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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

Making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PRICE of North Carolina introduced the following bill; which was referred to the Committee on _____

A BILL

Making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Transportation, and Housing and Urban
6 Development, and related agencies for the fiscal year end-
7 ing September 30, 2019, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF TRANSPORTATION

2 OFFICE OF THE SECRETARY

3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the Secretary,
5 \$113,535,000, of which not to exceed \$3,001,000 shall be
6 available for the immediate Office of the Secretary; not
7 to exceed \$1,040,000 shall be available for the immediate
8 Office of the Deputy Secretary; not to exceed \$20,428,000
9 shall be available for the Office of the General Counsel;
10 not to exceed \$10,265,000 shall be available for the Office
11 of the Under Secretary of Transportation for Policy; not
12 to exceed \$14,019,000 shall be available for the Office of
13 the Assistant Secretary for Budget and Programs; not to
14 exceed \$2,550,000 shall be available for the Office of the
15 Assistant Secretary for Governmental Affairs; not to ex-
16 ceed \$29,244,000 shall be available for the Office of the
17 Assistant Secretary for Administration; not to exceed
18 \$2,142,000 shall be available for the Office of Public Af-
19 fairs; not to exceed \$1,835,000 shall be available for the
20 Office of the Executive Secretariat; not to exceed
21 \$12,325,000 shall be available for the Office of Intel-
22 ligence, Security, and Emergency Response; and not to ex-
23 ceed \$16,686,000 shall be available for the Office of the
24 Chief Information Officer: *Provided*, That the Secretary
25 of Transportation is authorized to transfer funds appro-

1 priated for any office of the Office of the Secretary to any
2 other office of the Office of the Secretary: *Provided fur-*
3 *ther*, That no appropriation for any office shall be in-
4 creased or decreased by more than 5 percent by all such
5 transfers: *Provided further*, That notice of any change in
6 funding greater than 5 percent shall be submitted for ap-
7 proval to the House and Senate Committees on Appropria-
8 tions: *Provided further*, That not to exceed \$60,000 shall
9 be for allocation within the Department for official recep-
10 tion and representation expenses as the Secretary may de-
11 termine: *Provided further*, That notwithstanding any other
12 provision of law, excluding fees authorized in Public Law
13 107–71, there may be credited to this appropriation up
14 to \$2,500,000 in funds received in user fees: *Provided fur-*
15 *ther*, That none of the funds provided in this Act shall
16 be available for the position of Assistant Secretary for
17 Public Affairs.

18 RESEARCH AND TECHNOLOGY

19 For necessary expenses related to the Office of the
20 Assistant Secretary for Research and Technology,
21 \$8,471,000, of which \$2,218,000 shall remain available
22 until September 30, 2021: *Provided*, That there may be
23 credited to this appropriation, to be available until ex-
24 pended, funds received from States, counties, municipali-
25 ties, other public authorities, and private sources for ex-

1 penses incurred for training: *Provided further*, That any
2 reference in law, regulation, judicial proceedings, or else-
3 where to the Research and Innovative Technology Admin-
4 istration shall continue to be deemed to be a reference to
5 the Office of the Assistant Secretary for Research and
6 Technology of the Department of Transportation.

7 NATIONAL INFRASTRUCTURE INVESTMENTS

8 For capital investments in surface transportation in-
9 frastructure, \$1,000,000,000, to remain available through
10 September 30, 2021: *Provided*, That the Secretary of
11 Transportation shall distribute funds provided under this
12 heading as discretionary grants to be awarded to a State,
13 local government, transit agency, port authority, or a col-
14 laboration among such entities on a competitive basis for
15 projects that will have a significant local or regional im-
16 pact: *Provided further*, That projects eligible for funding
17 provided under this heading shall include, but not be lim-
18 ited to, highway or bridge projects eligible under title 23,
19 United States Code; public transportation projects eligible
20 under chapter 53 of title 49, United States Code; pas-
21 senger and freight rail transportation projects; and port
22 infrastructure investments (including inland port infra-
23 structure and land ports of entry): *Provided further*, That
24 of the amount made available under this heading, the Sec-
25 retary may use an amount not to exceed \$15,000,000 for

1 the planning, preparation or design of projects eligible for
2 funding under this heading: *Provided further*, That grants
3 awarded under the previous proviso shall not be subject
4 to a minimum grant size: *Provided further*, That the Sec-
5 retary may use up to 20 percent of the funds made avail-
6 able under this heading for the purpose of paying the sub-
7 sidy and administrative costs of projects eligible for Fed-
8 eral credit assistance under chapter 6 of title 23, United
9 States Code, or sections 501 through 504 of the Railroad
10 Revitalization and Regulatory Reform Act of 1976 (Public
11 Law 94–210), as amended, if the Secretary finds that
12 such use of the funds would advance the purposes of this
13 paragraph: *Provided further*, That in distributing funds
14 provided under this heading, the Secretary shall take such
15 measures so as to ensure an equitable geographic distribu-
16 tion of funds, an appropriate balance in addressing the
17 needs of urban and rural areas, and the investment in a
18 variety of transportation modes: *Provided further*, That a
19 grant funded under this heading shall be not less than
20 \$5,000,000 and not greater than \$25,000,000: *Provided*
21 *further*, That not more than 10 percent of the funds made
22 available under this heading may be awarded to projects
23 in a single State: *Provided further*, That the Federal share
24 of the costs for which an expenditure is made under this
25 heading shall be, at the option of the recipient, up to 80

1 percent: *Provided further*, That the Secretary shall give
2 priority to projects that require a contribution of Federal
3 funds in order to complete an overall financing package:
4 *Provided further*, That not less than 30 percent of the
5 funds provided under this heading shall be for projects lo-
6 cated in rural areas: *Provided further*, That for projects
7 located in rural areas, the minimum grant size shall be
8 \$1,000,000 and the Secretary may increase the Federal
9 share of costs above 80 percent: *Provided further*, That
10 projects conducted using funds provided under this head-
11 ing must comply with the requirements of subchapter IV
12 of chapter 31 of title 40, United States Code: *Provided*
13 *further*, That the Secretary shall conduct a new competi-
14 tion to select the grants and credit assistance awarded
15 under this heading: *Provided further*, That the Secretary
16 may retain up to \$25,000,000 of the funds provided under
17 this heading, and may transfer portions of those funds to
18 the Administrators of the Federal Highway Administra-
19 tion, the Federal Transit Administration, the Federal
20 Railroad Administration, and the Maritime Administra-
21 tion to fund the award and oversight of grants and credit
22 assistance made under the National Infrastructure Invest-
23 ments program: *Provided further*, That none of the funds
24 provided in the previous proviso may be used to hire addi-
25 tional personnel: *Provided further*, That the Secretary

1 shall consider and award projects based solely on the selec-
2 tion criteria from the fiscal year 2016 Notice of Funding
3 Opportunity: *Provided further*, That the Secretary shall
4 not use the Federal share or an applicant's ability to gen-
5 erate non-Federal revenue as a selection criteria in award-
6 ing projects: *Provided further*, That the Secretary shall
7 issue the Notice of Funding Opportunity no later than 60
8 days after enactment of this Act: *Provided further*, That
9 the Notice of Funding Opportunity shall require applica-
10 tion submissions 90 days after the publishing of such No-
11 tice: *Provided further*, That of the applications submitted
12 under the previous two provisos, the Secretary shall make
13 grants no later than 270 days after enactment of this Act
14 in such amounts that the Secretary determines: *Provided*
15 *further*, That such sums provided for national infrastruc-
16 ture investments for passenger rail transportation projects
17 under title I of division C of the Consolidated and Further
18 Continuing Appropriations Act, 2012 (Public Law 112-
19 55; 125 Stat. 641), shall remain available for expenditure
20 through fiscal year 2019 for the liquidation of valid obliga-
21 tions of active grants incurred in fiscal year 2012: *Pro-*
22 *vided further*, That such sums provided for national infra-
23 structure investments for port infrastructure projects
24 under title VIII of division F of the Consolidated and Fur-
25 ther Continuing Appropriations Act, 2013 (Public Law

1 113–6; 127 Stat. 432) shall remain available through fis-
2 cal year 2020 for the liquidation of valid obligations of
3 active grants incurred in fiscal year 2013: *Provided fur-*
4 *ther*, That the 2 preceding provisos shall be applied as if
5 they were in effect on September 30, 2018: *Provided fur-*
6 *ther*, That after calculating the distribution of obligation
7 limitation for Federal-aid highways for fiscal year 2019
8 under section 120(a), the obligation limitation shall be re-
9 duced by \$52,000,000 to a total of \$45,216,596,000: *Pro-*
10 *vided further*, That the reduction in the preceding proviso
11 shall be applied to the obligation limitation determined
12 under section 120(a)(4) for the TIFIA program (as de-
13 fined in section 601(a) of title 23, United States Code).

14 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
15 FINANCE BUREAU

16 For necessary expenses of the National Surface
17 Transportation and Innovative Finance Bureau as author-
18 ized by 49 U.S.C. 116, \$2,987,000, to remain available
19 until expended.

20 FINANCIAL MANAGEMENT CAPITAL

21 For necessary expenses for upgrading and enhancing
22 the Department of Transportation’s financial systems and
23 re-engineering business processes, \$2,000,000, to remain
24 available through September 30, 2020.

1 CYBER SECURITY INITIATIVES

2 For necessary expenses for cyber security initiatives,
3 including necessary upgrades to wide area network and
4 information technology infrastructure, improvement of
5 network perimeter controls and identity management,
6 testing and assessment of information technology against
7 business, security, and other requirements, implementa-
8 tion of Federal cyber security initiatives and information
9 infrastructure enhancements, and implementation of en-
10 hanced security controls on network devices, \$15,000,000,
11 to remain available through September 30, 2020.

12 OFFICE OF CIVIL RIGHTS

13 For necessary expenses of the Office of Civil Rights,
14 \$9,470,000.

15 TRANSPORTATION PLANNING, RESEARCH, AND

16 DEVELOPMENT

17 For necessary expenses for conducting transportation
18 planning, research, systems development, development ac-
19 tivities, and making grants, \$7,879,000, to remain avail-
20 able until expended: *Provided*, That of such amount,
21 \$1,000,000 shall be for necessary expenses for the Inter-
22 agency Infrastructure Permitting Improvement Center
23 (IIPIC): *Provided further*, That there may be transferred
24 to this appropriation, to remain available until expended,
25 amounts transferred from other Federal agencies for ex-

1 penses incurred under this heading for IIPIC activities not
2 related to transportation infrastructure: *Provided further,*
3 That the tools and analysis developed by the IIPIC shall
4 be available to other Federal agencies for the permitting
5 and review of major infrastructure projects not related to
6 transportation only to the extent that other Federal agen-
7 cies provide funding to the Department as provided for
8 under the previous proviso.

