carolina, the amounts that
12 otherwise would be allocated for fiscal year 2017 under
13 section 854(c) of the AIDS Housing Opportunity Act (42
14 U.S.C. 12903(c)) to the city of Raleigh, North Carolina,
15 on behalf of the Raleigh-Cary North Carolina Metropoli-
16 tan Statistical Area. Any amounts allocated to Wake
17 County shall be used to carry out eligible activities under
18 section 855 of such Act (42 U.S.C. 12904) within such
19 metropolitan statistical area.

20 (d) Notwithstanding section 854(c) of the AIDS
21 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-
22 retary of Housing and Urban Development may adjust the
23 allocation of the amounts that otherwise would be allo-
24 cated for fiscal year 2017 under section 854(c) of such
25 Act, upon the written request of an applicant, in conjunc-

1 tion with the State(s), for a formula allocation on behalf
2 of a metropolitan statistical area, to designate the State
3 or States in which the metropolitan statistical area is lo-
4 cated as the eligible grantee(s) of the allocation. In the
5 case that a metropolitan statistical area involves more
6 than one State, such amounts allocated to each State shall
7 be based on the proportion of the metropolitan statistical
8 area's amount that is based on the number of persons liv-
9 ing with HIV or AIDS, poverty and fair market rents,
10 in the portion of the metropolitan statistical area that is
11 located in that State. Any amounts allocated to a State
12 under this section shall be used to carry out eligible activi-
13 ties within the portion of the metropolitan statistical area
14 located in that State.

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

21 SEC. 205. Funds of the Department of Housing and
22 Urban Development subject to the Government Corpora-
23 tion Control Act or section 402 of the Housing Act of
24 1950 shall be available, without regard to the limitations
25 on administrative expenses, for legal services on a contract

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

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

15 SEC. 207. Corporations and agencies of the Depart-
16 ment of Housing and Urban Development which are sub-
17 ject to the Government Corporation Control Act are here-
18 by authorized to make such expenditures, within the limits
19 of funds and borrowing authority available to each such
20 corporation or agency and in accordance with law, and to
21 make such contracts and commitments without regard to
22 fiscal year limitations as provided by section 104 of such
23 Act as may be necessary in carrying out the programs set
24 forth in the budget for 2017 for such corporation or agen-
25 cy except as hereinafter provided: *Provided*, That collec-

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

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

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

24 SEC. 210. A public housing agency or such other enti-
25 ty that administers Federal housing assistance for the

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

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

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

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

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

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

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

1 dollar amount of Federal assistance provided to
2 the transferring project shall remain the same
3 in the receiving project or projects.

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

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

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

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

23 (5) The tenants of the transferring project who
24 remain eligible for assistance to be provided by the
25 receiving project or projects shall not be required to

1 vacate their units in the transferring project or
2 projects until new units in the receiving project are
3 available for occupancy.

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

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

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

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

7 (d) For purposes of this section—

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

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

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

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

22 (C) housing that is assisted under section
23 202 of the Housing Act of 1959, as amended
24 by section 801 of the Cranston-Gonzales Na-
25 tional Affordable Housing Act;

1 (D) housing that is assisted under section
2 202 of the Housing Act of 1959, as such sec-
3 tion existed before the enactment of the Cran-
4 ston-Gonzales National Affordable Housing Act;

5 (E) housing that is assisted under section
6 811 of the Cranston-Gonzales National Afford-
7 able Housing Act; or

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

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

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

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

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

22 (D) interest reduction payments under sec-
23 tion 236 and/or additional assistance payments
24 under section 236(f)(2) of the National Hous-
25 ing Act;

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

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

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

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

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

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

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

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

8 (2) is under 24 years of age;

9 (3) is not a veteran;

10 (4) is unmarried;

11 (5) does not have a dependent child;

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

17 (7) is not a youth who left foster care at age
18 14 or older and is at risk of becoming homeless; and

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

23 (b) For purposes of determining the eligibility of a
24 person to receive assistance under section 8 of the United
25 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-

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

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

14 SEC. 215. Notwithstanding the limitation in the first
15 sentence of section 255(g) of the National Housing Act
16 (12 U.S.C. 1715z–20(g)), the Secretary of Housing and
17 Urban Development may, until September 30, 2017, in-
18 sure and enter into commitments to insure mortgages
19 under such section 255.

