

1 up to \$4,500,000 for administrative contract services: Pro-
2 vided, That grants made available from amounts provided
3 under this heading shall be awarded within 180 days of
4 enactment of this Act: Provided further, That funds shall
5 be used for providing counseling and advice to tenants and
6 homeowners, both current and prospective, with respect to
7 property maintenance, financial management/literacy, and
8 such other matters as may be appropriate to assist them
9 in improving their housing conditions, meeting their finan-
10 cial needs, and fulfilling the responsibilities of tenancy or
11 homeownership; for program administration; and for hous-
12 ing counselor training: Provided further, That for purposes
13 of providing such grants from amounts provided under this
14 heading, the Secretary may enter into multiyear agree-
15 ments as appropriate, subject to the availability of annual
16 appropriations.

17 *RENTAL HOUSING ASSISTANCE*

18 *For amendments to contracts under section 101 of the*
19 *Housing and Urban Development Act of 1965 (12 U.S.C.*
20 *1701s) and section 236(f)(2) of the National Housing Act*
21 *(12 U.S.C. 1715z-1) in State-aided, noninsured rental*
22 *housing projects, \$30,000,000, to remain available until ex-*
23 *pended: Provided, That such amount, together with unobli-*
24 *gated balances from recaptured amounts appropriated*
25 *prior to fiscal year 2006 from terminated contracts under*

1 such sections of law, and any unobligated balances, includ-
2 ing receipts and carryover, remaining from funds appro-
3 priated under this heading after fiscal year 2005, shall also
4 be available for extensions of up to one year for expiring
5 contracts under such sections of law.

6 MAXIMIZED HOUSING STANDARDS PROGRAM

7 PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

8 For necessary expenses as authorized by the National
9 Manufactured Housing Construction and Safety Standards
10 Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000,
11 to remain available until expended, of which \$10,000,000
12 is to be derived from the Manufactured Housing Fees Trust
13 Fund: Provided, That not to exceed the total amount appro-
14 priated under this heading shall be available from the gen-
15 eral fund of the Treasury to the extent necessary to incur
16 obligations and make expenditures pending the receipt of
17 collections to the Fund pursuant to section 620 of such Act:
18 Provided further, That the amount made available under
19 this heading from the general fund shall be reduced as such
20 collections are received during fiscal year 2016 so as to re-
21 sult in a final fiscal year 2016 appropriation from the gen-
22 eral fund estimated at zero, and fees pursuant to such sec-
23 tion 620 shall be modified as necessary to ensure such a
24 final fiscal year 2016 appropriation: Provided further,
25 That for the dispute resolution and installation programs,

1 *the Secretary of Housing and Urban Development may as-*
2 *sess and collect fees from any program participant: Pro-*
3 *vided further, That such collections shall be deposited into*
4 *the Fund, and the Secretary, as provided herein, may use*
5 *such collections, as well as fees collected under section 620,*
6 *for necessary expenses of such Act: Provided further, That,*
7 *notwithstanding the requirements of section 620 of such Act,*
8 *the Secretary may carry out responsibilities of the Sec-*
9 *retary under such Act through the use of approved service*
10 *providers that are paid directly by the recipients of their*
11 *services.*

12 *FEDERAL HOUSING ADMINISTRATION*

13 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

14 *New commitments to guarantee single family loans in-*
15 *sured under the Mutual Mortgage Insurance Fund shall not*
16 *exceed \$400,000,000,000, to remain available until Sep-*
17 *tember 30, 2017: Provided, That during fiscal year 2016,*
18 *obligations to make direct loans to carry out the purposes*
19 *of section 204(g) of the National Housing Act, as amended,*
20 *shall not exceed \$5,000,000: Provided further, That the fore-*
21 *going amount in the previous proviso shall be for loans to*
22 *nonprofit and governmental entities in connection with*
23 *sales of single family real properties owned by the Secretary*
24 *and formerly insured under the Mutual Mortgage Insurance*
25 *Fund: Provided further, That for administrative contract*

1 *expenses of the Federal Housing Administration,*
2 *\$130,000,000, to remain available until September 30,*
3 *2017: Provided further, That to the extent guaranteed loan*
4 *commitments exceed \$200,000,000,000 on or before April 1,*
5 *2016, an additional \$1,400 for administrative contract ex-*
6 *penses shall be available for each \$1,000,000 in additional*
7 *guaranteed loan commitments (including a pro rata*
8 *amount for any amount below \$1,000,000), but in no case*
9 *shall funds made available by this proviso exceed*
10 *\$30,000,000.*

11 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

12 *New commitments to guarantee loans insured under*
13 *the General and Special Risk Insurance Funds, as author-*
14 *ized by sections 238 and 519 of the National Housing Act*
15 *(12 U.S.C. 1715z-3 and 1735c), shall not exceed*
16 *\$30,000,000,000 in total loan principal, any part of which*
17 *is to be guaranteed, to remain available until September*
18 *30, 2017: Provided, That during fiscal year 2016, gross ob-*
19 *ligations for the principal amount of direct loans, as au-*
20 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*
21 *National Housing Act, shall not exceed \$5,000,000, which*
22 *shall be for loans to nonprofit and governmental entities*
23 *in connection with the sale of single family real properties*
24 *owned by the Secretary and formerly insured under such*
25 *Act.*

1 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*

2 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*

3 *GUARANTEE PROGRAM ACCOUNT*

4 *New commitments to issue guarantees to carry out the*
5 *purposes of section 306 of the National Housing Act, as*
6 *amended (12 U.S.C. 1721(g)), shall not exceed*
7 *\$500,000,000,000, to remain available until September 30,*
8 *2017: Provided, That \$23,000,000 shall be available for nec-*
9 *essary salaries and expenses of the Office of Government*
10 *National Mortgage Association: Provided further, That to*
11 *the extent that guaranteed loan commitments exceed*
12 *\$155,000,000,000 on or before April 1, 2016, an additional*
13 *\$100 for necessary salaries and expenses shall be available*
14 *until expended for each \$1,000,000 in additional guaran-*
15 *teed loan commitments (including a pro rata amount for*
16 *any amount below \$1,000,000), but in no case shall funds*
17 *made available by this proviso exceed \$3,000,000: Provided*
18 *further, That receipts from Commitment and Multiclass fees*
19 *collected pursuant to title III of the National Housing Act,*
20 *as amended, shall be credited as offsetting collections to this*
21 *account.*

1 *POLICY DEVELOPMENT AND RESEARCH*

2 *RESEARCH AND TECHNOLOGY*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For contracts, grants, and necessary expenses of pro-*
5 *grams of research and studies relating to housing and*
6 *urban problems, not otherwise provided for, as authorized*
7 *by title V of the Housing and Urban Development Act of*
8 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*
9 *the functions of the Secretary of Housing and Urban Devel-*
10 *opment under section 1(a)(1)(i) of Reorganization Plan No.*
11 *2 of 1968, \$50,000,000, to remain available until September*
12 *30, 2017.*

13 *Of the amounts made available in this title under each*
14 *of the headings specified in the report accompanying this*
15 *Act, the Secretary may transfer to this account up to 0.1*
16 *percent from each such account, and such transferred*
17 *amounts shall be available until September 30, 2017, for*
18 *(1) technical assistance and capacity building; and (2) re-*
19 *search, evaluation, and program metrics: Provided, That*
20 *the Secretary may not transfer more than \$40,000,000 to*
21 *this account.*

22 *With respect to amounts made available under this*
23 *heading, notwithstanding section 204 of this title, the Sec-*
24 *retary may enter into cooperative agreements funded with*
25 *philanthropic entities, other Federal agencies, or State or*

1 *local governments and their agencies for research projects:*
2 *Provided, That any such partners to any such cooperative*
3 *agreements must contribute at least 50 percent of the cost*
4 *of the project: Provided further, That for any such coopera-*
5 *tive agreements, the Secretary of Housing and Urban Devel-*
6 *opment shall comply with section 2(b) of the Federal Fund-*
7 *ing Accountability and Transparency Act of 2006 (Public*
8 *Law 109–282, 31 U.S.C. note) in lieu of compliance with*
9 *section 102(a)(4)(C) with respect to documentation of*
10 *award decisions.*

11 *FAIR HOUSING AND EQUAL OPPORTUNITY*

12 *FAIR HOUSING ACTIVITIES*

13 *For contracts, grants, and other assistance, not other-*
14 *wise provided for, as authorized by title VIII of the Civil*
15 *Rights Act of 1968, as amended by the Fair Housing*
16 *Amendments Act of 1988, and section 561 of the Housing*
17 *and Community Development Act of 1987, as amended,*
18 *\$65,300,000, to remain available until September 30, 2017,*
19 *of which \$38,600,000 shall be to carry out activities pursu-*
20 *ant to such section 561: Provided, That notwithstanding 31*
21 *U.S.C. 3302, the Secretary may assess and collect fees to*
22 *cover the costs of the Fair Housing Training Academy, and*
23 *may use such funds to provide such training: Provided fur-*
24 *ther, That no funds made available under this heading shall*
25 *be used to lobby the executive or legislative branches of the*