9 WORKING CAPITAL FUND

10 For necessary expenses for operating costs and cap-
11 ital outlays of the Working Capital Fund, not to exceed
12 \$203,883,000, shall be paid from appropriations made
13 available to the Department of Transportation: *Provided,*
14 That such services shall be provided on a competitive basis
15 to entities within the Department of Transportation: *Pro-*
16 *vided further,* That the above limitation on operating ex-
17 penses shall not apply to non-DOT entities: *Provided fur-*
18 *ther,* That no funds appropriated in this Act to an agency
19 of the Department shall be transferred to the Working
20 Capital Fund without majority approval of the Working
21 Capital Fund Steering Committee and approval of the
22 Secretary: *Provided further,* That no assessments may be
23 levied against any program, budget activity, subactivity or
24 project funded by this Act unless notice of such assess-
25 ments and the basis therefor are presented to the House

1 and Senate Committees on Appropriations and are ap-
2 proved by such Committees.

3 MINORITY BUSINESS RESOURCE CENTER PROGRAM

4 For necessary expenses of the Minority Business Re-
5 source Center, the provision of financial education out-
6 reach activities to eligible transportation-related small
7 businesses, the monitoring of existing loans in the guaran-
8 teed loan program, and the modification of such loans of
9 the Minority Business Resource Center, \$249,000, as au-
10 thorized by 49 U.S.C. 332: *Provided*, That notwith-
11 standing that section, these funds may be for business op-
12 portunities related to any mode of transportation.

13 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
14 OUTREACH

15 For necessary expenses for small and disadvantaged
16 business utilization and outreach activities, \$3,488,000, to
17 remain available until September 30, 2020: *Provided*,
18 That notwithstanding 49 U.S.C. 332, these funds may be
19 used for business opportunities related to any mode of
20 transportation.

21 PAYMENTS TO AIR CARRIERS

22 (AIRPORT AND AIRWAY TRUST FUND)

23 In addition to funds made available from any other
24 source to carry out the essential air service program under
25 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-

1 rived from the Airport and Airway Trust Fund, to remain
2 available until expended: *Provided*, That in determining
3 between or among carriers competing to provide service
4 to a community, the Secretary may consider the relative
5 subsidy requirements of the carriers: *Provided further*,
6 That basic essential air service minimum requirements
7 shall not include the 15-passenger capacity requirement
8 under subsection 41732(b)(3) of title 49, United States
9 Code: *Provided further*, That none of the funds in this Act
10 or any other Act shall be used to enter into a new contract
11 with a community located less than 40 miles from the
12 nearest small hub airport before the Secretary has nego-
13 tiated with the community over a local cost share: *Pro-*
14 *vided further*, That amounts authorized to be distributed
15 for the essential air service program under subsection
16 41742(b) of title 49, United States Code, shall be made
17 available immediately from amounts otherwise provided to
18 the Administrator of the Federal Aviation Administration:
19 *Provided further*, That the Administrator may reimburse
20 such amounts from fees credited to the account estab-
21 lished under section 45303 of title 49, United States Code.

22 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
23 SECRETARY OF TRANSPORTATION

24 SEC. 101. None of the funds made available in this
25 Act to the Department of Transportation may be obligated

1 for the Office of the Secretary of Transportation to ap-
2 prove assessments or reimbursable agreements pertaining
3 to funds appropriated to the modal administrations in this
4 Act, except for activities underway on the date of enact-
5 ment of this Act, unless such assessments or agreements
6 have completed the normal reprogramming process for
7 Congressional notification.

8 SEC. 102. The Secretary shall post on the Web site
9 of the Department of Transportation a schedule of all
10 meetings of the Council on Credit and Finance, including
11 the agenda for each meeting, and require the Council on
12 Credit and Finance to record the decisions and actions
13 of each meeting.

14 SEC. 103. In addition to authority provided by section
15 327 of title 49, United States Code, the Department's
16 Working Capital Fund is hereby authorized to provide
17 partial or full payments in advance and accept subsequent
18 reimbursements from all Federal agencies from available
19 funds for transit benefit distribution services that are nec-
20 essary to carry out the Federal transit pass transportation
21 fringe benefit program under Executive Order No. 13150
22 and section 3049 of Public Law 109-59: *Provided*, That
23 the Department shall maintain a reasonable operating re-
24 serve in the Working Capital Fund, to be expended in ad-
25 vance to provide uninterrupted transit benefits to Govern-

1 ment employees: *Provided further*, That such reserve will
2 not exceed one month of benefits payable and may be used
3 only for the purpose of providing for the continuation of
4 transit benefits: *Provided further*, That the Working Cap-
5 ital Fund will be fully reimbursed by each customer agen-
6 cy from available funds for the actual cost of the transit
7 benefit.

8 FEDERAL AVIATION ADMINISTRATION

9 OPERATIONS

10 (AIRPORT AND AIRWAY TRUST FUND)

11 For necessary expenses of the Federal Aviation Ad-
12 ministration, not otherwise provided for, including oper-
13 ations and research activities related to commercial space
14 transportation, administrative expenses for research and
15 development, establishment of air navigation facilities, the
16 operation (including leasing) and maintenance of aircraft,
17 subsidizing the cost of aeronautical charts and maps sold
18 to the public, the lease or purchase of passenger motor
19 vehicles for replacement only, in addition to amounts made
20 available by Public Law 112-95, \$10,410,758,000, to re-
21 main available until September 30, 2020, of which
22 \$9,833,400,000 shall be derived from the Airport and Air-
23 way Trust Fund, of which not to exceed \$7,843,427,000
24 shall be available for air traffic organization activities; not
25 to exceed \$1,334,377,000 shall be available for aviation

1 safety activities; not to exceed \$24,981,000 shall be avail-
2 able for commercial space transportation activities; not to
3 exceed \$816,562,000 shall be available for finance and
4 management activities; not to exceed \$61,796,000 shall be
5 available for NextGen and operations planning activities;
6 not to exceed \$114,312,000 shall be available for security
7 and hazardous materials safety; and not to exceed
8 \$215,303,000 shall be available for staff offices: *Provided*,
9 That not to exceed 5 percent of any budget activity, except
10 for aviation safety budget activity, may be transferred to
11 any budget activity under this heading: *Provided further*,
12 That no transfer may increase or decrease any appropria-
13 tion by more than 5 percent: *Provided further*, That any
14 transfer in excess of 5 percent shall be treated as a re-
15 programming of funds under section 405 of this Act and
16 shall not be available for obligation or expenditure except
17 in compliance with the procedures set forth in that section:
18 *Provided further*, That not later than March 31 of each
19 fiscal year hereafter, the Administrator of the Federal
20 Aviation Administration shall transmit to Congress an an-
21 nual update to the report submitted to Congress in De-
22 cember 2004 pursuant to section 221 of Public Law 108-
23 176: *Provided further*, That the amount herein appro-
24 priated shall be reduced by \$100,000 for each day after
25 March 31 that such report has not been submitted to the

1 Congress: *Provided further*, That not later than March 31
2 of each fiscal year hereafter, the Administrator shall
3 transmit to Congress a companion report that describes
4 a comprehensive strategy for staffing, hiring, and training
5 flight standards and aircraft certification staff in a format
6 similar to the one utilized for the controller staffing plan,
7 including stated attrition estimates and numerical hiring
8 goals by fiscal year: *Provided further*, That the amount
9 herein appropriated shall be reduced by \$100,000 per day
10 for each day after March 31 that such report has not been
11 submitted to Congress: *Provided further*, That funds may
12 be used to enter into a grant agreement with a nonprofit
13 standard-setting organization to assist in the development
14 of aviation safety standards: *Provided further*, That none
15 of the funds in this Act shall be available for new appli-
16 cants for the second career training program: *Provided*
17 *further*, That none of the funds in this Act shall be avail-
18 able for the Federal Aviation Administration to finalize
19 or implement any regulation that would promulgate new
20 aviation user fees not specifically authorized by law after
21 the date of the enactment of this Act: *Provided further*,
22 That there may be credited to this appropriation, as off-
23 setting collections, funds received from States, counties,
24 municipalities, foreign authorities, other public authori-
25 ties, and private sources for expenses incurred in the pro-

1 vision of agency services, including receipts for the mainte-
2 nance and operation of air navigation facilities, and for
3 issuance, renewal or modification of certificates, including
4 airman, aircraft, and repair station certificates, or for
5 tests related thereto, or for processing major repair or al-
6 teration forms: *Provided further*, That of the funds appro-
7 priated under this heading, not less than \$168,000,000
8 shall be used to fund direct operations of the current 254
9 air traffic control towers in the contract tower program,
10 including the contract tower cost share program, and any
11 airport that is currently qualified or that will qualify for
12 the program during the fiscal year: *Provided further*, That
13 none of the funds in this Act for aeronautical charting
14 and cartography are available for activities conducted by,
15 or coordinated through, the Working Capital Fund: *Pro-*
16 *vided further*, That none of the funds appropriated or oth-
17 erwise made available by this Act or any other Act may
18 be used to eliminate the Contract Weather Observers pro-
19 gram at any airport: *Provided further*, That of the amount
20 appropriated under this heading, up to \$6,000,000 shall
21 be used for providing matching funds to qualified commer-
22 cial entities seeking to demonstrate or validate tech-
23 nologies that the Federal Aviation Administration con-
24 sidered essential to the safe integration of unmanned air-
25 craft systems (UAS) in the National Airspace System at

1 Federal Aviation Administration designated UAS test
2 sites: *Provided further*, That not later than 60 days after
3 the date of enactment of this Act, the Administrator of
4 the Federal Aviation Administration shall identify essen-
5 tial integration technologies that could be demonstrated
6 or validated at test sites designated in accordance with
7 the preceding proviso.

8 FACILITIES AND EQUIPMENT
9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses, not otherwise provided for,
11 for acquisition, establishment, technical support services,
12 improvement by contract or purchase, and hire of national
13 airspace systems and experimental facilities and equip-
14 ment, as authorized under part A of subtitle VII of title
15 49, United States Code, including initial acquisition of
16 necessary sites by lease or grant; engineering and service
17 testing, including construction of test facilities and acqui-
18 sition of necessary sites by lease or grant; construction
19 and furnishing of quarters and related accommodations
20 for officers and employees of the Federal Aviation Admin-
21 istration stationed at remote localities where such accom-
22 modations are not available; and the purchase, lease, or
23 transfer of aircraft from funds available under this head-
24 ing, including aircraft for aviation regulation and certifi-
25 cation; to be derived from the Airport and Airway Trust

1 Fund, \$3,000,000,000, of which \$512,823,000 shall re-
2 main available until September 30, 2020, \$2,362,977,000
3 shall remain available until September 30, 2021, and
4 \$124,200,000 shall remain available until expended: *Pro-*
5 *vided*, That there may be credited to this appropriation
6 funds received from States, counties, municipalities, other
7 public authorities, and private sources, for expenses in-
8 curred in the establishment, improvement, and moderniza-
9 tion of national airspace systems: *Provided further*, That
10 no later than March 31, the Secretary of Transportation
11 shall transmit to the Congress an investment plan for the
12 Federal Aviation Administration which includes funding
13 for each budget line item for fiscal years 2020 through
14 2024, with total funding for each year of the plan con-
15 strained to the funding targets for those years as esti-
16 mated and approved by the Office of Management and
17 Budget.