20 SEC. 216. Notwithstanding any other provision of
21 law, in fiscal year 2017, in managing and disposing of any
22 multifamily property that is owned or has a mortgage held
23 by the Secretary of Housing and Urban Development, and
24 during the process of foreclosure on any property with a
25 contract for rental assistance payments under section 8

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

1 affected tenants and use of other available remedies, such
2 as partial abatements or receivership. After disposition of
3 any multifamily property described under this section, the
4 contract and allowable rent levels on such properties shall
5 be subject to the requirements under section 524 of
6 MAHRAA.

7 SEC. 217. The commitment authority funded by fees
8 as provided under the heading “Community Development
9 Loan Guarantees Program Account” may be used to guar-
10 antee, or make commitments to guarantee, notes, or other
11 obligations issued by any State on behalf of non-entitle-
12 ment communities in the State in accordance with the re-
13 quirements of section 108 of the Housing and Community
14 Development Act of 1974: *Provided*, That any State re-
15 ceiving such a guarantee or commitment shall distribute
16 all funds subject to such guarantee to the units of general
17 local government in non-entitlement areas that received
18 the commitment.

19 SEC. 218. Public housing agencies that own and oper-
20 ate 400 or fewer public housing units may elect to be ex-
21 empt from any asset management requirement imposed by
22 the Secretary of Housing and Urban Development in con-
23 nection with the operating fund rule: *Provided*, That an
24 agency seeking a discontinuance of a reduction of subsidy

1 under the operating fund formula shall not be exempt
2 from asset management requirements.

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

18 SEC. 220. No official or employee of the Department
19 of Housing and Urban Development shall be designated
20 as an allotment holder unless the Office of the Chief Fi-
21 nancial Officer has determined that such allotment holder
22 has implemented an adequate system of funds control and
23 has received training in funds control procedures and di-
24 rectives. The Chief Financial Officer shall ensure that
25 there is a trained allotment holder for each HUD sub-

1 office under the accounts “Executive Offices” and “Ad-
2 ministrative Support Offices,” as well as each account re-
3 ceiving appropriations for “Program Office Salaries and
4 Expenses”, “Government National Mortgage Associa-
5 tion—Guarantees of Mortgage-Backed Securities Loan
6 Guarantee Program Account”, and “Office of Inspector
7 General” within the Department of Housing and Urban
8 Development.

9 SEC. 221. The Secretary of the Department of Hous-
10 ing and Urban Development shall, for fiscal year 2017 and
11 hereafter, notify the public through the Federal Register
12 and other means, as determined appropriate, of the
13 issuance of a notice of the availability of assistance or no-
14 tice of funding availability (NOFA) for any program or
15 discretionary fund administered by the Secretary that is
16 to be competitively awarded. Notwithstanding any other
17 provision of law, for fiscal year 2017 and hereafter, the
18 Secretary may make the NOFA available only on the
19 Internet at the appropriate Government web site or
20 through other electronic media, as determined by the Sec-
21 retary.

22 SEC. 222. Payment of attorney fees in program-re-
23 lated litigation shall be paid from the individual program
24 office and Office of General Counsel salaries and expenses
25 appropriations. The annual budget submission for the pro-

1 gram offices and the Office of General Counsel shall in-
2 clude any such projected litigation costs for attorney fees
3 as a separate line item request. No funds provided in this
4 title may be used to pay any such litigation costs for attor-
5 ney fees until the Department submits for review a spend-
6 ing plan for such costs to the House and Senate Commit-
7 tees on Appropriations.

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

22 SEC. 224. For fiscal year 2017 and hereafter the Dis-
23 aster Housing Assistance Programs, administered by the
24 Department of Housing and Urban Development, shall be
25 considered a “program of the Department of Housing and

1 Urban Development” under section 904 of the McKinney
2 Act for the purpose of income verifications and matching.

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

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

9 (2) fails to certify in writing to the Secretary
10 within 3 days that all Exigent Health and Safety de-
11 ficiencies identified by the inspector at the project
12 have been corrected; or

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

16 Such requirements shall apply to insured and
17 noninsured projects with assistance attached to the
18 units under section 8 of the United States Housing
19 Act of 1937 (42 U.S.C. 1437f), but do not apply to
20 such units assisted under section 8(o)(13) (42
21 U.S.C. 1437f(o)(13)) or to public housing units as-
22 sisted with capital or operating funds under section
23 9 of the United States Housing Act of 1937 (42
24 U.S.C. 1437g).