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

10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

11 HOMES

12 LEAD HAZARD REDUCTION

13 For the Lead Hazard Reduction Program, as author-
14 ized by section 1011 of the Residential Lead-Based Paint
15 Hazard Reduction Act of 1992, \$110,000,000, to remain
16 available until September 30, 2017, of which \$25,000,000
17 shall be for the Healthy Homes Initiative, pursuant to sec-
18 tions 501 and 502 of the Housing and Urban Development
19 Act of 1970 that shall include research, studies, testing, and
20 demonstration efforts, including education and outreach
21 concerning lead-based paint poisoning and other housing-
22 related diseases and hazards: Provided, That for purposes
23 of environmental review, pursuant to the National Environ-
24 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
25 other provisions of the law that further the purposes of such

1 *Act, a grant under the Healthy Homes Initiative, or the*
2 *Lead Technical Studies program under this heading or*
3 *under prior appropriations Acts for such purposes under*
4 *this heading, shall be considered to be funds for a special*
5 *project for purposes of section 305(c) of the Multifamily*
6 *Housing Property Disposition Reform Act of 1994: Pro-*
7 *vided further, That of the total amount made available*
8 *under this heading, \$45,000,000 shall be made available on*
9 *a competitive basis for areas with the highest lead paint*
10 *abatement needs: Provided further, That each recipient of*
11 *funds provided under the previous proviso shall contribute*
12 *an amount not less than 25 percent of the total: Provided*
13 *further, That each applicant shall certify adequate capacity*
14 *that is acceptable to the Secretary to carry out the proposed*
15 *use of funds pursuant to a notice of funding availability:*
16 *Provided further, That amounts made available under this*
17 *heading in this or prior appropriations Acts, and that still*
18 *remain available, may be used for any purpose under this*
19 *heading notwithstanding the purpose for which such*
20 *amounts were appropriated if a program competition is*
21 *undersubscribed and there are other program competitions*
22 *under this heading 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, \$250,000,000, shall remain avail-*
 5 *able until September 30, 2017: Provided, That any amounts*
 6 *transferred to this Fund under this Act shall remain avail-*
 7 *able until expended: Provided further, That any amounts*
 8 *transferred to this Fund from amounts appropriated by*
 9 *previously enacted appropriations Acts may be used for the*
 10 *purposes specified under this Fund, in addition to any*
 11 *other information technology purposes for which such*
 12 *amounts were appropriated.*

13 *OFFICE OF INSPECTOR GENERAL*

14 *For necessary salaries and expenses of the Office of In-*
 15 *spector General in carrying out the Inspector General Act*
 16 *of 1978, as amended, \$126,000,000: Provided, That the In-*
 17 *spector General shall have independent authority over all*
 18 *personnel issues within this office.*

19 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*

20 *URBAN DEVELOPMENT*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *(INCLUDING RESCISSIONS)*

23 *SEC. 201. Fifty percent of the amounts of budget au-*
 24 *thority, or in lieu thereof 50 percent of the cash amounts*
 25 *associated with such budget authority, that are recaptured*

1 *from projects described in section 1012(a) of the Stewart*
2 *B. McKinney Homeless Assistance Amendments Act of 1988*
3 *(42 U.S.C. 1437 note) shall be rescinded or in the case of*
4 *cash, shall be remitted to the Treasury, and such amounts*
5 *of budget authority or cash recaptured and not rescinded*
6 *or remitted to the Treasury shall be used by State housing*
7 *finance agencies or local governments or local housing agen-*
8 *cies with projects approved by the Secretary of Housing and*
9 *Urban Development for which settlement occurred after*
10 *January 1, 1992, in accordance with such section. Notwith-*
11 *standing the previous sentence, the Secretary may award*
12 *up to 15 percent of the budget authority or cash recaptured*
13 *and not rescinded or remitted to the Treasury to provide*
14 *project owners with incentives to refinance their project at*
15 *a lower interest rate.*

16 *SEC. 202. None of the funds made available under this*
17 *title may be used during fiscal year 2016 to investigate or*
18 *prosecute under the Fair Housing Act any otherwise lawful*
19 *activity engaged in by one or more persons, including the*
20 *filing or maintaining of a nonfrivolous legal action, that*
21 *is engaged in solely for the purpose of achieving or pre-*
22 *venting action by a Government official or entity, or a*
23 *court of competent jurisdiction.*

24 *SEC. 203. (a) Notwithstanding any other provision of*
25 *law, the amount allocated for fiscal year 2016 under section*

1 854(c) of the AIDS Housing Opportunity Act (42 U.S.C.
2 12903(c)), to the city of New York, New York, on behalf
3 of the New York–Wayne–White Plains, New York–New Jer-
4 sey Metropolitan Division (hereafter “metropolitan divi-
5 sion”) of the New York–Newark–Edison, NY–NJ–PA Metro-
6 politan Statistical Area, shall be adjusted by the Secretary
7 of Housing and Urban Development by:

8 (1) allocating to the city of Jersey City, New
9 Jersey, the proportion of the metropolitan area’s or
10 division’s amount that is based on the number of per-
11 sons living with HIV, poverty and fair market rents,
12 in the portion of the metropolitan area or division
13 that is located in Hudson County, New Jersey; and

14 (2) allocating to the city of Paterson, New Jer-
15 sey, the proportion of the metropolitan area’s or divi-
16 sion’s amount that is based on the number of persons
17 living with HIV, poverty and fair market rents, in
18 the portion of the metropolitan area or division that
19 is located in Bergen County and Passaic County,
20 New Jersey. The recipient cities shall use amounts al-
21 located under this subsection to carry out eligible ac-
22 tivities under section 855 of the AIDS Housing Op-
23 portunity Act (42 U.S.C. 12904) in their respective
24 portions of the metropolitan division that is located
25 in New Jersey.

1 (b) *Notwithstanding any other provision of law, the*
2 *amount allocated for fiscal year 2016 under section 854(c)*
3 *of the AIDS Housing Opportunity Act (42 U.S.C.*
4 *12903(c)), to the city of Wilmington, Delaware, on behalf*
5 *of the Wilmington, Delaware–Maryland–New Jersey Metro-*
6 *politan Division (hereafter “metropolitan division”), shall*
7 *be adjusted by the Secretary of Housing and Urban Devel-*
8 *opment by allocating to the State of New Jersey the propor-*
9 *tion of the metropolitan division’s amount that is based on*
10 *the number of persons living with HIV, poverty and fair*
11 *market rents, in the portion of the metropolitan division*
12 *that is located in New Jersey. The State of New Jersey shall*
13 *use amounts allocated to the State under this subsection to*
14 *carry out eligible activities under section 855 of the AIDS*
15 *Housing Opportunity Act (42 U.S.C. 12904) in the portion*
16 *of the metropolitan division that is located in New Jersey.*

17 (c) *Notwithstanding any other provision of law, the*
18 *Secretary of Housing and Urban Development shall allocate*
19 *to Wake County, North Carolina, the amounts that other-*
20 *wise would be allocated for fiscal year 2016 under section*
21 *854(c) of the AIDS Housing Opportunity Act (42 U.S.C.*
22 *12903(c)) to the city of Raleigh, North Carolina, on behalf*
23 *of the Raleigh-Cary North Carolina Metropolitan Statis-*
24 *tical Area. Any amounts allocated to Wake County shall*
25 *be used to carry out eligible activities under section 855*

1 *of such Act (42 U.S.C. 12904) within such metropolitan sta-*
2 *tistical area.*

3 *(d) Notwithstanding section 854(c) of the AIDS Hous-*
4 *ing Opportunity Act (42 U.S.C. 12903(c)), the Secretary*
5 *of Housing and Urban Development may adjust the alloca-*
6 *tion of the amounts that otherwise would be allocated for*
7 *fiscal year 2016 under section 854(c) of such Act, upon the*
8 *written request of an applicant, in conjunction with the*
9 *State(s), for a formula allocation on behalf of a metropoli-*
10 *tan statistical area, to designate the State or States in*
11 *which the metropolitan statistical area is located as the eli-*
12 *gible grantee(s) of the allocation. In the case that a metro-*
13 *politan statistical area involves more than one State, such*
14 *amounts allocated to each State shall be based on the pro-*
15 *portion of the metropolitan statistical area's amount that*
16 *is based on the number of persons living with HIV, poverty*
17 *and fair market rents, in the portion of the metropolitan*
18 *statistical area that is located in that State. Any amounts*
19 *allocated to a State under this section shall be used to carry*
20 *out eligible activities within the portion of the metropolitan*
21 *statistical area located in that State.*

22 *SEC. 204. Except as explicitly provided in law, any*
23 *grant, cooperative agreement or other assistance made pur-*
24 *suant to title II of this Act shall be made on a competitive*
25 *basis and in accordance with section 102 of the Department*