18 RESEARCH, ENGINEERING, AND DEVELOPMENT

19 (AIRPORT AND AIRWAY TRUST FUND)

20 For necessary expenses, not otherwise provided for,
21 for research, engineering, and development, as authorized
22 under part A of subtitle VII of title 49, United States
23 Code, including construction of experimental facilities and
24 acquisition of necessary sites by lease or grant,
25 \$191,000,000, to be derived from the Airport and Airway

1 Trust Fund and to remain available until September 30,
2 2021: *Provided*, That there may be credited to this appro-
3 priation as offsetting collections, funds received from
4 States, counties, municipalities, other public authorities,
5 and private sources, which shall be available for expenses
6 incurred for research, engineering, and development.

7 GRANTS-IN-AID FOR AIRPORTS
8 (LIQUIDATION OF CONTRACT AUTHORIZATION)
9 (LIMITATION ON OBLIGATIONS)
10 (AIRPORT AND AIRWAY TRUST FUND)
11 (INCLUDING TRANSFER OF FUNDS)

12 For liquidation of obligations incurred for grants-in-
13 aid for airport planning and development, and noise com-
14 patibility planning and programs as authorized under sub-
15 chapter I of chapter 471 and subchapter I of chapter 475
16 of title 49, United States Code, and under other law au-
17 thorizing such obligations; for procurement, installation,
18 and commissioning of runway incursion prevention devices
19 and systems at airports of such title; for grants authorized
20 under section 41743 of title 49, United States Code; and
21 for inspection activities and administration of airport safe-
22 ty programs, including those related to airport operating
23 certificates under section 44706 of title 49, United States
24 Code, \$3,000,000,000, to be derived from the Airport and
25 Airway Trust Fund and to remain available until ex-

1 pending: *Provided*, That none of the funds under this head-
2 ing shall be available for the planning or execution of pro-
3 grams the obligations for which are in excess of
4 \$3,350,000,000 in fiscal year 2019, notwithstanding sec-
5 tion 47117(g) of title 49, United States Code: *Provided*
6 *further*, That none of the funds under this heading shall
7 be available for the replacement of baggage conveyor sys-
8 tems, reconfiguration of terminal baggage areas, or other
9 airport improvements that are necessary to install bulk ex-
10 plosive detection systems: *Provided further*, That notwith-
11 standing section 47109(a) of title 49, United States Code,
12 the Government's share of allowable project costs under
13 paragraph (2) for subgrants or paragraph (3) of that sec-
14 tion shall be 95 percent for a project at other than a large
15 or medium hub airport that is a successive phase of a
16 multi-phased construction project for which the project
17 sponsor received a grant in fiscal year 2011 for the con-
18 struction project: *Provided further*, That notwithstanding
19 any other provision of law, of funds limited under this
20 heading, not more than \$112,600,000 shall be available
21 for administration, not less than \$15,000,000 shall be
22 available for the Airport Cooperative Research Program,
23 not less than \$33,210,000 shall be available for Airport
24 Technology Research, and \$10,000,000, to remain avail-
25 able until expended, shall be available and transferred to

1 “Office of the Secretary, Salaries and Expenses” to carry
2 out the Small Community Air Service Development Pro-
3 gram: *Provided further*, That in addition to airports eligi-
4 ble under section 41743 of title 49, United States Code,
5 such program may include the participation of an airport
6 that serves a community or consortium that is not larger
7 than a small hub airport, according to FAA hub classifica-
8 tions effective at the time the Office of the Secretary
9 issues a request for proposals.

10 GRANTS-IN-AID FOR AIRPORTS

11 For an additional amount for “Grants-In-Aid for Air-
12 ports”, to enable the Secretary of Transportation to make
13 grants for projects as authorized by subchapter 1 of chap-
14 ter 471 and subchapter 1 of chapter 475 of title 49,
15 United States Code, \$750,000,000, to remain available
16 through September 30, 2021: *Provided*, That amounts
17 made available under this heading shall be derived from
18 the general fund, and such funds shall not be subject to
19 apportionment formulas, special apportionment categories,
20 or minimum percentages under chapter 471: *Provided fur-*
21 *ther*, That the Secretary shall distribute funds provided
22 under this heading as discretionary grants to airports:
23 *Provided further*, That the amount made available under
24 this heading shall not be subject to any limitation on obli-
25 gations for the Grants-in-Aid for Airports program set

1 forth in any Act: *Provided further*, That the Administrator
2 of the Federal Aviation Administration may retain up to
3 0.5 percent of the funds provided under this heading to
4 fund the award and oversight by the Administrator of
5 grants made under this heading.

6 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

7 ADMINISTRATION

8 SEC. 110. None of the funds in this Act may be used
9 to compensate in excess of 600 technical staff-years under
10 the federally funded research and development center con-
11 tract between the Federal Aviation Administration and the
12 Center for Advanced Aviation Systems Development dur-
13 ing fiscal year 2019.

14 SEC. 111. None of the funds in this Act shall be used
15 to pursue or adopt guidelines or regulations requiring air-
16 port sponsors to provide to the Federal Aviation Adminis-
17 tration without cost building construction, maintenance,
18 utilities and expenses, or space in airport sponsor-owned
19 buildings for services relating to air traffic control, air
20 navigation, or weather reporting: *Provided*, That the pro-
21 hibition of funds in this section does not apply to negotia-
22 tions between the agency and airport sponsors to achieve
23 agreement on “below-market” rates for these items or to
24 grant assurances that require airport sponsors to provide

1 land without cost to the Federal Aviation Administration
2 for air traffic control facilities.

3 SEC. 112. The Administrator of the Federal Aviation
4 Administration may reimburse amounts made available to
5 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
6 49 U.S.C. 45303 and any amount remaining in such ac-
7 count at the close of that fiscal year may be made available
8 to satisfy section 41742(a)(1) for the subsequent fiscal
9 year.

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

15 SEC. 114. None of the funds in this Act shall be avail-
16 able for paying premium pay under subsection 5546(a) of
17 title 5, United States Code, to any Federal Aviation Ad-
18 ministration employee unless such employee actually per-
19 formed work during the time corresponding to such pre-
20 mium pay.

21 SEC. 115. None of the funds in this Act may be obli-
22 gated or expended for an employee of the Federal Aviation
23 Administration to purchase a store gift card or gift certifi-
24 cate through use of a Government-issued credit card.

1 SEC. 116. None of the funds in this Act may be obli-
2 gated or expended for retention bonuses for an employee
3 of the Federal Aviation Administration without the prior
4 written approval of the Assistant Secretary for Adminis-
5 tration of the Department of Transportation.

6 SEC. 117. Notwithstanding any other provision of
7 law, none of the funds made available under this Act or
8 any prior Act may be used to implement or to continue
9 to implement any limitation on the ability of any owner
10 or operator of a private aircraft to obtain, upon a request
11 to the Administrator of the Federal Aviation Administra-
12 tion, a blocking of that owner's or operator's aircraft reg-
13 istration number from any display of the Federal Aviation
14 Administration's Aircraft Situational Display to Industry
15 data that is made available to the public, except data made
16 available to a Government agency, for the noncommercial
17 flights of that owner or operator.

18 SEC. 118. None of the funds in this Act shall be avail-
19 able for salaries and expenses of more than eight political
20 and Presidential appointees in the Federal Aviation Ad-
21 ministration.

22 SEC. 119. None of the funds made available under
23 this Act may be used to increase fees pursuant to section
24 44721 of title 49, United States Code, until the Federal
25 Aviation Administration provides to the House and Senate

1 Committees on Appropriations a report that justifies all
2 fees related to aeronautical navigation products and ex-
3 plains how such fees are consistent with Executive Order
4 13642.

5 SEC. 119A. None of the funds in this Act may be
6 used to close a regional operations center of the Federal
7 Aviation Administration or reduce its services unless the
8 Administrator notifies the House and Senate Committees
9 on Appropriations not less than 90 full business days in
10 advance.

11 SEC. 119B. None of the funds appropriated or lim-
12 ited by this Act may be used to change weight restrictions
13 or prior permission rules at Teterboro airport in
14 Teterboro, New Jersey.

15 SEC. 119C. None of the funds provided under this
16 Act may be used by the Administrator of the Federal Avia-
17 tion Administration to withhold from consideration and
18 approval any new application for participation in the Con-
19 tract Tower Program, or for reevaluation of Cost-share
20 Program participants, as long as the Federal Aviation Ad-
21 ministration has received an application from the airport,
22 and as long as the Administrator determines such tower
23 is eligible using the factors set forth in the Federal Avia-
24 tion Administration report, Establishment and Dis-

1 continuance Criteria for Airport Traffic Control Towers
2 (FAA–APO–90–7 as of August, 1990).

3 SEC. 119D. Notwithstanding any other provision of
4 law, none of the funds made available in this Act may be
5 obligated or expended to limit the use of an Organization
6 Designation Authorization’s (ODA) delegated functions
7 documented in its procedures manual on a type certifi-
8 cation project unless the Administrator documents a sys-
9 temic airworthiness noncompliance performance issue as
10 a result of inspection or oversight that the safety of air
11 commerce requires a limitation with regard to a specific
12 authorization or where an ODA’s capability has not been
13 previously established in terms of a new compliance meth-
14 od or design feature: *Provided*, That in such cases the
15 Federal Aviation Administration shall work with the ODA
16 holder if requested to develop the capability to execute
17 that function safely, efficiently and effectively.

18 SEC. 119E. (a) TERMINAL AERODROME FORE-
19 CAST.—The Administrator shall permit an air carrier op-
20 eration under part 121 of title 14, Code of Federal Regu-
21 lations, to operate to a destination determined to be under
22 visual flight rules without a Terminal Aerodrome Forecast
23 or Meteorological Aerodrome Report if a current Area
24 Forecast, supplemented by other local weather observa-
25 tions or reports, is available, and an alternate airport that

1 has an available Terminal Aerodrome Forecast and weath-
2 er report is specified. The air carrier shall have approved
3 procedures for dispatch and en route weather evaluation
4 and shall operate under instrument flight rules en route
5 to the destination.

6 (b) LIMITATION.—Without a written finding of neces-
7 sity, based on objective and historical evidence of immi-
8 nent threat to safety, the Administrator shall not promul-
9 gate any operation specification, policy, or guidance docu-
10 ment that is more restrictive than, or requires procedures
11 that are not expressly stated in, the regulations.