25 (b) CORRECTIONS OF DEFICIENCIES.—

1 (1) The Secretary shall notify the owner and
2 provide an opportunity for response within 30 days.
3 If the violations remain, the Secretary shall develop
4 a Compliance, Disposition and Enforcement Plan
5 within 60 days and must provide the owner with a
6 Notice of Default with a specified timetable, deter-
7 mined by the Secretary, for correcting all defi-
8 ciencies. The Secretary must also provide a copy of
9 the Notice of Default to the tenants, the local gov-
10 ernment, any mortgagees, and any contract adminis-
11 trator. If the owner's appeal results in a UPCS
12 score of 60 or above, the Secretary may withdraw
13 the Notice of Default.

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

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

21 (B) impose civil money penalties;

22 (C) abate the section 8 contract, including
23 partial abatement, as determined by the Sec-
24 retary, until all deficiencies have been corrected;

1 (D) pursue transfer of the project to an
2 owner, approved by the Secretary under estab-
3 lished procedures, which will be obligated to
4 promptly make all required repairs and to ac-
5 cept renewal of the assistance contract as long
6 as such renewal is offered;

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

10 (F) pursue exclusionary sanctions, includ-
11 ing suspensions or debarments from Federal
12 programs;

13 (G) seek judicial appointment of a receiver
14 to manage the property and cure all project de-
15 ficiencies or seek a judicial order of specific per-
16 formance requiring the owner to cure all project
17 deficiencies;

18 (H) work with the owner, lender, or other
19 related party to stabilize the property in an at-
20 tempt to preserve the property through compli-
21 ance, transfer of ownership, or an infusion of
22 capital provided by a third-party that requires
23 time to effectuate; or

1 (I) take any other regulatory or contrac-
2 tual remedies available as deemed necessary
3 and appropriate by the Secretary.

4 (c) The Secretary shall also take appropriate steps
5 to ensure that project-based contracts remain in effect,
6 subject to the exercise of contractual abatement remedies
7 to assist relocation of tenants for major threats to health
8 and safety after written notice to and informed consent
9 of the affected tenants and use of other remedies set forth
10 above. To the extent the Secretary determines, in con-
11 sultation with the tenants and the local government, that
12 the property is not feasible for continued rental assistance
13 payments under such section 8 or other programs, based
14 on consideration of (1) the costs of rehabilitating and op-
15 erating the property and all available Federal, State, and
16 local resources, including rent adjustments under section
17 524 of the Multifamily Assisted Housing Reform and Af-
18 fordability Act of 1997 (“MAHRAA”) and (2) environ-
19 mental conditions that cannot be remedied in a cost-effec-
20 tive fashion, the Secretary may, in consultation with the
21 tenants of that property, contract for project-based rental
22 assistance payments with an owner or owners of other ex-
23 isting housing properties, or provide other rental assist-
24 ance.

1 (d) The Secretary shall report quarterly on all prop-
2 erties covered by this section that are assessed through
3 the Real Estate Assessment Center and have UPCS phys-
4 ical inspection scores of less than 60 or have received an
5 unsatisfactory management and occupancy review within
6 the past 36 months. The report shall include:

7 (1) The enforcement actions being taken to ad-
8 dress such conditions, including imposition of civil
9 money penalties and termination of subsidies, and
10 identify properties that have such conditions mul-
11 tiple times; and

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

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

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

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

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

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

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

20 SEC. 230. None of the funds made available by this
21 Act nor any receipts or amounts collected under any Fed-
22 eral Housing Administration program may be used to im-
23 plement the Homeowners Armed with Knowledge
24 (HAWK) program.

1 SEC. 231. 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. 232. 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. 233. 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. 234. None of the funds under this title may be
5 used for awards, including performance, special act, or
6 spot, for any employee of the Department of Housing and
7 Urban Development who is subject to administrative dis-
8 cipline in fiscal year 2017, including suspension from
9 work.

10 SEC. 235. Funds made available in this title under
11 the heading “Homeless Assistance Grants” may be used
12 by the Secretary to participate in Performance Partner-
13 ship Pilots authorized under section 526 of division H of
14 Public Law 113–76, section 524 of division G of Public
15 Law 113–235, section 525 of division H of Public Law
16 114–113, and such authorities as are enacted for Perform-
17 ance Partnership Pilots in an appropriations Act for fiscal
18 year 2017: *Provided*, That such participation shall be lim-
19 ited to no more than 10 continuums of care and housing
20 activities to improve outcomes for disconnected youth.