1 *of Housing and Urban Development Reform Act of 1989*
2 *(42 U.S.C. 3545).*

3 *SEC. 205. Funds of the Department of Housing and*
4 *Urban Development subject to the Government Corporation*
5 *Control Act or section 402 of the Housing Act of 1950 shall*
6 *be available, without regard to the limitations on adminis-*
7 *trative expenses, for legal services on a contract or fee basis,*
8 *and for utilizing and making payment for services and fa-*
9 *cilities of the Federal National Mortgage Association, Gov-*
10 *ernment National Mortgage Association, Federal Home*
11 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*
12 *eral Reserve banks or any member thereof, Federal Home*
13 *Loan banks, and any insured bank within the meaning of*
14 *the Federal Deposit Insurance Corporation Act, as amended*
15 *(12 U.S.C. 1811–1).*

16 *SEC. 206. Unless otherwise provided for in this title*
17 *or through a reprogramming of funds, no part of any ap-*
18 *propriation for the Department of Housing and Urban De-*
19 *velopment shall be available for any program, project or*
20 *activity in excess of amounts set forth in the budget esti-*
21 *mates submitted to Congress.*

22 *SEC. 207. Corporations and agencies of the Depart-*
23 *ment of Housing and Urban Development which are subject*
24 *to the Government Corporation Control Act are hereby au-*
25 *thorized to make such expenditures, within the limits of*

1 *funds and borrowing authority available to each such cor-*
2 *poration or agency and in accordance with law, and to*
3 *make such contracts and commitments without regard to*
4 *fiscal year limitations as provided by section 104 of such*
5 *Act as may be necessary in carrying out the programs set*
6 *forth in the budget for fiscal year 2016 for such corporation*
7 *or agency except as hereinafter provided: Provided, That*
8 *collections of these corporations and agencies may be used*
9 *for new loan or mortgage purchase commitments only to*
10 *the extent expressly provided for in this Act (unless such*
11 *loans are in support of other forms of assistance provided*
12 *for in this or prior appropriations Acts), except that this*
13 *proviso shall not apply to the mortgage insurance or guar-*
14 *anty operations of these corporations, or where loans or*
15 *mortgage purchases are necessary to protect the financial*
16 *interest of the United States Government.*

17 *SEC. 208. The Secretary of Housing and Urban Devel-*
18 *opment shall provide quarterly reports to the House and*
19 *Senate Committees on Appropriations regarding all uncom-*
20 *mitted, unobligated, recaptured and excess funds in each*
21 *program and activity within the jurisdiction of the Depart-*
22 *ment and shall submit additional, updated budget informa-*
23 *tion to these Committees upon request.*

24 *SEC. 209. A public housing agency or such other entity*
25 *that administers Federal housing assistance for the Housing*

1 *Authority of the county of Los Angeles, California, and the*
2 *States of Alaska, Iowa, and Mississippi shall not be re-*
3 *quired to include a resident of public housing or a recipient*
4 *of assistance provided under section 8 of the United States*
5 *Housing Act of 1937 on the board of directors or a similar*
6 *governing board of such agency or entity as required under*
7 *section (2)(b) of such Act. Each public housing agency or*
8 *other entity that administers Federal housing assistance*
9 *under section 8 for the Housing Authority of the county*
10 *of Los Angeles, California and the States of Alaska, Iowa*
11 *and Mississippi that chooses not to include a resident of*
12 *public housing or a recipient of section 8 assistance on the*
13 *board of directors or a similar governing board shall estab-*
14 *lish an advisory board of not less than six residents of pub-*
15 *lic housing or recipients of section 8 assistance to provide*
16 *advice and comment to the public housing agency or other*
17 *administering entity on issues related to public housing and*
18 *section 8. Such advisory board shall meet not less than*
19 *quarterly.*

20 *SEC. 210. No funds provided under this title may be*
21 *used for an audit of the Government National Mortgage As-*
22 *sociation that makes applicable requirements under the*
23 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

24 *SEC. 211. (a) Notwithstanding any other provision of*
25 *law, subject to the conditions listed under this section, for*

1 *fiscal years 2016 and 2017, the Secretary of Housing and*
 2 *Urban Development may authorize the transfer of some or*
 3 *all project-based assistance, debt held or insured by the Sec-*
 4 *retary and statutorily required low-income and very low-*
 5 *income use restrictions if any, associated with one or more*
 6 *multifamily housing project or projects to another multi-*
 7 *family housing project or projects.*

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

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

16 (1) *NUMBER AND BEDROOM SIZE OF UNITS.—*

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

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

9 (2) The transferring project shall, as determined
10 by the Secretary, be either physically obsolete or eco-
11 nomicallly nonviable.

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

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

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

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

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

14 (8) *If the transferring project meets the require-*
15 *ments of subsection (d)(2), the owner or mortgagor of*
16 *the receiving project or projects shall execute and*
17 *record either a continuation of the existing use agree-*
18 *ment or a new use agreement for the project where,*
19 *in either case, any use restrictions in such agreement*
20 *are of no lesser duration than the existing use restric-*
21 *tions.*

22 (9) *The transfer does not increase the cost (as de-*
23 *finied in section 502 of the Congressional Budget Act*
24 *of 1974, as amended) of any FHA-insured mortgage,*

1 *except to the extent that appropriations are provided*
2 *in advance for the amount of any such increased cost.*

3 *(d) For purposes of this section—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (F) assistance payments made under section
24 811(d)(2) of the Cranston-Gonzalez National Af-
25 fordable Housing Act;

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

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

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

14 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

15 (1) The Secretary shall publish by notice in the
16 Federal Register the terms and conditions, including
17 criteria for HUD approval, of transfers pursuant to
18 this section no later than 30 days before the effective
19 date of such notice.

20 (2) The Secretary shall conduct an evaluation of
21 the transfer authority under this section, including
22 the effect of such transfers on the operational effi-
23 ciency, contract rents, physical and financial condi-
24 tions, and long-term preservation of the affected prop-
25 erties.

1 *SEC. 212. (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 the*
6 *Higher Education Act of 1965 (20 U.S.C. 1002));*

7 *(2) is under 24 years of age;*

8 *(3) is not a veteran;*

9 *(4) is unmarried;*

10 *(5) does not have a dependent child;*

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

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

20 *(b) For purposes of determining the eligibility of a per-*
21 *son to receive assistance under section 8 of the United States*
22 *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*
23 *sistance (in excess of amounts received for tuition and any*
24 *other required fees and charges) that an individual receives*
25 *under the Higher Education Act of 1965 (20 U.S.C. 1001*

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

6 SEC. 213. The funds made available under NAIHASDA
 7 for Native Alaskans under the heading “Indian Block
 8 Grants” in title II of this Act shall be allocated to the same
 9 Native Alaskan housing block grant recipients that received
 10 funds in fiscal year 2005.

11 SEC. 214. Notwithstanding the limitation in the first
 12 sentence of section 255(g) of the National Housing Act (12
 13 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban
 14 Development may, until September 30, 2016, insure and
 15 enter into commitments to insure mortgages under such sec-
 16 tion 255.

17 SEC. 215. Notwithstanding any other provision of law,
 18 in fiscal year 2016, in managing and disposing of any mul-
 19 tifamily property that is owned or has a mortgage held by
 20 the Secretary of Housing and Urban Development, and dur-
 21 ing the process of foreclosure on any property with a con-
 22 tract for rental assistance payments under section 8 of the
 23 United States Housing Act of 1937 or other Federal pro-
 24 grams, the Secretary shall maintain any rental assistance
 25 payments under section 8 of the United States Housing Act

1 of 1937 and other programs that are attached to any dwell-
2 ing units in the property. To the extent the Secretary deter-
3 mines, in consultation with the tenants and the local gov-
4 ernment, that such a multifamily property owned or held
5 by the Secretary is not feasible for continued rental assist-
6 ance payments under such section 8 or other programs,
7 based on consideration of (1) the costs of rehabilitating and
8 operating the property and all available Federal, State, and
9 local resources, including rent adjustments under section
10 521 of the Multifamily Assisted Housing Reform and Af-
11 fordability Act of 1997 ("MAHRA") and (2) environ-
12 mental conditions that cannot be remedied in a cost-effec-
13 tive fashion, the Secretary may, in consultation with the
14 tenants of that property, contract for project-based rental
15 assistance payments with an owner or owners of other exist-
16 ing housing properties, or provide other rental assistance.
17 The Secretary shall also take appropriate steps to ensure
18 that project-based contracts remain in effect prior to fore-
19 closure, subject to the exercise of contractual abatement ren-
20 edies to assist relocation of tenants for imminent major
21 threats to health and safety after written notice to and in-
22 formed consent of the affected tenants and use of other avail-
23 able remedies, such as partial abatements or receivership.
24 After disposition of any multifamily property described
25 under this section, the contract and allowable rent levels

1 *on such properties shall be subject to the requirements under*
2 *section 524 of MAHRAA.*

3 *SEC. 216. The commitment authority funded by fees*
4 *as provided under the heading “Community Development*
5 *Loan Guarantees Program Account” may be used to guar-*
6 *antee, or make commitments to guarantee, notes, or other*
7 *obligations issued by any State on behalf of non-entitlement*
8 *communities in the State in accordance with the require-*
9 *ments of section 108 of the Housing and Community Devel-*
10 *opment Act of 1974: Provided, That any State receiving*
11 *such a guarantee or commitment shall distribute all funds*
12 *subject to such guarantee to the units of general local gov-*
13 *ernment in non-entitlement areas that received the commit-*
14 *ment.*