12 SEC. 119F. Of the funds provided under the heading
13 “Grants-in-aid for Airports”, up to \$3,500,000 shall be
14 for necessary expenses, including an independent
15 verification regime, to provide reimbursement to airport
16 sponsors that do not provide gateway operations and pro-
17 viders of general aviation ground support services located
18 at those airports closed during a temporary flight restric-
19 tion (TFR) for any residence of the President that is des-
20 ignated or identified to be secured by the United States
21 Secret Service, and for direct and incremental financial
22 losses incurred while such airports are closed solely due
23 to the actions of the Federal Government: *Provided*, That
24 no funds shall be obligated or distributed to airport spon-
25 sors that do not provide gateway operations and providers

1 of general aviation ground support services until an inde-
2 pendent audit is completed: *Provided further*, That losses
3 incurred as a result of violations of law, or through fault
4 or negligence, of such operators and service providers or
5 of third parties (including airports) are not eligible for re-
6 imbursements: *Provided further*, That obligation and ex-
7 penditure of funds are conditional upon full release of the
8 United States Government for all claims for financial
9 losses resulting from such actions.

10 REPORT ON NEXTGEN IMPLEMENTATION

11 SEC. 119G. (a) IN GENERAL.—Not later than 1 year
12 after the date of enactment of this Act, the Administrator
13 shall submit to Congress a report on the implementation
14 of NextGen at commercial service airports in the United
15 States.

16 (b) ELEMENTS.—The report required by subsection
17 (a) shall include the following:

18 (1) The number and percentage of commercial
19 service airports in the United States that have fully
20 implemented NextGen.

21 (2) The percentage completion of NextGen im-
22 plementation at each commercial service airport in
23 the United States.

24 (c) DEVELOPMENT OF STANDARD TO DETERMINE
25 PERCENTAGE IMPLEMENTATION OF NEXTGEN.—

1 (1) IN GENERAL.—The Administrator shall de-
2 velop a standard for determining under subsection
3 (b)(2) the percentage completion of NextGen imple-
4 mentation at commercial service airports in the
5 United States based on factors that may include an
6 accounting of efficiency benefits achieved, the degree
7 of NextGen technology and infrastructure installed,
8 and the extent of controller training on NextGen.

9 (2) INCLUSION IN REPORT.—The Administrator
10 shall include in the report submitted under sub-
11 section (a) the standard developed under paragraph
12 (1).

13 (d) DEFINITIONS.—In this section:

14 (1) ADMINISTRATOR.—The term “Adminis-
15 trator” means the Administrator of the Federal
16 Aviation Administration.

17 (2) NEXTGEN.—The term “NextGen” means
18 the Next Generation Air Transportation System.

19 FEDERAL HIGHWAY ADMINISTRATION

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 (HIGHWAY TRUST FUND)

22 (INCLUDING TRANSFER OF FUNDS)

23 Not to exceed \$446,444,304, together with advances
24 and reimbursements received by the Federal Highway Ad-
25 ministration, shall be obligated for necessary expenses for

1 administration and operation of the Federal Highway Ad-
2 ministration. In addition, \$3,248,000 shall be transferred
3 to the Appalachian Regional Commission in accordance
4 with section 104(a) of title 23, United States Code.

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

8 Funds available for the implementation or execution
9 of Federal-aid highway and highway safety construction
10 programs authorized under titles 23 and 49, United States
11 Code, and the provisions of the Fixing America's Surface
12 Transportation Act shall not exceed total obligations of
13 \$45,268,596,000 for fiscal year 2019: *Provided*, That the
14 Secretary may collect and spend fees, as authorized by
15 title 23, United States Code, to cover the costs of services
16 of expert firms, including counsel, in the field of municipal
17 and project finance to assist in the underwriting and serv-
18 icing of Federal credit instruments and all or a portion
19 of the costs to the Federal Government of servicing such
20 credit instruments: *Provided further*, That such fees are
21 available until expended to pay for such costs: *Provided*
22 *further*, That such amounts are in addition to administra-
23 tive expenses that are also available for such purpose, and
24 are not subject to any obligation limitation or the limita-

1 tion on administrative expenses under section 608 of title
2 23, United States Code.

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (HIGHWAY TRUST FUND)

5 For the payment of obligations incurred in carrying
6 out Federal-aid highway and highway safety construction
7 programs authorized under title 23, United States Code,
8 \$46,007,596,000 derived from the Highway Trust Fund
9 (other than the Mass Transit Account), to remain avail-
10 able until expended.

11 HIGHWAY INFRASTRUCTURE PROGRAMS

12 There is hereby appropriated to the Secretary of
13 Transportation \$3,300,000,000: *Provided*, That the
14 amounts made available under this heading shall be de-
15 rived from the general fund, shall be in addition to any
16 funds provided for fiscal year 2019 in this or any other
17 Act for “Federal-aid Highways” under chapter 1 of title
18 23, United States Code, and shall not affect the distribu-
19 tion or amount of funds provided in any other Act: *Pro-*
20 *vided further*, That section 1101(b) of Public Law 114–
21 94 shall apply to funds made available under this heading:
22 *Provided further*, That of the funds made available under
23 this heading, \$2,389,200,000 shall be set aside for activi-
24 ties eligible under section 133(b)(1)(A) of title 23, United
25 States Code, \$15,800,000 shall be set aside for activities

1 eligible under the Puerto Rico Highway Program as de-
2 scribed in section 165(b)(2)(C) of such title, \$5,000,000
3 shall be set aside for activities eligible under the Terri-
4 torial Highway Program, as described in section 165(e)(6)
5 of such title, \$90,000,000 shall be set aside for the elimi-
6 nation of hazards and installation of protective devices at
7 railway-highway crossings, as described in section
8 130(e)(1)(A) of such title, and \$800,000,000 shall be set
9 aside for a bridge replacement and rehabilitation program
10 for States: *Provided further*, That for purposes of this
11 heading, the term “State” means any of the 50 States
12 or the District of Columbia: *Provided further*, That the
13 funds made available under this heading for activities eli-
14 gible under section 133(b)(1)(A) of title 23, United States
15 Code, shall be suballocated in the manner described in sec-
16 tion 133(d) of such title, except that the set-aside de-
17 scribed in section 133(h) of such title shall not apply to
18 funds made available under this heading: *Provided further*,
19 That the funds made available under this heading for (1)
20 activities eligible under section 133(b)(1)(A) of such title
21 (2) the elimination of hazards and installation of protec-
22 tive devices at railway-highway crossings, and (3) a bridge
23 replacement and rehabilitation program shall be adminis-
24 tered as if apportioned under chapter 1 of such title and
25 shall remain available through September 30, 2022: *Pro-*

1 *vided further*, That the funds made available under this
2 heading for activities eligible under section 133(b)(1)(A)
3 of title 23, United States Code, shall be apportioned to
4 the States in the same ratio as the obligation limitation
5 for fiscal year 2019 is distributed among the States in
6 section 120(a)(5) of this Act: *Provided further*, That, ex-
7 cept as provided in the following proviso, the funds made
8 available under this heading for activities eligible under
9 the Puerto Rico Highway Program and activities eligible
10 under the Territorial Highway Program shall be adminis-
11 tered as if allocated under sections 165(b) and 165(c), re-
12 spectively, of such title and shall remain available through
13 September 30, 2022: *Provided further*, That the funds
14 made available under this heading for activities eligible
15 under the Puerto Rico Highway Program shall not be sub-
16 ject to the requirements of sections 165(b)(2)(A) or
17 165(b)(2)(B) of such title: *Provided further*, That the
18 funds made available under this heading for the elimi-
19 nation of hazards and installation of protective devices at
20 railway-highway crossings shall be apportioned to the
21 States as described in sections 130(f)(1) and (f)(2) of such
22 title: *Provided further*, That at least one-half of the funds
23 made available to a State under this heading for the elimi-
24 nation of hazards and installation of protective devices at
25 railway-highway crossings shall be available for the instal-

1 lation of protective devices at railway-highway crossings:
2 *Provided further*, That the funds made available under this
3 heading for the elimination of hazards and installation of
4 protective devices at railway-highway crossings shall be
5 subject to the special rule described in section 130(e)(2)
6 of such title: *Provided further*, That projects carried out
7 with funds made available under this heading for the
8 elimination of hazards and installation of protective de-
9 vices at railway-highway crossings shall be (1) subject to
10 sections 130(b), (c), and (j) of such title, (2) included in
11 the annual report described in section 130(g) of such title,
12 and (3) subject to the Federal share requirement de-
13 scribed in section 130(f)(3) of such title: *Provided further*,
14 That the funds made available under this heading for the
15 elimination of hazards and installation of protective de-
16 vices at railway-highway crossings shall be (1) available
17 for matching, as described in section 130(h) of such title,
18 subject to the requirements of such section, (2) available
19 for incentive payments, as described in section 130(i) of
20 such title, subject to the requirements of such section, and
21 (3) subject to the limitation in section 130(k) of such title:
22 *Provided further*, That the funds made available under this
23 heading for a bridge replacement and rehabilitation pro-
24 gram shall be used for highway bridge replacement or re-
25 habilitation projects on public roads: *Provided further*,

1 That except as provided in the following proviso the funds
2 made available under this heading for a bridge replace-
3 ment and rehabilitation program shall be used in areas
4 of a State that have a population of 200,000 or fewer indi-
5 viduals: *Provided further*, That if a State has no bridges
6 located in areas with a population of 200,000 or fewer
7 individuals, or if a State has no bridge replacement or re-
8 habilitation needs in areas of the State with a population
9 of 200,000 or fewer individuals, the funds made available
10 under this heading for a bridge replacement and rehabili-
11 tation program may be used for highway bridge replace-
12 ment or rehabilitation projects on public roads in any area
13 of the State: *Provided further*, That the Secretary shall
14 distribute funds made available under this heading for the
15 bridge replacement and rehabilitation program to each
16 State by the proportion that the percentage of total deck
17 area of bridges classified as in poor condition in each State
18 bears to the sum of the percentages of total deck area
19 of bridges classified as in poor condition in all States: *Pro-*
20 *vided further*, That for purposes of this heading for the
21 bridge replacement and rehabilitation program, the Sec-
22 retary shall (1) calculate population based on the latest
23 available data from the decennial census conducted under
24 section 141(a) of title 13, United States Code, and (2)
25 calculate the percentages of total deck area of bridges clas-

1 sified as in poor condition based on the National Bridge
2 Inventory as of December 31, 2017.