21 SEC. 236. With respect to grant amounts awarded
22 under the heading “Homeless Assistance Grants” for fis-
23 cal years 2015, 2016, and 2017 for the continuum of care
24 (CoC) program as authorized under subtitle C of title IV
25 of the McKinney-Vento Homeless Assistance Act, costs

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

5 SEC. 237. Unobligated balances, including recaptures
6 and carryover, remaining from funds appropriated to the
7 Department of Housing and Urban Development for ad-
8 ministrative costs of the Office of Community Planning
9 and Development associated with funds appropriated to
10 the Department for specific disaster relief and related pur-
11 poses and designated by Congress as an emergency re-
12 quirement pursuant to a Concurrent Resolution on the
13 Budget or the Balanced Budget and Emergency Deficit
14 Control Act, including information technology costs and
15 costs for administering and overseeing such specific dis-
16 aster related funds, shall be transferred to the Program
17 Office Salaries and Expenses, Community Planning and
18 Development account for the Department, shall remain
19 available until expended, and may be used for such admin-
20 istrative costs for administering any funds appropriated
21 to the Department for any disaster relief and related pur-
22 poses in any prior or future act, notwithstanding the pur-
23 poses for which such funds were appropriated: *Provided,*
24 That the amounts transferred pursuant to this section
25 that were previously designated by Congress as an emer-

1 gency requirement pursuant to a Concurrent Resolution
2 on the Budget or the Balanced Budget and Emergency
3 Deficit Control Act are designated by the Congress as an
4 emergency requirement pursuant to section
5 215(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985 and shall be transferred only
7 if the President subsequently so designates the entire
8 transfer and transmits such designation to the Congress.

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

12 (1) in paragraph (1)—

13 (i) by striking “handicapped” and insert-
14 ing “persons with disabilities, or any 0-bedroom
15 dwelling”;

16 (ii) by inserting “or” after “expected to re-
17 side;”; and

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

20 (2) in paragraph (2) by striking “; or” and in-
21 serting “.”; and

22 (3) by striking paragraph (3).

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

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

3 (2) by deleting “housing for the elderly or per-
 4 sons with disabilities) or any 0 bedroom dwelling”
 5 and inserting “housing”).

6 (c) Section 401 of the Toxic Substances Control Act
 7 (15 U.S.C. 2681) is amended in paragraph (17)—

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

10 (2) by deleting “housing for the elderly or per-
 11 sons with disabilities) or any 0 bedroom dwelling”
 12 and inserting “housing”).

13 SEC. 239. (a) CAPITAL FUND REPLACEMENT RE-
 14 SERVES.—Section 9 of the United States Housing Act of
 15 1937 (42 U.S.C. 1437g) is amended—

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

18 “(7) TREATMENT OF REPLACEMENT RE-
 19 SERVE.—The requirements of this subsection shall
 20 not apply to funds held in replacement reserves es-
 21 tablished pursuant to subsection (n).”; and

22 (2) by adding at the end the following new sub-
 23 section:

24 “(n) ESTABLISHMENT OF REPLACEMENT RE-
 25 SERVES.—

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

5 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-
6 PLACEMENT RESERVE.—At any time, a public hous-
7 ing agency may deposit funds from such agency’s
8 Capital Fund into a replacement reserve, subject to
9 the following:

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

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

16 “(C) At any time, a public housing agency
17 may not hold in a replacement reserve more
18 than the amount the public housing authority
19 has determined necessary to satisfy the antici-
20 pated capital needs of properties in its portfolio
21 assisted under this section, as outlined in its
22 Capital Fund 5-Year Action Plan, or a com-
23 parable plan, as determined by the Secretary.

24 “(D) The Secretary may establish, by reg-
25 ulation, a maximum replacement reserve level

1 or levels that are below amounts determined
2 under subparagraph (C), which may be based
3 upon the size of the portfolio assisted under
4 this section or other factors.

5 “(3) TRANSFER OF OPERATING FUNDS.—In
6 first establishing a replacement reserve, the Sec-
7 retary may allow public housing agencies to transfer
8 more than 20 percent of its operating funds into its
9 replacement reserve.

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

14 “(5) MANAGEMENT AND REPORT.—The Sec-
15 retary shall establish appropriate accounting and re-
16 porting requirements to ensure that public housing
17 agencies are spending funds on eligible projects and
18 that funds in the replacement reserve are connected
19 to capital needs.”.