15 *SEC. 217. Public housing agencies that own and oper-*
16 *ate 400 or fewer public housing units may elect to be exempt*
17 *from any asset management requirement imposed by the*
18 *Secretary of Housing and Urban Development in connec-*
19 *tion with the operating fund rule: Provided, That an agency*
20 *seeking a discontinuance of a reduction of subsidy under*
21 *the operating fund formula shall not be exempt from asset*
22 *management requirements.*

23 *SEC. 218. With respect to the use of amounts provided*
24 *in this Act and in future Acts for the operation, capital*
25 *improvement and management of public housing as author-*

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

13 *SEC. 219. No official or employee of the Department*
14 *of Housing and Urban Development shall be designated as*
15 *an allotment holder unless the Office of the Chief Financial*
16 *Officer has determined that such allotment holder has im-*
17 *plemented an adequate system of funds control and has re-*
18 *ceived training in funds control procedures and directives.*
19 *The Chief Financial Officer shall ensure that there is a*
20 *trained allotment holder for each HUD sub-office under the*
21 *accounts “Executive Offices” and “Administrative Support*
22 *Offices,” as well as each account receiving appropriations*
23 *for “Program Office Salaries and Expenses”, “Government*
24 *National Mortgage Association—Guarantees of Mortgage-*
25 *Backed Securities Loan Guarantee Program Account”, and*

1 *“Office of Inspector General” within the Department of*
2 *Housing and Urban Development.*

3 *SEC. 220. The Secretary of the Department of Housing*
4 *and Urban Development shall, for fiscal year 2016 and sub-*
5 *sequent fiscal years, notify the public through the Federal*
6 *Register and other means, as determined appropriate, of*
7 *the issuance of a notice of the availability of assistance or*
8 *notice of funding availability (NOFA) for any program or*
9 *discretionary fund administered by the Secretary that is*
10 *to be competitively awarded. Notwithstanding any other*
11 *provision of law, for fiscal year 2016 and subsequent fiscal*
12 *years, the Secretary may make the NOFA available only*
13 *on the Internet at the appropriate Government Web site or*
14 *through other electronic media, as determined by the Sec-*
15 *retary.*

16 *SEC. 221. Payment of attorney fees in program-related*
17 *litigation shall be paid from the individual program office*
18 *and Office of General Counsel salaries and expenses appro-*
19 *priations. The annual budget submission for the program*
20 *offices and the Office of General Counsel shall include any*
21 *such projected litigation costs for attorney fees as a separate*
22 *line item request. No funds provided in this title may be*
23 *used to pay any such litigation costs for attorney fees until*
24 *the Department submits for review and approval a spend-*

1 ing plan for such costs to the House and Senate Committees
2 on Appropriations.

3 SEC. 222. The Secretary of the Department of Housing
4 and Urban Development is authorized to transfer up to 5
5 percent or \$5,000,000, whichever is less, of the funds appro-
6 priated for any office funded under the heading "Adminis-
7 trative Support Offices" to any other office funded under
8 such heading: Provided, That no appropriation for any of-
9 fice funded under the heading "Administrative Support Of-

10 fices" shall be increased or decreased by more than 5 percent
11 or \$5,000,000, whichever is less, without prior written ap-
12 proval of the House and Senate Committees on Appropria-
13 tions: Provided further, That the Secretary is authorized to
14 transfer up to 5 percent or \$5,000,000, whichever is less,
15 of the funds appropriated for any account funded under the
16 general heading "Program Office Salaries and Expenses"

17 to any other account funded under such heading: Provided
18 further, That no appropriation for any account funded
19 under the general heading "Program Office Salaries and
20 Expenses" shall be increased or decreased by more than 5
21 percent or \$5,000,000, whichever is less, without prior writ-
22 ten approval of the House and Senate Committees on Ap-
23 propriations: Provided further, That the Secretary may
24 transfer funds made available for salaries and expenses be-
25 tween any office funded under the heading "Administrative

1 *Support Offices” and any account funded under the general*
2 *heading “Program Office Salaries and Expenses”, but only*
3 *with the prior written approval of the House and Senate*
4 *Committees on Appropriations.*

5 *SEC. 223. The Disaster Housing Assistance Programs,*
6 *administered by the Department of Housing and Urban De-*
7 *velopment, shall be considered a “program of the Depart-*
8 *ment of Housing and Urban Development” under section*
9 *904 of the McKinney Act for the purpose of income*
10 *verifications and matching.*

11 *SEC. 224. (a) The Secretary of Housing and Urban*
12 *Development shall take the required actions under sub-*
13 *section (b) when a multifamily housing project with a sec-*
14 *tion 8 contract or contract for similar project-based assist-*
15 *ance:*

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

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

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

23 *(B) receives consecutive scores of less than*
24 *60 on REAC inspections.*

1 *Such requirements shall apply to insured and noninsured*
2 *projects with assistance attached to the units under section*
3 *8 of the United States Housing Act of 1937 (42 U.S.C.*
4 *1437f), but do not apply to such units assisted under section*
5 *8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units*
6 *assisted with capital or operating funds under section 9 of*
7 *the United States Housing Act of 1937 (42 U.S.C. 1437g).*

8 *(b) The Secretary shall take the following required ac-*
9 *tions as authorized under subsection (a)—*

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

19 *(2) At the end of the term of the Compliance,*
20 *Disposition and Enforcement Plan, if the owner fails*
21 *to fully comply with such plan, the Secretary may re-*
22 *quire immediate replacement of project management*
23 *with a management agent approved by the Secretary,*
24 *and shall take one or more of the following actions,*

1 *and provide additional notice of those actions to the*
2 *owner and the parties specified above:*

3 *(A) impose civil money penalties;*

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

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

13 *(D) seek judicial appointment of a receiver*
14 *to manage the property and cure all project defi-*
15 *ciencies or seek a judicial order of specific per-*
16 *formance requiring the owner to cure all project*
17 *deficiencies.*

18 *(c) The Secretary shall also take appropriate steps to*
19 *ensure that project-based contracts remain in effect, subject*
20 *to the exercise of contractual abatement remedies to assist*
21 *relocation of tenants for imminent major threats to health*
22 *and safety after written notice to and informed consent of*
23 *the affected tenants and use of other remedies set forth*
24 *above. To the extent the Secretary determines, in consulta-*
25 *tion with the tenants and the local government, that the*

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

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

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

1 *SEC. 225. None of the funds made available by this*
2 *Act, or any other Act, for purposes authorized under section*
3 *8 (only with respect to the tenant-based rental assistance*
4 *program) and section 9 of the United States Housing Act*
5 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*
6 *housing agency for any amount of salary, including bo-*
7 *nuses, for the chief executive officer of which, or any other*
8 *official or employee of which, that exceeds the annual rate*
9 *of basic pay payable for a position at level IV of the Execu-*
10 *tive Schedule at any time during any public housing agen-*
11 *cy fiscal year 2016.*

12 *SEC. 226. None of the funds in this Act may be avail-*
13 *able for the doctoral dissertation research grant program*
14 *at the Department of Housing and Urban Development.*

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

17 *(1) in subsection (m)(1), by striking “fiscal*
18 *year” and all that follows through the period at the*
19 *end and inserting “fiscal year 2016.”; and*

20 *(2) in subsection (o), by striking “September”*
21 *and all that follows through the period at the end and*
22 *inserting “September 30, 2016.”.*

23 *SEC. 228. None of the funds in this Act provided to*
24 *the Department of Housing and Urban Development may*
25 *be used to make a grant award unless the Secretary notifies*

1 *the House and Senate Committees on Appropriations not*
2 *less than 3 full business days before any project, State, lo-*
3 *cality, housing authority, tribe, nonprofit organization, or*
4 *other entity selected to receive a grant award is announced*
5 *by the Department or its offices.*

6 *SEC. 229. Of the amounts made available for salaries*
7 *and expenses under all accounts under this title (except for*
8 *the Office of Inspector General account), a total of up to*
9 *\$5,000,000 may be transferred to and merged with amounts*
10 *made available in the “Information Technology Fund” ac-*
11 *count under this title.*

12 *SEC. 230. None of the funds made available by this*
13 *Act nor any receipts or amounts collected under any Fed-*
14 *eral Housing Administration program may be used to im-*
15 *plement the Homeowners Armed with Knowledge (ILAWK)*
16 *program.*

17 *SEC. 231. None of the funds made available in this*
18 *Act shall be used by the Federal Housing Administration,*
19 *the Government National Mortgage Administration, or the*
20 *Department of Housing and Urban Development to insure,*
21 *securitize, or establish a Federal guarantee of any mortgage*
22 *or mortgage backed security that refinances or otherwise re-*
23 *places a mortgage that has been subject to eminent domain*
24 *condemnation or seizure, by a State, municipality, or any*
25 *other political subdivision of a State.*

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

7 *SEC. 233. Subsection (b) of section 225 of the Cran-*
8 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*
9 *12755) is amended by adding at the end the following new*
10 *sentence: “Such 30-day waiting period is not required if*
11 *the grounds for the termination or refusal to renew involve*
12 *a direct threat to the safety of the tenants or employees of*
13 *the housing, or an imminent and serious threat to the prop-*
14 *erty (and the termination or refusal to renew is in accord-*
15 *ance with the requirements of State or local law).”.*

16 *SEC. 234. None of the funds under this title may be*
17 *used for awards, including performance, special act, or*
18 *spot, for any employee of the Department of Housing and*
19 *Urban Development who is subject to administrative dis-*
20 *cipline in fiscal year 2016, including suspension from work.*

21 *SEC. 235. The language under the heading “Rental As-*
22 *sistance Demonstration” in the Department of Housing and*
23 *Urban Development Appropriations Act, 2012 (Public Law*
24 *112–55) is amended:*

1 (1) in proviso four, by striking “185,000” and
2 inserting “200,000”;

3 (2) in proviso eighteen, by inserting “for fiscal
4 year 2012 and hereafter,” after “Provided further,
5 That”; and

6 (3) In proviso nineteen, by striking “, which
7 may extend beyond fiscal year 2016 as necessary to
8 allow processing of all timely applications,”.