3 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

4 ADMINISTRATION

5 SEC. 120. (a) For fiscal year 2019, the Secretary of
6 Transportation shall—

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

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

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

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

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

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

3 (3) determine the proportion that—

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

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

20 (4) distribute the obligation limitation for Fed-
21 eral-aid highways, less the aggregate amounts not
22 distributed under paragraphs (1) and (2), for each
23 of the programs (other than programs to which
24 paragraph (1) applies) that are allocated by the Sec-
25 retary under the Fixing America's Surface Trans-

1 portation Act and title 23, United States Code, or
2 apportioned by the Secretary under sections 202 or
3 204 of that title, by multiplying—

4 (A) the proportion determined under para-
5 graph (3); by

6 (B) the amounts authorized to be appro-
7 priated for each such program for such fiscal
8 year; and

9 (5) distribute the obligation limitation for Fed-
10 eral-aid highways, less the aggregate amounts not
11 distributed under paragraphs (1) and (2) and the
12 amounts distributed under paragraph (4), for Fed-
13 eral-aid highway and highway safety construction
14 programs that are apportioned by the Secretary
15 under title 23, United States Code, (other than the
16 amounts apportioned for the National Highway Per-
17 formance Program in section 119 of title 23, United
18 States Code, that are exempt from the limitation
19 under subsection (b)(12) and the amounts appor-
20 tioned under sections 202 and 204 of that title) in
21 the proportion that—

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

1 (B) the total of the amounts authorized to
2 be appropriated for the programs that are ap-
3 portioned under title 23, United States Code, to
4 all States for such fiscal year.

5 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

6 The obligation limitation for Federal-aid highways shall
7 not apply to obligations under or for—

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

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

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

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

17 (5) subsections (b) and (c) of section 149 of the
18 Surface Transportation and Uniform Relocation As-
19 sistance Act of 1987 (101 Stat. 198);

20 (6) sections 1103 through 1108 of the Inter-
21 modal Surface Transportation Efficiency Act of
22 1991 (105 Stat. 2027);

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

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

5 (9) Federal-aid highway programs for which ob-
6 ligation authority was made available under the
7 Transportation Equity Act for the 21st Century
8 (112 Stat. 107) or subsequent Acts for multiple
9 years or to remain available until expended, but only
10 to the extent that the obligation authority has not
11 lapsed or been used;

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

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

22 (12) section 119 of title 23, United States Code
23 (but, for each of fiscal years 2013 through 2019,
24 only in an amount equal to \$639,000,000).

1 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
2 THORITY.—Notwithstanding subsection (a), the Secretary
3 shall, after August 1 of such fiscal year—

4 (1) revise a distribution of the obligation limita-
5 tion made available under subsection (a) if an
6 amount distributed cannot be obligated during that
7 fiscal year; and

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

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

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), the obligation limitation for Federal-aid
20 highways shall apply to contract authority for trans-
21 portation research programs carried out under—

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

24 (B) title VI of the Fixing America’s Sur-
25 face Transportation Act.

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

3 (A) remain available for a period of 4 fis-
4 cal years; and

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

9 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
10 FUNDS.—

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

17 (A) are authorized to be appropriated for
18 such fiscal year for Federal-aid highway pro-
19 grams; and

20 (B) the Secretary determines will not be
21 allocated to the States (or will not be appor-
22 tioned to the States under section 204 of title
23 23, United States Code), and will not be avail-
24 able for obligation, for such fiscal year because

1 of the imposition of any obligation limitation for
2 such fiscal year.

3 (2) **RATIO.**—Funds shall be distributed under
4 paragraph (1) in the same proportion as the dis-
5 tribution of obligation authority under subsection
6 (a)(5).

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

11 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
12 ceived by the Bureau of Transportation Statistics from the
13 sale of data products, for necessary expenses incurred pur-
14 suant to chapter 63 of title 49, United States Code, may
15 be credited to the Federal-aid highways account for the
16 purpose of reimbursing the Bureau for such expenses:
17 *Provided*, That such funds shall be subject to the obliga-
18 tion limitation for Federal-aid highway and highway safety
19 construction programs.

20 **SEC. 122.** Not less than 15 days prior to waiving,
21 under his or her statutory authority, any Buy America re-
22 quirement for Federal-aid highways projects, the Sec-
23 retary of Transportation shall make an informal public no-
24 tice and comment opportunity on the intent to issue such
25 waiver and the reasons therefor: *Provided*, That the Sec-

1 retary shall provide an annual report to the House and
2 Senate Committees on Appropriations on any waivers
3 granted under the Buy America requirements.

4 SEC. 123. None of the funds provided in this Act to
5 the Department of Transportation may be used to provide
6 credit assistance unless not less than 3 days before any
7 application approval to provide credit assistance under
8 sections 603 and 604 of title 23, United States Code, the
9 Secretary of Transportation provides notification in writ-
10 ing to the following committees: the House and Senate
11 Committees on Appropriations; the Committee on Envi-
12 ronment and Public Works and the Committee on Bank-
13 ing, Housing and Urban Affairs of the Senate; and the
14 Committee on Transportation and Infrastructure of the
15 House of Representatives: *Provided*, That such notifica-
16 tion shall include, but not be limited to, the name of the
17 project sponsor; a description of the project; whether cred-
18 it assistance will be provided as a direct loan, loan guar-
19 antee, or line of credit; and the amount of credit assist-
20 ance.

21 SEC. 124. None of the funds in this Act may be used
22 to make a grant for a project under section 117 of title
23 23, United States Code, unless the Secretary, at least 60
24 days before making a grant under that section, provides
25 written notification to the House and Senate Committees

1 on Appropriations of the proposed grant, including an
2 evaluation and justification for the project and the amount
3 of the proposed grant award: *Provided*, That the written
4 notification required in the previous proviso shall be made
5 no later than 180 days after enactment of this Act.

6 SEC. 125. (a) A State or territory, as defined in sec-
7 tion 165 of title 23, United States Code, may use for any
8 project eligible under section 133(b) of title 23 or section
9 165 of title 23 and located within the boundary of the
10 State or territory any earmarked amount, and any associ-
11 ated obligation limitation: *Provided*, That the Department
12 of Transportation for the State or territory for which the
13 earmarked amount was originally designated or directed
14 notifies the Secretary of Transportation of its intent to
15 use its authority under this section and submits a quar-
16 terly report to the Secretary identifying the projects to
17 which the funding would be applied. Notwithstanding the
18 original period of availability of funds to be obligated
19 under this section, such funds and associated obligation
20 limitation shall remain available for obligation for a period
21 of 3 fiscal years after the fiscal year in which the Sec-
22 retary of Transportation is notified. The Federal share of
23 the cost of a project carried out with funds made available
24 under this section shall be the same as associated with
25 the earmark.

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

3 (1) congressionally directed spending, as de-
4 fined in rule XLIV of the Standing Rules of the
5 Senate, identified in a prior law, report, or joint ex-
6 planatory statement, which was authorized to be ap-
7 propriated or appropriated more than 10 fiscal years
8 prior to the current fiscal year, and administered by
9 the Federal Highway Administration; or

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

17 (c) The authority under subsection (a) may be exer-
18 cised only for those projects or activities that have obli-
19 gated less than 10 percent of the amount made available
20 for obligation as of October 1 of the current fiscal year,
21 and shall be applied to projects within the same general
22 geographic area within 50 miles for which the funding was
23 designated, except that a State or territory may apply
24 such authority to unexpended balances of funds from
25 projects or activities the State or territory certifies have

1 been closed and for which payments have been made under
2 a final voucher.

3 (d) The Secretary shall submit consolidated reports
4 of the information provided by the States and territories
5 each quarter to the House and Senate Committees on Ap-
6 propriations.

7 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

8 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (LIMITATION ON OBLIGATIONS)

11 (HIGHWAY TRUST FUND)

12 For payment of obligations incurred in the implemen-
13 tation, execution and administration of motor carrier safe-
14 ty operations and programs pursuant to section 31110 of
15 title 49, United States Code, as amended by the Fixing
16 America's Surface Transportation Act, \$284,000,000, to
17 be derived from the Highway Trust Fund (other than the
18 Mass Transit Account), together with advances and reim-
19 bursements received by the Federal Motor Carrier Safety
20 Administration, the sum of which shall remain available
21 until expended: *Provided*, That funds available for imple-
22 mentation, execution or administration of motor carrier
23 safety operations and programs authorized under title 49,
24 United States Code, shall not exceed total obligations of
25 \$284,000,000 for "Motor Carrier Safety Operations and

1 Programs” for fiscal year 2019, of which \$9,073,000, to
2 remain available for obligation until September 30, 2021,
3 is for the research and technology program, and of which
4 \$34,824,000, to remain available for obligation until Sep-
5 tember 30, 2021, is for information management.

6 MOTOR CARRIER SAFETY GRANTS
7 (LIQUIDATION OF CONTRACT AUTHORIZATION)
8 (LIMITATION ON OBLIGATIONS)
9 (HIGHWAY TRUST FUND)
10 (INCLUDING TRANSFER OF FUNDS)

11 For payment of obligations incurred in carrying out
12 sections 31102, 31103, 31104, and 31313 of title 49,
13 United States Code, as amended by the Fixing America’s
14 Surface Transportation Act, \$382,800,000, to be derived
15 from the Highway Trust Fund (other than the Mass Tran-
16 sit Account) and to remain available until expended: *Pro-*
17 *vided*, That funds available for the implementation or exe-
18 cution of motor carrier safety programs shall not exceed
19 total obligations of \$382,800,000 in fiscal year 2019 for
20 “Motor Carrier Safety Grants”; of which \$304,300,000
21 shall be available for the motor carrier safety assistance
22 program, \$32,500,000 shall be available for the commer-
23 cial driver’s license program implementation program,
24 \$44,000,000 shall be available for the high priority activi-
25 ties program, and \$2,000,000 shall be made available for

1 commercial motor vehicle operators grants, of which
2 \$1,000,000 is to be made available from prior year unobli-
3 gated contract authority provided for Motor Carrier Safe-
4 ty grants in the Transportation Equity Act for the 21st
5 Century (Public Law 105–178), SAFETEA–LU (Public
6 Law 109–59), or other appropriations or authorization
7 acts.

8 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
9 CARRIER SAFETY ADMINISTRATION

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

14 SEC. 131. The Federal Motor Carrier Safety Admin-
15 istration shall send notice of 49 CFR section 385.308 vio-
16 lations by certified mail, registered mail, or another man-
17 ner of delivery, which records the receipt of the notice by
18 the persons responsible for the violations.

19 SEC. 132. To the maximum extent practicable, the
20 Federal Motor Carrier Safety Administration shall ensure
21 the safe and timely completion of the flexible sleeper berth
22 pilot program of the Administration.

1 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
2 OPERATIONS AND RESEARCH

3 For expenses necessary to discharge the functions of
4 the Secretary, with respect to traffic and highway safety
5 authorized under chapter 301 and part C of subtitle VI
6 of title 49, United States Code, \$190,000,000, of which
7 \$40,000,000 shall remain available through September
8 30, 2020.