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

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

25 “(1) FLEXIBILITY IN USE OF FUNDS.—

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

3 (2) by adding at the end the following new sub-
4 paragraph:

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

16 SEC. 240. Section 8(x)(2) of the United States Hous-
17 ing Act of 1937 (42 U.S.C. 1437f(x)) is amended by strik-
18 ing “(B)” and all that follows up to the period and insert-
19 ing the following:

20 “(B)(i) for a period not to exceed 36
21 months, otherwise eligible youths who have at-
22 tained at least 18 years of age and not more
23 than 24 years of age and who, at age 16 or
24 older, have left or will leave foster care within
25 90 days, in accordance with a transition plan

1 described in section 475(5)(H) of the Social Se-
2 curity Act, and is homeless or is at risk of be-
3 coming homeless, or (ii) except that an appli-
4 cant may extend the 36-month period, if the ap-
5 plicant enrolls an eligible youth in a program
6 authorized under section 23, in accordance with
7 the length of the contract of participation for
8 that eligible youth under section 23(c)(3)”.

9 SEC. 241. (a) ESTABLISHMENT.—The Secretary of
10 Housing and Urban Development may establish, through
11 notice in the Federal Register, a demonstration program
12 to incentivize public housing agencies, as defined in section
13 3(b)(6) of the United States Housing Act of 1937 (in this
14 section referred to as “the Act”), to implement measures
15 to reduce their energy and water consumption.

16 (b) ELIGIBILITY.—Public housing agencies that oper-
17 ate public housing programs that meet the demonstration
18 requirements, as determined by the Secretary, shall be eli-
19 gible for participation in the demonstration.

20 (c) INCENTIVE.—The Secretary may provide an in-
21 centive to an eligible public housing agency that uses cap-
22 ital funds, operating funds, grants, utility rebates, and
23 other resources to reduce its energy and/or water con-
24 sumption in accordance with a plan approved by the Sec-
25 retary.

1 (1) BASE UTILITY CONSUMPTION LEVEL.—The
2 initial base utility consumption level under the ap-
3 proved plan shall be set at the public housing agen-
4 cy’s rolling base consumption level immediately prior
5 to the installation of energy conservation measures.

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

11 (3) SUBSEQUENT YEAR SAVINGS.—For each
12 subsequent year that the plan is in effect, the Sec-
13 retary shall decrease the utility consumption level by
14 one percent of the initial base utility consumption
15 level per year until the utility consumption level
16 equals the public housing agency’s actual consump-
17 tion level that followed the installation of energy
18 conservation measures, at which time the plan will
19 terminate.

20 (4) USE OF UTILITY COST SAVINGS.—The pub-
21 lic housing agency may use the funds resulting from
22 the energy conservation measures, in accordance
23 with paragraphs (2) and (3), for either operating ex-
24 penses, as defined by section 9(e)(1) of the Act, or

1 capital improvements, as defined by section 9(d)(1)
2 of the Act.

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

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

13 (7) EVALUATION.—Each public housing agency
14 participating in the demonstration shall submit to
15 the Secretary such performance and evaluation re-
16 ports concerning the reduction in energy consump-
17 tion and compliance with the requirements of this
18 section as the Secretary may require.

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

22 SEC. 242. Section 211 of the Department of Housing
23 and Urban Development Appropriations Act, 2008, is re-
24 pealed.

1 SEC. 243. (a) AUTHORITY.—To encourage families to
2 move to lower-poverty areas and expand access to oppor-
3 tunity areas, the Secretary of Housing and Urban Devel-
4 opment (hereafter referred to as “Secretary”) may imple-
5 ment a mobility demonstration to administer Housing
6 Choice Voucher assistance under section 8(o) of the
7 United States Housing Act of 1937 (hereafter referred to
8 as “1937 Act”) (42 U.S.C. 1437f(o)) for fiscal year 2017
9 through fiscal year 2021.

10 (b) DEMONSTRATION REQUIREMENTS.—

11 (1) IN GENERAL.—The Secretary must estab-
12 lish the competitive selection criteria and require-
13 ments for participation in the demonstration. The
14 Secretary may require participating PHAs to use a
15 randomized selection process among the families eli-
16 gible to receive mobility assistance under this dem-
17 onstration.

18 (2) REGIONAL HOUSING MOBILITY PLAN.—Ap-
19 plicant PHAs must submit a Regional Housing Mo-
20 bility Plan (hereafter referred to as “the Plan”).