9 SEC. 236. Section 9 of the United States Housing Act
10 of 1937 (42 U.S.C. 1437g) is amended by—

11 (1) inserting at the end of subsection (j)—

12 “(7) TREATMENT OF REPLACEMENT RESERVE.—
13 The requirements of this subsection shall not apply to
14 funds held in replacement reserves established in sub-
15 section (9)(n).”; and

16 (2) inserting at the end of subsection (m)—

17 “(n) ESTABLISHMENT OF REPLACEMENT RE-
18 SERVES.—

19 “(1) IN GENERAL.—Public Housing authorities
20 shall be permitted to establish a Replacement Reserve
21 to fund any of the capital activities listed in subpara-
22 graph (d)(1).

23 “(2) SOURCE AND AMOUNT OF FUNDS FOR RE-
24 PLACEMENT RESERVE.—At any time, a public hous-
25 ing authority may deposit funds from that agency’s

1 *Capital Fund into a replacement reserve subject to the*
2 *following:*

3 “(A) *At the discretion of the Secretary, pub-*
4 *lic housing agencies may transfer and hold in a*
5 *Replacement Reserve, funds originating from ad-*
6 *ditional sources.*

7 “(B) *No minimum transfer of funds to a re-*
8 *placement reserve shall be required.*

9 “(C) *At any time, a public housing author-*
10 *ity may not hold in a replacement reserve more*
11 *than the amount the public housing authority*
12 *has determined necessary to satisfy the antici-*
13 *ipated capital needs of properties in its portfolio*
14 *assisted under 42 U.S.C. 1437g as outlined in its*
15 *Capital Fund 5 Year Action Plan, or a com-*
16 *parable plan, as determined by the Secretary.*

17 “(D) *The Secretary may establish by regu-*
18 *lation a maximum replacement reserve level or*
19 *levels that are below amounts determined under*
20 *subparagraph (C), which may be based upon the*
21 *size of the portfolio assisted under 42 U.S.C.*
22 *1437g or other factors.*

23 “(3) *In first establishing a replacement reserve,*
24 *the Secretary may allow public housing agencies to*

1 transfer more than 20 percent of its operating funds
2 into its replacement reserve.

3 “(1) *EXPENDITURE*.—Funds in a replacement
4 reserve may be used for purposes authorized by sub-
5 paragraph (d)(1) and contained in its Capital Fund
6 5 Year Action Plan.

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

13 *SEC. 237. Section 9(g)(1) of the United States Housing*
14 *Act of 1937 (42 U.S.C. 1437g(g)) is amended by—*

15 (1) inserting “(A)” immediately after the par-
16 graph designation;
17 (2) by striking the period and inserting the fol-
18 lowing at the end: “; and”; and

19 (3) inserting the following new paragraph:

20 “(B) *FLEXIBILITY FOR OPERATING FUND*
21 *AMOUNTS*.—Of any amounts appropriated for
22 fiscal year 2016 or any fiscal year thereafter
23 that are allocated for fiscal year 2016 or any fis-
24 cal year thereafter from the Operating Fund for
25 any public housing agency, the agency may use

1 *not more than 20 percent for activities that are*
2 *eligible under subsection (d) for assistance with*
3 *amounts from the Capital Fund, but only if the*
4 *public housing plan for the agency provides for*
5 *such use.”.*

6 *SEC. 238. Section 526 (12 U.S.C. 1735f-4) of the Na-*
7 *tional Housing Act is amended by inserting at the end of*
8 *subsection (b)—*

9 *“(c) The Secretary may establish an exception to any*
10 *minimum property standard established under this section*
11 *in order to address alternative water systems, including cis-*
12 *terns, which meet requirements of State and local building*
13 *codes that ensure health and safety standards.”.*

14 *SEC. 239. The Secretary of Housing and Urban Devel-*
15 *opment shall increase, pursuant to this section, the number*
16 *of Moving-to-Work agencies authorized under section 204,*
17 *title II, of the Departments of Veterans Affairs and Housing*
18 *and Urban Development and Independent Agencies Appro-*
19 *priations Act, 1996 (Public Law 104-134; 110 Stat. 1321)*
20 *by adding to the program 300 public housing agencies that*
21 *are designated as high performing agencies under the Public*
22 *Housing Assessment System (PHAS). No public housing*
23 *agency shall be granted this designation through this section*
24 *that administers in excess of 22,000 aggregate housing*
25 *vouchers and public housing units. Of the agencies selected*

1 *under this section, no less than 150 shall administer 600*
2 *or fewer aggregate housing voucher and public housing*
3 *units, no less than 125 shall administer 601–5,000 aggre-*
4 *gate housing voucher and public housing units, and no more*
5 *than 20 shall administer 5,001–22,000 aggregate housing*
6 *voucher and public housing units. Of the 300 agencies se-*
7 *lected under this section, five shall be agencies with portfolio*
8 *awards under the Rental Assistance Demonstration that*
9 *meet the other requirements of this section. Selection of*
10 *agencies under this section shall be based on ensuring the*
11 *geographic diversity of Moving-to-Work agencies. The Sec-*
12 *retary may, at the request of a Moving-to-Work agency and*
13 *one or more adjacent public housing agencies in the same*
14 *area, designate that Moving-to-Work agency as a regional*
15 *agency. A regional Moving-to-Work agency may administer*
16 *the assistance under sections 8 and 9 of the United States*
17 *Housing Act of 1937 (42 U.S.C. 1437f and g) for the par-*
18 *ticipating agencies within its region pursuant to the terms*
19 *of its Moving-to-Work agreement with the Secretary. The*
20 *Secretary may agree to extend the term of the agreement*
21 *and to make any necessary changes to accommodate region-*
22 *alization. A Moving-to-Work agency may be selected as a*
23 *regional agency if the Secretary determines that unified ad-*
24 *ministration of assistance under sections 8 and 9 by that*
25 *agency across multiple jurisdictions will lead to efficiencies*

1 *and to greater housing choice for low-income persons in the*
2 *region. For purposes of this expansion, in addition to the*
3 *provisions of the Act retained in section 204, section 8(r)(1)*
4 *of the Act shall continue to apply unless the Secretary deter-*
5 *mines that waiver of this section is necessary to implement*
6 *comprehensive rent reform and occupancy policies subject*
7 *to evaluation by the Secretary, and the waiver contains,*
8 *at a minimum, exceptions for requests to port due to em-*
9 *ployment, education, health and safety. No public housing*
10 *agency granted this designation through this section shall*
11 *receive more funding under sections 8 or 9 of the United*
12 *States Housing Act of 1937 than it otherwise would have*
13 *received absent this designation. The Secretary shall extend*
14 *the current Moving-to-Work agreements of previously des-*
15 *ignated participating agencies until the end of each such*
16 *agency's fiscal year 2028 under the same terms and condi-*
17 *tions of such current agreements, except for any changes*
18 *to such terms or conditions otherwise mutually agreed upon*
19 *by the Secretary and any such agency and such extension*
20 *agreements shall prohibit any statutory offset of any reserve*
21 *balances equal to four months of operating expenses. Any*
22 *such reserve balances that exceed such amount shall remain*
23 *available to any such agency for all permissible purposes*
24 *under such agreement unless subject to a statutory offset.*
25 *In addition to other reporting requirements, all Moving-to-*

1 *Work agencies shall report financial data to the Depart-*
2 *ment of Housing and Urban Development as specified by*
3 *the Secretary, so that the effect of Moving-to-Work policy*
4 *changes can be measured.*

5 *SEC. 240. Section 3(a) of the United States Housing*
6 *Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding*
7 *at the end the following new paragraph:*

8 *“(6) REVIEWS OF FAMILY INCOME.—*

9 *“(A) FREQUENCY.—Reviews of family in-*
10 *come for purposes of this section shall be made—*

11 *“(i) in the case of all families, upon*
12 *the initial provision of housing assistance*
13 *for the family; and*

14 *“(ii) no less than annually thereafter,*
15 *except as provided in subparagraph (B)(i);*