9 OPERATIONS AND RESEARCH
10 (LIQUIDATION OF CONTRACT AUTHORIZATION)
11 (LIMITATION ON OBLIGATIONS)
12 (HIGHWAY TRUST FUND)

13 For payment of obligations incurred in carrying out
14 the provisions of 23 U.S.C. 403, section 4011 of the
15 FAST Act (Public Law 114–94), and chapter 303 of title
16 49, United States Code, \$152,100,000, to be derived from
17 the Highway Trust Fund (other than the Mass Transit
18 Account) and to remain available until expended: *Pro-*
19 *vided*, That none of the funds in this Act shall be available
20 for the planning or execution of programs the total obliga-
21 tions for which, in fiscal year 2019, are in excess of
22 \$152,100,000, of which \$146,700,000 shall be for pro-
23 grams authorized under 23 U.S.C. 403 and \$5,400,000
24 shall be for the National Driver Register authorized under
25 chapter 303 of title 49, United States Code: *Provided fur-*

1 *ther*, That within the \$152,100,000 obligation limitation
2 for operations and research, \$20,000,000 shall remain
3 available until September 30, 2020, and shall be in addi-
4 tion to the amount of any limitation imposed on obliga-
5 tions for future years.

6 HIGHWAY TRAFFIC SAFETY GRANTS

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (LIMITATION ON OBLIGATIONS)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in carrying out
11 provisions of 23 U.S.C. 402, 404, and 405, and section
12 4001(a)(6) of the Fixing America's Surface Transpor-
13 tation Act, to remain available until expended,
14 \$610,208,000, to be derived from the Highway Trust
15 Fund (other than the Mass Transit Account): *Provided*,
16 That none of the funds in this Act shall be available for
17 the planning or execution of programs the total obligations
18 for which, in fiscal year 2019, are in excess of
19 \$610,208,000 for programs authorized under 23 U.S.C.
20 402, 404, and 405, and section 4001(a)(6) of the Fixing
21 America's Surface Transportation Act, of which
22 \$270,400,000 shall be for "Highway Safety Programs"
23 under 23 U.S.C. 402; \$283,000,000 shall be for "National
24 Priority Safety Programs" under 23 U.S.C. 405;
25 \$30,200,000 shall be for "High Visibility Enforcement

1 Program” under 23 U.S.C. 404; and \$26,608,000 shall
2 be for “Administrative Expenses” under section
3 4001(a)(6) of the Fixing America’s Surface Transpor-
4 tation Act: *Provided further*, That none of these funds
5 shall be used for construction, rehabilitation, or remod-
6 eling costs, or for office furnishings and fixtures for State,
7 local or private buildings or structures: *Provided further*,
8 That not to exceed \$500,000 of the funds made available
9 for “National Priority Safety Programs” under 23 U.S.C.
10 405 for “Impaired Driving Countermeasures” (as de-
11 scribed in subsection (d) of that section) shall be available
12 for technical assistance to the States: *Provided further*,
13 That with respect to the “Transfers” provision under 23
14 U.S.C. 405(a)(8), any amounts transferred to increase the
15 amounts made available under section 402 shall include
16 the obligation authority for such amounts: *Provided fur-*
17 *ther*, That the Administrator shall notify the House and
18 Senate Committees on Appropriations of any exercise of
19 the authority granted under the previous proviso or under
20 23 U.S.C. 405(a)(8) within 5 days.

21 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

22 TRAFFIC SAFETY ADMINISTRATION

23 SEC. 140. An additional \$130,000 shall be made
24 available to the National Highway Traffic Safety Adminis-
25 tration, out of the amount limited for section 402 of title

1 23, United States Code, to pay for travel and related ex-
2 penses for State management reviews and to pay for core
3 competency development training and related expenses for
4 highway safety staff.

5 SEC. 141. The limitations on obligations for the pro-
6 grams of the National Highway Traffic Safety Adminis-
7 tration set in this Act shall not apply to obligations for
8 which obligation authority was made available in previous
9 public laws but only to the extent that the obligation au-
10 thority has not lapsed or been used.

11 SEC. 142. In addition to the amounts made available
12 under the heading, “Operations and Research (Liquidation
13 of Contract Authorization) (Limitation on Obligations)
14 (Highway Trust Fund)” for carrying out the provisions
15 of section 403 of title 23, United States Code,
16 \$4,000,000 shall be available to continue a high visibility
17 enforcement paid-media campaign regarding highway-rail
18 grade crossing safety in collaboration with the Federal
19 Railroad Administration.

20 FEDERAL RAILROAD ADMINISTRATION

21 SAFETY AND OPERATIONS

22 For necessary expenses of the Federal Railroad Ad-
23 ministration, not otherwise provided for, \$221,698,000, of
24 which \$15,900,000 shall remain available until expended.

1 RAILROAD RESEARCH AND DEVELOPMENT

2 For necessary expenses for railroad research and de-
3 velopment, \$40,600,000, to remain available until ex-
4 pended.

5 RAILROAD REHABILITATION AND IMPROVEMENT
6 FINANCING PROGRAM

7 The Secretary of Transportation is authorized to
8 issue direct loans and loan guarantees pursuant to sec-
9 tions 501 through 504 of the Railroad Revitalization and
10 Regulatory Reform Act of 1976 (Public Law 94–210), as
11 amended, such authority shall exist as long as any such
12 direct loan or loan guarantee is outstanding.

13 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
14 REPAIR

15 For necessary expenses related to Federal-State
16 Partnership for State of Good Repair Grants as author-
17 ized by section 24911 of title 49, United States Code,
18 \$300,000,000, to remain available until expended: *Pro-*
19 *vided*, That the Secretary may withhold up to one percent
20 of the amount provided under this heading for the costs
21 of award and project management oversight of grants car-
22 ried out under section 24911 of title 49, United States
23 Code: *Provided further*, That the Secretary shall issue the
24 Notice of Funding Opportunity that encompasses funds
25 provided under this heading in this Act and previously

1 unawarded funds provided under this heading in fiscal
2 year 2017 by Public Law 115–31 and fiscal year 2018
3 by Public Law 115–141, no later than 30 days after enact-
4 ment of this Act: *Provided further*, That the Secretary
5 shall announce the selection of projects to receive awards
6 for the funds in the previous proviso no later than 180
7 days after enactment of this Act.

8 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
9 IMPROVEMENTS

10 For necessary expenses related to Consolidated Rail
11 Infrastructure and Safety Improvements Grants, as au-
12 thorized by section 24407 of title 49, United States Code,
13 \$255,000,000, to remain available until expended: *Pro-*
14 *vided*, That section 24405(f) of title 49, United States
15 Code, shall not apply to projects for the implementation
16 of positive train control systems otherwise eligible under
17 section 24407(e)(1) of title 49, United States Code: *Pro-*
18 *vided further*, That amounts available under this heading
19 for projects selected for commuter rail passenger transpor-
20 tation may be transferred by the Secretary, after selection,
21 to the appropriate agencies to be administered in accord-
22 ance with chapter 53 of title 49, United States Code: *Pro-*
23 *vided further*, That the Secretary shall not limit eligible
24 projects from consideration for funding for planning, engi-
25 neering, environmental, construction, and design elements

1 of the same project in the same application: *Provided fur-*
2 *ther*, That unobligated balances remaining after 4 years
3 from the date of enactment may be used for any eligible
4 project under section 24407(e) of title 49, United States
5 Code: *Provided further*, That the Secretary may withhold
6 up to one percent of the amount provided under this head-
7 ing for the costs of award and project management over-
8 sight of grants carried out under section 24407 of title
9 49, United States Code: *Provided further*, That the Sec-
10 retary shall issue the Notice of Funding Opportunity that
11 encompasses previously unawarded funds provided under
12 this heading in fiscal year 2018 by Public Law 115–141
13 and funds provided under this heading in this Act no later
14 than 30 days after enactment of this Act: *Provided further*,
15 That the Secretary shall announce the selection of projects
16 to receive awards for the funds in the previous proviso no
17 later than 120 days after enactment of this Act.

18 RESTORATION AND ENHANCEMENT

19 For necessary expenses related to Restoration and
20 Enhancement Grants, as authorized by section 24408 of
21 title 49, United States Code, \$10,000,000, to remain
22 available until expended: *Provided*, That the Secretary
23 may withhold up to one percent of the funds provided
24 under this heading to fund the costs of award and project
25 management and oversight: *Provided further*, That the

1 Secretary shall issue the Notice of Funding Opportunity
2 for funds provided under this heading no later than 30
3 days after enactment of this Act: *Provided further*, That
4 the Secretary shall announce the selection of projects to
5 receive awards for the funds in the previous proviso no
6 later than 120 days after enactment of this Act.

7 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
8 RAILROAD PASSENGER CORPORATION

9 To enable the Secretary of Transportation to make
10 grants to the National Railroad Passenger Corporation for
11 activities associated with the Northeast Corridor as au-
12 thorized by section 11101(a) of the Fixing America’s Sur-
13 face Transportation Act (division A of Public Law 114–
14 94), \$650,000,000, to remain available until expended:
15 *Provided*, That the Secretary may retain up to one-half
16 of 1 percent of the funds provided under both this heading
17 and the “National Network Grants to the National Rail-
18 road Passenger Corporation” heading to fund the costs
19 of project management and oversight of activities author-
20 ized by section 11101(c) of division A of Public Law 114–
21 94: *Provided further*, That in addition to the project man-
22 agement oversight funds authorized under section
23 11101(c) of division A of Public Law 114–94, the Sec-
24 retary may retain up to an additional \$5,000,000 of the
25 funds provided under this heading to fund expenses associ-

1 ated with the Northeast Corridor Commission established
2 under section 24905 of title 49, United States Code: *Pro-*
3 *vided further*, That of the amounts made available under
4 this heading and the “National Network Grants to the Na-
5 tional Railroad Passenger Corporation” heading, not less
6 than \$50,000,000 shall be made available to bring Am-
7 trak-served facilities and stations into compliance with the
8 Americans with Disabilities Act: *Provided further*, That of
9 the amounts made available under this heading and the
10 heading “National Network Grants to the National Rail-
11 road Passenger Corporation”, not more than \$500,000
12 may be made available to provide a discount of not less
13 than 15 percent on passenger fares to veterans (as defined
14 in section 101 of title 38, United States Code).