21 (A) The Plan must meet all requirements
22 established by the Secretary and must iden-
23 tify—

24 (i) the PHAs that will participate in
25 the regional housing mobility program and

1 the number of vouchers each participating
2 PHA will make available out of its existing
3 programs in support of the mobility dem-
4 onstration;

5 (ii) any community-based organiza-
6 tions, nonprofit organizations, businesses,
7 and other entities that commit to partici-
8 pate;

9 (iii) any waivers or alternative re-
10 quirements requested for the execution of
11 the Plan; and

12 (iv) specific actions that the PHAs
13 and other entities will undertake to accom-
14 plish the goals of the demonstration, which
15 must include a comprehensive approach to
16 enable a successful transition to oppor-
17 tunity areas and may include counseling
18 and continued support for families.

19 (B) The Plan may also establish pref-
20 erences for participating families, including a
21 preference for families with children, based on
22 regional housing needs and priorities.

23 (C) The Plan may provide for the use of
24 exception payment standards that do not exceed
25 110 percent of the HUD-published small area

1 Fair Market Rent for the covered exception
2 payment standard area.

3 (D) Units contributed by a PHA partici-
4 pating in a regional housing mobility program
5 to a pool of vouchers that will be project-based
6 within the jurisdiction of that program are ex-
7 empt from the percentage limitation in section
8 8(o)(13)(B) of the 1937 Act.

9 (c) FUNDING FOR MOBILITY-RELATED SERVICES.—
10 In order to provide mobility-related services, PHAs par-
11 ticipating in this demonstration may use administrative
12 fees under section 8(q) of the 1937 Act (42 U.S.C.
13 1437f(q)), their administrative fee reserves, and funding
14 from private entities. Mobility-related services may include
15 but are not limited to such things as counseling, port-
16 ability coordination, landlord outreach, and administrative
17 activities associated with establishing and operating a re-
18 gional housing mobility program.

19 (d) WAIVERS OR ALTERNATIVE REQUIREMENTS.—

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

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

4 (B) Section 8(o)(13)(C)(i) (related to the
5 ability of a PHA participating in a regional
6 housing mobility program to administer assist-
7 ance contributed to the program consistent with
8 the Plan identified in paragraph (2)).

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

12 (D) Section 8(r)(2) (related to the ability
13 of a PHA participating in a regional housing
14 mobility program to administer assistance
15 under section 8(o) anywhere within the jurisdic-
16 tion of that program).

17 (E) Section 8(x)(2) (related to the length
18 of time a PHA may provide assistance under
19 section 8(o) to youth participating in the Fam-
20 ily Unification Program (FUP)).

21 (2) The Secretary must publish by notice in the
22 Federal Register any waivers or alternative require-
23 ments for statutory provisions no later than 10 days
24 before the effective date of such notice.

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

4 (f) EVALUATION.—No later than five years following
5 implementation of the regional housing mobility programs,
6 the Secretary must publish an evaluation of the effective-
7 ness of the demonstration, subject to the availability of
8 funding to conduct the evaluation.

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

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

16 (2) in the second proviso, by striking “until
17 September 30, 2018” and inserting “for fiscal year
18 2012 and thereafter”;

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

21 (4) in the fourteenth, by—

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

1 (B) striking “preserves its interest” and
2 inserting “or a nonprofit entity preserves an in-
3 terest”;

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

6
7 *“Provided further,* That for fiscal year 2012
8 and hereafter, owners of properties assisted or
9 previously assisted under section 101 of the
10 Housing and Urban Development Act of 1965,
11 section 236(f)(2) of the National Housing Act,
12 or section 8(e)(2) of the United States Housing
13 Act of 1937, for which a contract expires or
14 terminates due to prepayment on or after Octo-
15 ber 1, 2006 has caused or results in the termi-
16 nation of rental assistance or affordability re-
17 strictions or both and the issuance of tenant
18 protection vouchers under section 8(o) or sec-
19 tion 8(t) of the Act, or with a project rental as-
20 sistance contract under section 202(c)(2) of
21 Housing Act of 1959, shall be eligible, subject
22 to requirements established by the Secretary,
23 including but not limited to tenant consultation
24 procedures, for conversion of assistance avail-
25 able or provided for such vouchers or assistance