16 *“(B) FIXED-INCOME FAMILIES.—*

17 *“(i) SELF CERTIFICATION AND 3-YEAR*
18 *REVIEW.—In the case of any family de-*
19 *scribed in clause (ii), after the initial re-*
20 *view of the family’s income pursuant to*
21 *subparagraph (A)(i), the public housing*
22 *agency or owner shall not be required to*
23 *conduct a review of the family’s income*
24 *pursuant to subparagraph (A)(ii) for any*
25 *year for which such family certifies, in ac-*

1 *cordance with such requirements as the Sec-*
2 *retary shall establish, that the income of the*
3 *family meets the requirements of clause (ii)*
4 *of this subparagraph and that the sources of*
5 *such income have not changed since the pre-*
6 *vious year, except that the public housing*
7 *agency or owner shall conduct a review of*
8 *each such family's income not less than once*
9 *every 3 years.*

10 “(ii) *ELIGIBLE FAMILIES.*—A family
11 *described in this clause is a family who has*
12 *an income, as of the most recent review pur-*
13 *suant to subparagraph (A) or clause (i) of*
14 *this subparagraph, of which 90 percent or*
15 *more consists of fixed income, as such term*
16 *is defined in clause (iii).*

17 “(iii) *FIXED INCOME.*—For purposes of
18 *this subparagraph, the term ‘fixed income’*
19 *includes income from—*

20 “(I) *the supplemental security in-*
21 *come program under title XVI of the*
22 *Social Security Act, including supple-*
23 *mentary payments pursuant to an*
24 *agreement for Federal administration*
25 *under section 1616(a) of the Social Se-*

*curity Act and payments pursuant to
an agreement entered into under sec-
tion 212(b) of Public Law 93-66;*

“(II) Social Security payments;

*“(III) Federal, State, local and
private pension plans; and*

*“(IV) other periodic payments re-
ceived from annuities, insurance poli-
cies, retirement funds, disability or
death benefits, and other similar types
of periodic receipts that are of substan-
tially the same amounts from year to
year.*

*“(C) INFLATIONARY ADJUSTMENT FOR
FIXED INCOME FAMILIES.—*

*“(i) IN GENERAL.—In any year in
which a public housing agency or owner
does not conduct a review of income for any
family described in clause (ii) of subpara-
graph (B) pursuant to the authority under
clause (i) of such paragraph to waive such
a review, such family’s prior year’s income
determination shall, subject to clauses (ii)
and (iii), be adjusted by applying an infla-*

1 *tionary factor as the Secretary shall, by reg-*
2 *ulation or notice, establish.*

3 “(ii) *EXEMPTION FROM ADJUST-*
4 *MENT.—A public housing agency or owner*
5 *may exempt from an adjustment pursuant*
6 *to clause (i) any income source for which*
7 *income does not increase from year to*
8 *year.”.*

9 *SEC. 241. Section 8(x)(2) of the United States Housing*
10 *Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking*
11 *“18 months” and inserting “36 months”.*

12 *SEC. 242. (a) ESTABLISHMENT.—The Secretary of*
13 *Housing and Urban Development shall establish a dem-*
14 *onstration program during the period beginning on the date*
15 *of enactment of this Act, and ending on September 30, 2020,*
16 *entering into budget-neutral, performance-based agreements*
17 *that result in a reduction in energy or water costs with*
18 *such entities as the Secretary determines to be appropriate*
19 *under which the entities shall carry out projects for energy*
20 *or water conservation improvements at not more than*
21 *150,000 residential units in multifamily buildings partici-*
22 *pating in—*

23 *(1) the Project-Based Rental Assistance program*
24 *under section 8 of the United States Housing Act of*

1 1937 (42 U.S.C. 1437f), other than assistance pro-
2 vided under section 8(o) of that Act;

3 (2) the supportive Housing for the Elderly pro-
4 gram under section 202 of the Housing Act of 1959
5 (42 U.S.C. 1701q); or

6 (3) the supportive Housing for Persons with Dis-
7 abilities program under section 811(d)(2) of the
8 Cranston-Gonzalez National Affordable Housing Act
9 (42 U.S.C. 8013(d)(2)).

10 (b) REQUIREMENTS.—

11 (1) PAYMENTS CONTINGENT ON SAVINGS.—

12 (A) IN GENERAL.—The Secretary shall pro-
13 vide to an entity a payment under an agreement
14 under this section only during applicable years
15 for which an energy or water cost savings is
16 achieved with respect to the applicable multi-
17 family portfolio of properties, as determined by
18 the Secretary, in accordance with subparagraph
19 (B).

20 (B) PAYMENT METHODOLOGY.—

21 (i) IN GENERAL.—Each agreement
22 under this section shall include a pay-for-
23 success provision—

1 *(I) that will serve as a payment*
2 *threshold for the term of the agreement;*
3 *and*

4 *(II) pursuant to which the De-*
5 *partment of Housing and Urban De-*
6 *velopment shall share a percentage of*
7 *the savings at a level determined by the*
8 *Secretary that is sufficient to cover the*
9 *administrative costs of carrying out*
10 *this section.*

11 *(ii) LIMITATIONS.—A payment made*
12 *by the Secretary under an agreement under*
13 *this section shall—*

14 *(I) be contingent on documented*
15 *utility savings; and*

16 *(II) not exceed the utility savings*
17 *achieved by the date of the payment,*
18 *and not previously paid, as a result of*
19 *the improvements made under the*
20 *agreement.*

21 *(C) THIRD PARTY VERIFICATION.—Savings*
22 *payments made by the Secretary under this sec-*
23 *tion shall be based on a measurement and*
24 *verification protocol that includes at least—*

1 (i) establishment of a weather-normal-
2 ized and occupancy-normalized utility con-
3 sumption baseline established preretrofit;

4 (ii) annual third party confirmation
5 of actual utility consumption and cost for
6 owner-paid utilities;

7 (iii) annual third party validation of
8 the tenant utility allowances in effect dur-
9 ing the applicable year and vacancy rates
10 for each unit type; and

11 (iv) annual third party determination
12 of savings to the Secretary.

13 (2) *TERM.*—The term of an agreement under this
14 section shall be not longer than 12 years.

15 (3) *ENTITY ELIGIBILITY.*—The Secretary shall—

16 (A) establish a competitive process for enter-
17 ing into agreements under this section; and

18 (B) enter into such agreements only with
19 entities that demonstrate significant experience
20 relating to—

21 (i) financing and operating properties
22 receiving assistance under a program de-
23 scribed in subsection (a);

1 (ii) oversight of energy and water con-
2 servation programs, including oversight of
3 contractors; and

4 (iii) raising capital for energy and
5 water conservation improvements from
6 charitable organizations or private inves-
7 tors.

8 (4) GEOGRAPHICAL DIVERSITY.—Each agreement
9 entered into under this section shall provide for the
10 inclusion of properties with the greatest feasible re-
11 gional and State variance.

12 (c) PLAN AND REPORTS.—

13 (1) PLAN.—Not later than 90 days after the date
14 of enactment of this Act, the Secretary shall submit
15 to the House and Senate Committees on Appropria-
16 tions a detailed plan for the implementation of this
17 section.

18 (2) REPORTS.—Not later than 1 year after the
19 date of enactment of this Act, and annually there-
20 after, the Secretary shall—

21 (A) conduct an evaluation of the program
22 under this section; and

23 (B) submit to the House and Senate Com-
24 mittees on Appropriations a report describing

1 *each evaluation conducted under subparagraph*
2 *(A).*

3 *(d) FUNDING.—For each fiscal year during which an*
4 *agreement under this section is in effect, the Secretary may*
5 *use to carry out this section any funds appropriated for*
6 *the renewal of contracts under a program described in sub-*
7 *section (a).*

8 *SEC. 243. (a) ESTABLISHMENT.—The Secretary of*
9 *Housing and Urban Development may establish, through*
10 *notice in the Federal Register, a demonstration program*
11 *to incent public housing agencies, as defined in section*
12 *3(b)(6) of the United States Housing Act of 1937 (in this*
13 *section referred to as “the Act”), to implement measures to*
14 *reduce their energy and water consumption.*

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

19 *(c) INCENTIVE.—The Secretary may provide an incen-*
20 *tive to an eligible public housing agency that uses capital*
21 *funds, operating funds, grants, utility rebates, and other re-*
22 *sources to reduce its energy and/or water consumption in*
23 *accordance with a plan approved by the Secretary.*

24 *(1) BASE UTILITY CONSUMPTION LEVEL.—The*
25 *initial base utility consumption level under the ap-*

1 *proved plan shall be set at the public housing agency's*
2 *rolling base consumption level immediately prior to*
3 *the installation of energy conservation measures.*

4 (2) *FIRST YEAR UTILITY COST SAVINGS.*—*For the*
5 *first year that an approved plan is in effect, the Sec-*
6 *retary shall allocate the utility consumption level in*
7 *the public housing operating fund using the base util-*
8 *ity consumption level.*