15 NATIONAL NETWORK GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 To enable the Secretary of Transportation to make
18 grants to the National Railroad Passenger Corporation for
19 activities associated with the National Network as author-
20 ized by section 11101(b) of the Fixing America’s Surface
21 Transportation Act (division A of Public Law 114–94),
22 \$1,291,600,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may retain up to an additional
24 \$2,000,000 of the funds provided under this heading to
25 fund expenses associated with the State-Supported Route

1 Committee established under section 24712 of title 49,
2 United States Code: *Provided further*, That at least
3 \$50,000,000 of the amount provided under this heading
4 shall be available for the development, installation and op-
5 eration of railroad safety technology, including the imple-
6 mentation of a positive train control system, on State-sup-
7 ported routes as defined under section 24102(13) of title
8 49, United States Code, on which positive train control
9 systems are not required by law or regulation: *Provided*
10 *further*, That not less than \$50,000,000 of the amount
11 provided under this heading shall be for capital expenses
12 related to safety improvements, maintenance, and the non-
13 Federal match for discretionary Federal grant programs
14 to enable continued passenger rail operations on long-dis-
15 tance routes (as defined in section 24102 of title 49,
16 United States Code) on which Amtrak is the sole tenant
17 of the host railroad and positive train control systems are
18 not required by law (including regulations): *Provided fur-*
19 *ther*, That none of the funds provided under this heading
20 shall be used by Amtrak to give notice under subsection
21 (a) or (b) of section 24706 of title 49, United States Code,
22 with respect to long-distance routes (as defined in section
23 24102 of title 49, United States Code) on which Amtrak
24 is the sole tenant of the host railroad and positive train
25 control systems are not required by law (including regula-

1 tions), or otherwise initiate discontinuance of, reduce the
2 frequency of, suspend, or substantially alter the schedule
3 or route of rail service on any portion of such route oper-
4 ated in fiscal year 2018, including implementation of serv-
5 ice permitted by section 24305(a)(3)(A) of title 49, United
6 States Code, in lieu of rail service.

7 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

8 ADMINISTRATION

9 SEC. 150. None of the funds provided to the National
10 Railroad Passenger Corporation may be used to fund any
11 overtime costs in excess of \$35,000 for any individual em-
12 ployee: *Provided*, That the President of Amtrak may waive
13 the cap set in the previous proviso for specific employees
14 when the President of Amtrak determines such a cap
15 poses a risk to the safety and operational efficiency of the
16 system: *Provided further*, That the President of Amtrak
17 shall report to the House and Senate Committees on Ap-
18 propriations within 60 days of enactment of this Act, a
19 summary of all overtime payments incurred by the Cor-
20 poration for 2018 and the three prior calendar years: *Pro-*
21 *vided further*, That such summary shall include the total
22 number of employees that received waivers and the total
23 overtime payments the Corporation paid to those employ-
24 ees receiving waivers for each month for 2018 and for the
25 three prior calendar years.

1 SEC. 151. It is the sense of Congress that—

2 (1) long-distance passenger rail routes provide
3 much-needed transportation access for 4,700,000
4 riders in 325 communities in 40 States and are par-
5 ticularly important in rural areas; and

6 (2) long-distance passenger rail routes and
7 services should be sustained to ensure connectivity
8 throughout the National Network (as defined in sec-
9 tion 24102 of title 49, United States Code).

10 FEDERAL TRANSIT ADMINISTRATION

11 ADMINISTRATIVE EXPENSES

12 For necessary administrative expenses of the Federal
13 Transit Administration's programs authorized by chapter
14 53 of title 49, United States Code, \$113,165,000: *Pro-*
15 *vided*, That none of the funds provided or limited in this
16 Act may be used to create a permanent office of transit
17 security under this heading: *Provided further*, That upon
18 submission to the Congress of the fiscal year 2020 Presi-
19 dent's budget, the Secretary of Transportation shall trans-
20 mit to Congress the annual report on New Starts, includ-
21 ing proposed allocations for fiscal year 2020.

1 TRANSIT FORMULA GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in the Federal
6 Public Transportation Assistance Program in this ac-
7 count, and for payment of obligations incurred in carrying
8 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
9 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
10 5340, as amended by the Fixing America's Surface Trans-
11 portation Act, section 20005(b) of Public Law 112-141,
12 and section 3006(b) of the Fixing America's Surface
13 Transportation Act, \$9,900,000,000, to be derived from
14 the Mass Transit Account of the Highway Trust Fund
15 and to remain available until expended: *Provided*, That
16 funds available for the implementation or execution of pro-
17 grams authorized under 49 U.S.C. 5305, 5307, 5310,
18 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
19 and 5340, as amended by the Fixing America's Surface
20 Transportation Act, section 20005(b) of Public Law 112-
21 141, and section 3006(b) of the Fixing America's Surface
22 Transportation Act, shall not exceed total obligations of
23 \$9,939,380,030 in fiscal year 2019: *Provided further*, That
24 the Federal share of the cost of activities carried out under
25 49 U.S.C. section 5312 shall not exceed 80 percent, except

1 that if there is substantial public interest or benefit, the
2 Secretary may approve a greater Federal share.

3 TRANSIT INFRASTRUCTURE GRANTS

4 For an additional amount for buses and bus facilities
5 grants under section 5339 of title 49, United States Code,
6 state of good repair grants under section 5337 of such
7 title, high density state apportionments under section
8 5340(d) of such title, and the bus testing facilities under
9 sections 5312 and 5318 of such title, \$800,000,000 to re-
10 main available until expended: *Provided*, That
11 \$400,000,000 shall be available for grants as authorized
12 under section 5339 of such title, of which \$209,104,000
13 shall be available for the buses and bus facilities formula
14 grants as authorized under section 5339(a) of such title,
15 \$161,446,000 shall be available for the buses and bus fa-
16 cilities competitive grants as authorized under section
17 5339(b) of such title, and \$29,450,000 shall be available
18 for the low or no emission grants as authorized under sec-
19 tion 5339(c) of such title: *Provided further*, That
20 \$362,000,000 shall be available for the state of good re-
21 pair grants as authorized under section 5337 of such title:
22 *Provided further*, That \$30,000,000 shall be available for
23 the high density state apportionments as authorized under
24 section 5340(d) of such title: *Provided further*, That
25 \$2,000,000 shall be available for the bus testing facility

1 as authorized under section 5318 of such title: *Provided*
2 *further*, That notwithstanding section 5318(a) of such
3 title, \$6,000,000 shall be available for the operation and
4 maintenance of bus testing facilities by institutions of
5 higher education selected pursuant to section 5312(h) of
6 such title: *Provided further*, That the Secretary shall enter
7 into a contract or cooperative agreement with, or make
8 a grant to, each institution of higher education selected
9 pursuant to section 5312(h) of such title, to operate and
10 maintain a facility to conduct the testing of low or no
11 emission vehicle new bus models using the standards es-
12 tablished pursuant to section 5318(e)(2) of such title: *Pro-*
13 *vided further*, That the term “low or no emission vehicle”
14 has the meaning given the term in section 5312(e)(6) of
15 such title: *Provided further*, That the Secretary shall pay
16 80 percent of the cost of testing a low or no emission vehi-
17 cle new bus model at each selected institution of higher
18 education: *Provided further*, That the entity having the ve-
19 hicle tested shall pay 20 percent of the cost of testing:
20 *Provided further*, That a low or no emission vehicle new
21 bus model tested that receives a passing aggregate test
22 score in accordance with the standards established under
23 section 5318(e)(2) of such title, shall be deemed to be in
24 compliance with the requirements of section 5318(e) of
25 such title: *Provided further*, That amounts made available

1 by this heading shall be derived from the general fund:
2 *Provided further*, That the amounts made available under
3 this heading shall not be subject to any limitation on obli-
4 gations for transit programs set forth in any Act.

5 TECHNICAL ASSISTANCE AND TRAINING

6 For necessary expenses to carry out 49 U.S.C. 5314,
7 \$5,000,000, of which up to \$1,500,000 shall be for a coop-
8 erative agreement through which the Federal Transit Ad-
9 ministration assists small-urban, rural and tribal public
10 transit recipients and planning organizations with applied
11 innovation and capacity-building: *Provided*, That the as-
12 sistance provided under this heading not duplicate the ac-
13 tivities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

14 CAPITAL INVESTMENT GRANTS

15 For necessary expenses to carry out fixed guideway
16 capital investment grants under section 5309 of title 49,
17 United States Code, and section 3005(b) of the Fixing
18 America's Surface Transportation Act, \$2,552,687,000, to
19 remain available until September 30, 2022: *Provided*,
20 That of the amounts made available under this heading,
21 \$1,315,670,000 shall be available for projects authorized
22 under section 5309(d) of title 49, United States Code,
23 \$543,500,000 shall be available for projects authorized
24 under section 5309(e) of title 49, United States Code,
25 \$568,000,000 shall be available for projects authorized

1 under section 5309(h) of title 49, United States Code, and
2 \$100,000,000 shall be available for projects authorized
3 under section 3005(b) of the Fixing America's Surface
4 Transportation Act: *Provided further*, That the Secretary
5 shall continue to administer the capital investment grants
6 program in accordance with the procedural and sub-
7 stantive requirements of section 5309 of title 49, United
8 States Code, and of section 3005(b) of the Fixing Amer-
9 ica's Surface Transportation Act.

10 GRANTS TO THE WASHINGTON METROPOLITAN AREA

11 TRANSIT AUTHORITY

12 For grants to the Washington Metropolitan Area
13 Transit Authority as authorized under section 601 of divi-
14 sion B of Public Law 110-432, \$150,000,000, to remain
15 available until expended: *Provided*, That the Secretary of
16 Transportation shall approve grants for capital and pre-
17 ventive maintenance expenditures for the Washington
18 Metropolitan Area Transit Authority only after receiving
19 and reviewing a request for each specific project: *Provided*
20 *further*, That prior to approving such grants, the Secretary
21 shall certify that the Washington Metropolitan Area Tran-
22 sit Authority is making progress to improve its safety
23 management system in response to the Federal Transit
24 Administration's 2015 safety management inspection:
25 *Provided further*, That the Secretary shall determine that

1 the Washington Metropolitan Area Transit Authority has
2 placed the highest priority on those investments that will
3 improve the safety of the system before approving such
4 grants: *Provided further*, That the Secretary, in order to
5 ensure safety throughout the rail system, may waive the
6 requirements of section 601(e)(1) of division B of Public
7 Law 110–432.

8 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

9 ADMINISTRATION

10 (INCLUDING RESCISSION)

11 SEC. 160. The limitations on obligations for the pro-
12 grams of the Federal Transit Administration shall not
13 apply to any authority under 49 U.S.C. 5338, previously
14 made available for obligation, or to any other authority
15 previously made available for obligation.

16 SEC. 161. Notwithstanding any other provision of
17 law, any funds appropriated before October 1, 2018, under
18 any section of chapter 53 of title 49, United States Code,
19 that remain available for expenditure, may be transferred
20 to and administered under the most recent appropriation
21 heading for any such section.

22 SEC. 162. Of the unobligated amounts made available
23 for fiscal years 2005 or prior fiscal years to “Transit For-
24 mula Grants”, a total of \$46,560,000 is hereby perma-
25 nently rescinded.

1 SEC. 163. None of the funds made available under
2 this Act may be used for the implementation or further-
3 ance of new policies detailed in the “Dear Colleague” let-
4 ter distributed by the Federal Transit Administration to
5 capital investment grant program project sponsors on
6 June 29, 2018.