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

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

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

8 (8) in the twenty-first proviso, as amended (re-
9 ordered) above, by striking “previous two provisos”
10 and inserting “Second Component, except for con-
11 version of section 202 project rental assistance con-
12 tracts,”;

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

18 (10) by inserting the following proviso before
19 the twenty-third proviso, as amended (reordered)
20 above: “*Provided further*, That the Secretary may
21 transfer amounts made available under the heading
22 ‘Housing for the Elderly’ to the accounts under the
23 headings ‘Project-Based Rental Assistance’ or ‘Ten-
24 ant-Based Rental Assistance’ to facilitate any Sec-
25 tion 202 project rental assistance contract conver-

1 sions under the Second Component, and any in-
2 crease in cost for ‘Project-Based Rental Assistance’
3 or ‘Tenant-Based Rental Assistance’ associated with
4 such conversion shall be equal to amounts so trans-
5 ferred:”]; and

6 (11) in the twenty-fourth proviso, as amended
7 (reordered) above, by striking “previous four pro-
8 visos” and inserting “Second Component, as applica-
9 ble,”.

10 SEC. 245. The Secretary shall establish by notice
11 such requirements as may be necessary to implement sec-
12 tion 78001 of title LXXVIII of the Fixing America’s Sur-
13 face Transportation Act (Public Law 114-94), and the no-
14 tice shall take effect upon issuance: *Provided*, That the
15 Secretary shall commence rulemaking based on the initial
16 notice no later than the expiration of the 6-month period
17 following issuance of the notice and the rulemaking shall
18 allow for the opportunity for public comment.

19 SEC. 246. For fiscal year 2017 and hereafter, the
20 Secretary of Housing and Urban Development may use
21 amounts made available for the continuum of care pro-
22 gram under the “Homeless Assistance Grants” heading
23 under this title to renew the grant originally awarded
24 under the heading “Department of Housing and Urban
25 Development—Permanent Supportive Housing” in chap-

1 ter 6 of title III of the Supplemental Appropriations Act,
2 2008 (Public Law 110–252; 122 Stat. 2351) in the con-
3 tinuum of care program, authorized under subtitle C of
4 title IV of the McKinney-Vento Homeless Assistance Act
5 (42 U.S.C. 11301 et seq.). Notwithstanding any provision
6 of law, for purposes of grant application and renewal, the
7 State of Louisiana may continue to permit a program par-
8 ticipant to receive or retain tenant-based rental assistance
9 outside the continuum of care’s geographic area, and the
10 funding of such assistance shall not be considered oper-
11 ation of a continuum of care in more than one geographic
12 area.

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

17 “(f) TRANSITION FOR REALLOCATED GRANT.—

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

23 “(2) In order to be eligible to receive a transi-
24 tion grant, the project must have the consent of the

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

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

TITLE IV

GENERAL PROVISIONS—THIS ACT

1
2
3 SEC. 401. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

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

12 SEC. 403. The expenditure of any appropriation
13 under this Act for any consulting service through a pro-
14 curement contract pursuant to section 3109 of title 5,
15 United States Code, shall be limited to those contracts
16 where such expenditures are a matter of public record and
17 available for public inspection, except where otherwise pro-
18 vided under existing law, or under existing Executive order
19 issued pursuant to existing law.

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

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

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

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

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

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

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2017, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

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

3 (1) creates a new program;

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

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

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

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

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

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

1 days after the date of enactment of this Act, each
2 agency funded by this Act shall submit a report to
3 the Committees on Appropriations of the Senate and
4 of the House of Representatives to establish the
5 baseline for application of reprogramming and trans-
6 fer authorities for the current fiscal year: *Provided*
7 *further*, That the report shall include—

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

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

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

21 SEC. 406. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2017 from
24 appropriations made available for salaries and expenses
25 for fiscal year 2017 in this Act, shall remain available

1 through September 30, 2018, for each such account for
2 the purposes authorized: *Provided*, That a request shall
3 be submitted to the House and Senate Committees on Ap-
4 propriations for approval prior to the expenditure of such
5 funds: *Provided further*, That these requests shall be made
6 in compliance with reprogramming guidelines under sec-
7 tion 405 of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 This Act may be cited as the “Transportation, Hous-
8 ing and Urban Development, and Related Agencies Appro-
9 priations Act, 2017”.

Calendar No. 433

114TH CONGRESS
2^D SESSION

S. 2844

[Report No. 114-243]

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.

APRIL 21, 2016

Read twice and placed on the calendar