9 (3) *SUBSEQUENT YEAR SAVINGS.*—*For each sub-*
10 *sequent year that the plan is in effect, the Secretary*
11 *shall decrease the utility consumption level by one*
12 *percent of the initial base utility consumption level*
13 *per year until the utility consumption level equals the*
14 *public housing agency's actual consumption level that*
15 *followed the installation of energy conservation meas-*
16 *ures, at which time the plan will terminate.*

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

23 (5) *DURATION OF PLAN.*—*The length in years of*
24 *the utility conservation plan shall not exceed the*
25 *number of percentage points in utility consumption*

1 *reduction a public housing agency achieves through*
2 *the energy conservation measures implemented under*
3 *this demonstration, but in no case shall it exceed 20*
4 *years.*

5 (6) *OTHER REQUIREMENTS.—The Secretary may*
6 *establish such other requirements as necessary to fur-*
7 *ther the purposes of this demonstration.*

8 (7) *EVALUATION.—Each public housing agency*
9 *participating in the demonstration shall submit to*
10 *the Secretary such performance and evaluation re-*
11 *ports concerning the reduction in energy consumption*
12 *and compliance with the requirements of this section*
13 *as the Secretary may require.*

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

17 SEC. 244. (a) *AUTHORITY.—Subject to the conditions*
18 *in subsection (d), the Secretary of Housing and Urban De-*
19 *velopment may authorize, in response to requests received*
20 *in fiscal years 2016 through 2020, the transfer of some or*
21 *all project-based assistance, tenant-based assistance, capital*
22 *advances, debt, and statutorily required use restrictions*
23 *from housing assisted under section 811 of the Cranston-*
24 *Gonzalez National Affordable Housing Act (42 U.S.C. 8013)*
25 *to other new or existing housing, which may include*

1 *projects, units, and other types of housing, as permitted by*
2 *the Secretary.*

3 *(b) CAPITAL ADVANCES.—Interest shall not be due and*
4 *repayment of a capital advance shall not be triggered by*
5 *a transfer pursuant to this section.*

6 *(c) PHASED AND PROPORTIONAL TRANSFERS.—*

7 *(1) Transfers under this section may be done in*
8 *phases to accommodate the financing and other re-*
9 *quirements related to rehabilitating or constructing*
10 *the housing to which the assistance is transferred, to*
11 *ensure that such housing meets the conditions under*
12 *subsection (d).*

13 *(2) The capital advance repayment require-*
14 *ments, use restrictions, rental assistance, and debt*
15 *shall transfer proportionally from the transferring*
16 *housing to the receiving housing.*

17 *(d) CONDITIONS.—The transfers authorized by this sec-*
18 *tion shall be subject to the following conditions:*

19 *(1) the owner of the transferring housing shall*
20 *demonstrate that the transfer is in compliance with*
21 *applicable Federal, State, and local requirements re-*
22 *garding Housing for Persons with Disabilities and*
23 *shall provide the Secretary with evidence of obtaining*
24 *any approvals related to housing disabled persons*

1 *that are necessary under Federal, State, and local*
 2 *government requirements;*

3 *(2) the owner of the transferring housing shall*
 4 *demonstrate to the Secretary that any transfer is in*
 5 *the best interest of the disabled residents by offering*
 6 *opportunities for increased integration or less con-*
 7 *centration of individuals with disabilities;*

8 *(3) the owner of the transferring housing shall*
 9 *continue to provide the same number of units as ap-*
 10 *proved for rental assistance by the Secretary in the*
 11 *receiving housing;*

12 *(4) the owner of the transferring housing shall*
 13 *consult with the disabled residents in the transferring*
 14 *housing about any proposed transfer under this sec-*
 15 *tion and shall notify the residents of the transferring*
 16 *housing who are eligible for assistance to be provided*
 17 *in the receiving housing that they shall not be re-*
 18 *quired to vacate the transferring housing until the re-*
 19 *ceiving housing is available for occupancy;*

20 *(5) the receiving housing shall meet or exceed ap-*
 21 *plicable physical standards established or adopted by*
 22 *the Secretary; and*

23 *(6) if the receiving housing has a mortgage in-*
 24 *sured under title II of the National Housing Act, any*
 25 *lien on the receiving housing resulting from addi-*

1 *tional financing shall be subordinate to any federally*
2 *insured mortgage lien transferred to, or placed on,*
3 *such housing, except that the Secretary may waive*
4 *this requirement upon determination that such a*
5 *waiver is necessary to facilitate the financing of ac-*
6 *quisition, construction, or rehabilitation of the receiv-*
7 *ing housing.*

8 *(e) PUBLIC NOTICE.—The Secretary shall publish a*
9 *notice in the Federal Register of the terms and conditions,*
10 *including criteria for the Department's approval of trans-*
11 *fers pursuant to this section no later than 30 days before*
12 *the effective date of such notice.*

13 *SEC. 245. (a) Of the unobligated balances, including*
14 *recaptures and carryover, remaining from funds appro-*
15 *priated to the Department of Housing and Urban Develop-*
16 *ment under the heading "General and Special Risk Pro-*
17 *gram Account", and for the cost of guaranteed notes and*
18 *other obligations under the heading "Native American*
19 *Housing Block Grants", \$12,000,000 is hereby rescinded.*

20 *(b) All unobligated balances, including recaptures and*
21 *carryover, remaining from funds appropriated to the De-*
22 *partment of Housing and Urban Development under the*
23 *headings "Rural Housing and Economic Development",*
24 *and "Homeownership and Opportunity for People Every-*
25 *where Grants" are hereby rescinded.*

1 *SEC. 246. Funds made available in this title under*
2 *the heading “Homeless Assistance Grants” may be used to*
3 *participate in Performance Partnership Pilots authorized*
4 *under section 526 of division II of Public Law 113–76, sec-*
5 *tion 524 of division G of Public Law 113–235, and such*
6 *authorities enacted for Performance Partnership Pilots in*
7 *an appropriations Act for fiscal year 2016. Such participa-*
8 *tion shall be targeted to improving the housing situation*
9 *of disconnected youth.*

10 *SEC. 247. Unobligated balances, including recaptures*
11 *and carryover, remaining from funds appropriated to the*
12 *Department of Housing and Urban Development for ad-*
13 *ministrative costs associated with funds appropriated to the*
14 *Department for specific disaster relief and related purposes*
15 *and designated by Congress as an emergency requirement*
16 *pursuant to a Concurrent Resolution on the Budget or the*
17 *Balanced Budget and Emergency Deficit Control Act, in-*
18 *cluding information technology costs and costs for admin-*
19 *istering and overseeing such specific disaster related funds,*
20 *shall be transferred to the Program Office Salaries and Ex-*
21 *penses, Community Planning and Development account for*
22 *the Department, shall remain available until expended, and*
23 *may be used for such administrative costs for administering*
24 *any funds appropriated to the Department for any disaster*
25 *relief and related purposes in any prior or future act, not-*

1 *withstanding the purposes for which such funds were appro-*
2 *priated: Provided, That amounts transferred pursuant to*
3 *this section that were previously designated by the Congress*
4 *as an emergency requirement pursuant to a Concurrent*
5 *Resolution on the Budget or the Balanced Budget and*
6 *Emergency Deficit Control Act are designated by the Con-*
7 *gress as an emergency requirement pursuant to section*
8 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985 and shall be transferred only*
10 *if the President subsequently so designates the entire trans-*
11 *fer and transmits such designation to the Congress.*

12 *This title may be cited as the “Department of Housing*
13 *and Urban Development Appropriations Act, 2016”.*

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TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$8,023,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, \$25,660,000: Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

1 *NATIONAL RAILROAD PASSENGER CORPORATION*

2 *OFFICE OF INSPECTOR GENERAL*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral for the National Railroad Passenger Corporation to*
6 *carry out the provisions of the Inspector General Act of*
7 *1978, as amended, \$23,999,000: Provided, That the Inspec-*
8 *tor General shall have all necessary authority, in carrying*
9 *out the duties specified in the Inspector General Act, as*
10 *amended (5 U.S.C. App. 3), to investigate allegations of*
11 *fraud, including false statements to the government (18*
12 *U.S.C. 1001), by any person or entity that is subject to*
13 *regulation by the National Railroad Passenger Corpora-*
14 *tion: Provided further, That the Inspector General may*
15 *enter into contracts and other arrangements for audits,*
16 *studies, analyses, and other services with public agencies*
17 *and with private persons, subject to the applicable laws and*
18 *regulations that govern the obtaining of such services within*
19 *the National Railroad Passenger Corporation: Provided*
20 *further, That the Inspector General may select, appoint,*
21 *and employ such officers and employees as may be nec-*
22 *essary for carrying out the functions, powers, and duties*
23 *of the Office of Inspector General, subject to the applicable*
24 *laws and regulations that govern such selections, appoint-*
25 *ments, and employment within the Corporation: Provided*

1 *further, That concurrent with the President's budget request*
2 *for fiscal year 2017, the Inspector General shall submit to*
3 *the House and Senate Committees on Appropriations a*
4 *budget request for fiscal year 2017 in similar format and*
5 *substance to those submitted by executive agencies of the*
6 *Federal Government.*

7 *NATIONAL TRANSPORTATION SAFETY BOARD*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the National Transportation*
10 *Safety Board, including hire of passenger motor vehicles*
11 *and aircraft; services as authorized by 5 U.S.C. 3109, but*
12 *at rates for individuals not to exceed the per diem rate*
13 *equivalent to the rate for a GS-15; uniforms, or allowances*
14 *therefor, as authorized by law (5 U.S.C. 5901-5902),*
15 *\$105,170,000, of which not to exceed \$2,000 may be used*
16 *for official reception and representation expenses. The*
17 *amounts made available to the National Transportation*
18 *Safety Board in this Act include amounts necessary to*
19 *make lease payments on an obligation incurred in fiscal*
20 *year 2001 for a capital lease.*

21 *NEIGHBORHOOD REINVESTMENT CORPORATION*

22 *PAYMENT TO THE NEIGHBORHOOD REINVESTMENT*
23 *CORPORATION*

24 *For payment to the Neighborhood Reinvestment Cor-*
25 *poration for use in neighborhood reinvestment activities, as*

1 *authorized by the Neighborhood Reinvestment Corporation*
2 *Act (42 U.S.C. 8101–8107), \$140,000,000, of which*
3 *\$5,000,000 shall be for a multi-family rental housing pro-*
4 *gram.*

5 *UNITED STATES INTERAGENCY COUNCIL ON*
6 *HOMELESSNESS*
7 *OPERATING EXPENSES*

8 *For necessary expenses (including payment of salaries,*
9 *authorized travel, hire of passenger motor vehicles, the rent-*
10 *al of conference rooms, and the employment of experts and*
11 *consultants under section 3109 of title 5, United States*
12 *Code) of the United States Interagency Council on Home-*
13 *lessness in carrying out the functions pursuant to title II*
14 *of the McKinney-Vento Homeless Assistance Act, as amend-*
15 *ed, \$3,530,000. Title II of the McKinney-Vento Homeless*
16 *Assistance Act (42 U.S.C. 11314) is amended in section*
17 *204(a) by striking “level V” and inserting “level IV”.*

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TITLE IV

2

GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

4 (3) *does not require prior employee notification*
5 *of the content and methods to be used in the training*
6 *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 Employ-*
10 *ment Opportunity Commission Notice N-915.022,*
11 *dated September 2, 1988; or*

12 (5) *is offensive to, or designed to change, partici-*
13 *pants’ personal values or lifestyle outside the work-*
14 *place.*

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 previous*
20 *appropriations Acts to the agencies or entities funded in*
21 *this Act that remain available for obligation or expenditure*
22 *in fiscal year 2016, or provided from any accounts in the*
23 *Treasury derived by the collection of fees and available to*
24 *the agencies funded by this Act, shall be available for obliga-*
25 *tion or expenditure through a reprogramming of funds that:*

- 1 (1) *creates a new program;*
- 2 (2) *eliminates a program, project, or activity;*
- 3 (3) *increases funds or personnel for any pro-*
4 *gram, project, or activity for which funds have been*
5 *denied or restricted by the Congress;*
- 6 (4) *proposes to use funds directed for a specific*
7 *activity by either the House or Senate Committees on*
8 *Appropriations for a different purpose;*
- 9 (5) *augments existing programs, projects, or ac-*
10 *tivities in excess of \$5,000,000 or 10 percent, which-*
11 *ever is less;*
- 12 (6) *reduces existing programs, projects, or activi-*
13 *ties by \$5,000,000 or 10 percent, whichever is less; or*
- 14 (7) *creates, reorganizes, or restructures a branch,*
15 *division, office, bureau, board, commission, agency,*
16 *administration, or department different from the*
17 *budget justifications submitted to the Committees on*
18 *Appropriations or the table accompanying the explan-*
19 *atory statement accompanying this Act, whichever is*
20 *more detailed, unless prior approval is received from*
21 *the House and Senate Committees on Appropriations:*
22 *Provided, That not later than 60 days after the date*
23 *of enactment of this Act, each agency funded by this*
24 *Act shall submit a report to the House and Senate*
25 *Committees on Appropriations to establish the base-*

1 *line for application of reprogramming and transfer*
2 *authorities for the current fiscal year: Provided fur-*
3 *ther, That the report shall include:*

4 *(A) a table for each appropriation with a*
5 *separate column to display the prior year en-*
6 *acted level, the President's budget request, adjust-*
7 *ments made by Congress, adjustments due to en-*
8 *acted rescissions, if appropriate, and the fiscal*
9 *year enacted level;*

10 *(B) a delineation in the table for each ap-*
11 *propriation and its respective prior year enacted*
12 *level by object class and program, project, and*
13 *activity as detailed in the budget appendix for*
14 *the respective appropriation; and*

15 *(C) an identification of items of special con-*
16 *gressional interest: Provided further, That the*
17 *amount appropriated or limited for salaries and*
18 *expenses for an agency shall be reduced by*
19 *\$100,000 per day for each day after the required*
20 *date that the report has not been submitted to the*
21 *House and Senate Committees on Appropria-*
22 *tions.*

23 *SEC. 406. Except as otherwise specifically provided by*
24 *law, not to exceed 50 percent of unobligated balances re-*
25 *maining available at the end of fiscal year 2016 from ap-*

1 *appropriations made available for salaries and expenses for*
 2 *fiscal year 2016 in this Act, shall remain available through*
 3 *September 30, 2017, for each such account for the purposes*
 4 *authorized: Provided, That a request shall be submitted to*
 5 *the House and Senate Committees on Appropriations for*
 6 *approval prior to the expenditure of such funds: Provided*
 7 *further, That these requests shall be made in compliance*
 8 *with reprogramming guidelines under section 405 of this*
 9 *Act.*

10 *SEC. 407. No funds in this Act may be used to support*
 11 *any Federal, State, or local projects that seek to use the*
 12 *power of eminent domain, unless eminent domain is em-*
 13 *ployed only for a public use: Provided, That for purposes*
 14 *of this section, public use shall not be construed to include*
 15 *economic development that primarily benefits private enti-*
 16 *ties: Provided further, That any use of funds for mass tran-*
 17 *sit, railroad, airport, seaport or highway projects, as well*
 18 *as utility projects which benefit or serve the general public*
 19 *(including energy-related, communication-related, water-re-*
 20 *lated and wastewater-related infrastructure), other struc-*
 21 *tures designated for use by the general public or which have*
 22 *other common-carrier or public-utility functions that serve*
 23 *the general public and are subject to regulation and over-*
 24 *sight by the government, and projects for the removal of an*
 25 *immediate threat to public health and safety or brownfields*

1 *as defined in the Small Business Liability Relief and*
2 *Brownsfield Revitalization Act (Public Law 107–118) shall*
3 *be considered a public use for purposes of eminent domain.*

4 *SEC. 408. All Federal agencies and departments that*
5 *are funded under this Act shall issue a report to the House*
6 *and Senate Committees on Appropriations on all sole-*
7 *source contracts by no later than July 30, 2016. Such report*
8 *shall include the contractor, the amount of the contract and*
9 *the rationale for using a sole-source contract.*

10 *SEC. 409. None of the funds made available in this*
11 *Act may be transferred to any department, agency, or in-*
12 *strumentality of the United States Government, except pur-*
13 *suant to a transfer made by, or transfer authority provided*
14 *in, this Act or any other appropriations Act.*

15 *SEC. 410. None of the funds made available in this*
16 *Act shall be available to pay the salary for any person fill-*
17 *ing a position, other than a temporary position, formerly*
18 *held by an employee who has left to enter the Armed Forces*
19 *of the United States and has satisfactorily completed his*
20 *or her period of active military or naval service, and has*
21 *within 90 days after his or her release from such service*
22 *or from hospitalization continuing after discharge for a pe-*
23 *riod of not more than 1 year, made application for restora-*
24 *tion to his or her former position and has been certified*
25 *by the Office of Personnel Management as still qualified to*

1 *perform the duties of his or her former position and has*
2 *not been restored thereto.*

3 *SEC. 411. None of the funds made available in this*
4 *Act may be expended by an entity unless the entity agrees*
5 *that in expending the assistance the entity will comply with*
6 *sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
7 *10a–10c, popularly known as the “Buy American Act”).*

8 *SEC. 412. None of the funds made available in this*
9 *Act shall be made available to any person or entity that*
10 *has been convicted of violating the Buy American Act (41*
11 *U.S.C. 10a–10c).*

12 *SEC. 413. None of the funds made available in this*
13 *Act may be used for first-class airline accommodations in*
14 *contravention of sections 301–10.122 and 301–10.123 of*
15 *title 41, Code of Federal Regulations.*

16 *SEC. 414. (a) None of the funds made available in this*
17 *Act may be used to approve a new foreign air carrier per-*
18 *mit under sections 41301 through 41305 of title 49, United*
19 *States Code, or exemption application under section 40109*
20 *of that title of an air carrier already holding an air opera-*
21 *tors certificate issued by a country that is party to the*
22 *U.S.–E.U.–Iceland–Norway Air Transport Agreement*
23 *where such approval would contravene United States law*
24 *or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air*
25 *Transport Agreement.*