7 SAINT LAWRENCE SEAWAY DEVELOPMENT

8 CORPORATION

9 The Saint Lawrence Seaway Development Corpora-
10 tion is hereby authorized to make such expenditures, with-
11 in the limits of funds and borrowing authority available
12 to the Corporation, and in accord with law, and to make
13 such contracts and commitments without regard to fiscal
14 year limitations, as provided by section 104 of the Govern-
15 ment Corporation Control Act, as amended, as may be
16 necessary in carrying out the programs set forth in the
17 Corporation’s budget for the current fiscal year.

18 OPERATIONS AND MAINTENANCE

19 (HARBOR MAINTENANCE TRUST FUND)

20 For necessary expenses to conduct the operations,
21 maintenance, and capital asset renewal activities on those
22 portions of the Saint Lawrence Seaway owned, operated,
23 and maintained by the Saint Lawrence Seaway Develop-
24 ment Corporation, \$36,000,000, to be derived from the
25 Harbor Maintenance Trust Fund, pursuant to Public Law

1 99–662: *Provided*, That of the amounts made available
2 under this heading, not less than \$16,000,000 shall be
3 used on capital asset renewal activities.

4 MARITIME ADMINISTRATION

5 MARITIME SECURITY PROGRAM

6 For necessary expenses to maintain and preserve a
7 U.S.-flag merchant fleet to serve the national security
8 needs of the United States, \$300,000,000, to remain avail-
9 able until expended.

10 OPERATIONS AND TRAINING

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of operations and training ac-
13 tivities authorized by law, \$149,442,000, to remain avail-
14 able until September 30, 2020, of which \$71,000,000 shall
15 be for the operations of the United States Merchant Ma-
16 rine Academy, and of which \$18,000,000 shall remain
17 available until expended for the maintenance and repair,
18 equipment, and capital improvements at the United States
19 Merchant Marine Academy: *Provided*, That not later than
20 January 12, 2020, the Administrator of the Maritime Ad-
21 ministration shall transmit to the House and Senate Com-
22 mittees on Appropriations the annual report on sexual as-
23 sault and sexual harassment at the United States Mer-
24 chant Marine Academy as required pursuant to section
25 3507 of Public Law 110–417: *Provided further*, That of

1 the amounts made available under this heading,
2 \$3,000,000 shall be for the Maritime Environment and
3 Technology Assistance program authorized under section
4 50307 of title 46, United States Code: *Provided further*,
5 That of the amounts made available under this heading,
6 \$7,000,000, shall remain available until expended for the
7 Short Sea Transportation Program (America’s Marine
8 Highways) to make grants for the purposes authorized
9 under sections 55601(b)(1) and (3) of title 46, United
10 States Code: *Provided further*, That available balances
11 under this heading for the Short Sea Transportation Pro-
12 gram (America’s Marine Highways) from prior year recov-
13 eries shall be available to carry out activities authorized
14 under sections 55601(b)(1) and (3) of title 46, United
15 States Code: *Provided further*, That from funds provided
16 under the previous two provisos, the Secretary of Trans-
17 portation shall make grants no later than 180 days after
18 enactment of this Act in such amounts as the Secretary
19 determines: *Provided further*, That any unobligated bal-
20 ances available from previous appropriations for programs
21 and activities supporting State Maritime Academies shall
22 be transferred to and merged with the appropriations for
23 “Maritime Administration, State Maritime Academy Op-
24 erations” and shall be made available for the same pur-
25 poses.

1 STATE MARITIME ACADEMY OPERATIONS

2 For necessary expenses of operations, support and
3 training activities for State Maritime Academies,
4 \$340,200,000, of which \$30,000,000, to remain available
5 until expended, shall be for maintenance, repair, life exten-
6 sion, and capacity improvement of National Defense Re-
7 serve Fleet training ships in support of State Maritime
8 Academies, as well as other expenses related to training
9 mariners, as determined by the Secretary, of which
10 \$300,000,000, to remain available until expended shall be
11 for the National Security Multi-Mission Vessel Program,
12 including funds for construction, planning, administration,
13 and design of school ships, of which \$2,400,000 shall re-
14 main available through September 30, 2020, for the Stu-
15 dent Incentive Program, of which \$1,800,000 shall remain
16 available until expended for training ship fuel assistance,
17 and of which \$6,000,000 shall remain available until Sep-
18 tember 30, 2020, for direct payments for State Maritime
19 Academies.

20 ASSISTANCE TO SMALL SHIPYARDS

21 To make grants to qualified shipyards as authorized
22 under section 54101 of title 46, United States Code, as
23 amended by Public Law 113–281, \$20,000,000, to remain
24 available until expended.

1 SHIP DISPOSAL

2 For necessary expenses related to the disposal of ob-
3 solete vessels in the National Defense Reserve Fleet of the
4 Maritime Administration, \$5,000,000, to remain available
5 until expended.

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 For administrative expenses to carry out the guaran-
10 teed loan program, \$3,000,000, which shall be transferred
11 to and merged with the appropriations for “Operations
12 and Training”, Maritime Administration.

13 ADMINISTRATIVE PROVISIONS—MARITIME

14 ADMINISTRATION

15 SEC. 170. Notwithstanding any other provision of
16 this Act, in addition to any existing authority, the Mari-
17 time Administration is authorized to furnish utilities and
18 services and make necessary repairs in connection with
19 any lease, contract, or occupancy involving Government
20 property under control of the Maritime Administration:
21 *Provided*, That payments received therefor shall be cred-
22 ited to the appropriation charged with the cost thereof and
23 shall remain available until expended: *Provided further*,
24 That rental payments under any such lease, contract, or
25 occupancy for items other than such utilities, services, or

1 repairs shall be covered into the Treasury as miscellaneous
2 receipts.

3 PIPELINE AND HAZARDOUS MATERIALS SAFETY

4 ADMINISTRATION

5 OPERATIONAL EXPENSES

6 For necessary operational expenses of the Pipeline
7 and Hazardous Materials Safety Administration,
8 \$23,710,000: *Provided*, That the Secretary of Transpor-
9 tation shall issue a final rule to expand the applicability
10 of comprehensive oil spill response plans within 45 days
11 of enactment of this Act: *Provided further*, That the
12 amounts appropriated under this heading shall be reduced
13 by \$100,000 per day for each day that such rule has not
14 been issued following the expiration of the period set forth
15 in the previous proviso.

16 HAZARDOUS MATERIALS SAFETY

17 For expenses necessary to discharge the hazardous
18 materials safety functions of the Pipeline and Hazardous
19 Materials Safety Administration, \$58,000,000, of which
20 \$7,570,000 shall remain available until September 30,
21 2021: *Provided*, That up to \$800,000 in fees collected
22 under 49 U.S.C. 5108(g) shall be deposited in the general
23 fund of the Treasury as offsetting receipts: *Provided fur-*
24 *ther*, That there may be credited to this appropriation, to
25 remain available until expended, funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources for expenses incurred for training, for
3 reports publication and dissemination, and for travel ex-
4 penses incurred in the performance of hazardous materials
5 exemptions and approvals functions.

6 PIPELINE SAFETY
7 (PIPELINE SAFETY FUND)
8 (OIL SPILL LIABILITY TRUST FUND)

9 For expenses necessary to conduct the functions of
10 the pipeline safety program, for grants-in-aid to carry out
11 a pipeline safety program, as authorized by 49 U.S.C.
12 60107, and to discharge the pipeline program responsibil-
13 ities of the Oil Pollution Act of 1990, \$165,000,000, to
14 remain available until September 30, 2021, of which
15 \$23,000,000 shall be derived from the Oil Spill Liability
16 Trust Fund; of which \$134,000,000 shall be derived from
17 the Pipeline Safety Fund; and of which \$8,000,000 shall
18 be derived from fees collected under 49 U.S.C. 60302 and
19 deposited in the Underground Natural Gas Storage Facil-
20 ity Safety Account for the purpose of carrying out 49
21 U.S.C. 60141: *Provided*, That not less than \$1,058,000
22 of the funds provided under this heading shall be for the
23 one-call state grant program.

1 EMERGENCY PREPAREDNESS GRANTS

2 (EMERGENCY PREPAREDNESS FUND)

3 Notwithstanding the fiscal year limitation specified in
4 49 U.S.C. 5116, not more than \$28,318,000 shall remain
5 available until September 30, 2021, from amounts made
6 available by 49 U.S.C. 5116(h), 5128(b), and 5128(c):
7 *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not
8 more than 4 percent of the amounts made available from
9 this account shall be available to pay administrative costs:
10 *Provided further*, That none of the funds made available
11 by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made
12 available for obligation by individuals other than the Sec-
13 retary of Transportation, or his or her designee.

14 OFFICE OF INSPECTOR GENERAL

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Inspector
17 General to carry out the provisions of the Inspector Gen-
18 eral Act of 1978, as amended, \$92,600,000: *Provided*,
19 That the Inspector General shall have all necessary au-
20 thority, in carrying out the duties specified in the Inspec-
21 tor General Act, as amended (5 U.S.C. App. 3), to inves-
22 tigate allegations of fraud, including false statements to
23 the government (18 U.S.C. 1001), by any person or entity
24 that is subject to regulation by the Department of Trans-
25 portation: *Provided further*, That the funds made available

1 under this heading may be used to investigate, pursuant
2 to section 41712 of title 49, United States Code: (1) un-
3 fair or deceptive practices and unfair methods of competi-
4 tion by domestic and foreign air carriers and ticket agents;
5 and (2) the compliance of domestic and foreign air carriers
6 with respect to item (1) of this proviso.

7 GENERAL PROVISIONS—DEPARTMENT OF
8 TRANSPORTATION

9 SEC. 180. (a) During the current fiscal year, applica-
10 ble appropriations to the Department of Transportation
11 shall be available for maintenance and operation of air-
12 craft; hire of passenger motor vehicles and aircraft; pur-
13 chase of liability insurance for motor vehicles operating
14 in foreign countries on official department business; and
15 uniforms or allowances therefor, as authorized by law (5
16 U.S.C. 5901–5902).

17 (b) During the current fiscal year, applicable appro-
18 priations to the Department and its operating administra-
19 tions shall be available for the purchase, maintenance, op-
20 eration, and deployment of unmanned aircraft systems
21 that advance the Department's, or its operating adminis-
22 trations', missions.

23 (c) Any unmanned aircraft system purchased or pro-
24 cured by the Department prior to the enactment of this
25 Act shall be deemed authorized.

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

6 SEC. 182. (a) No recipient of funds made available
7 in this Act shall disseminate personal information (as de-
8 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
9 ment of motor vehicles in connection with a motor vehicle
10 record as defined in 18 U.S.C. 2725(1), except as provided
11 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
12 2721.

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

16 SEC. 183. None of the funds in this Act shall be avail-
17 able for salaries and expenses of more than 110 political
18 and Presidential appointees in the Department of Trans-
19 portation: *Provided*, That none of the personnel covered
20 by this provision may be assigned on temporary detail out-
21 side the Department of Transportation.

22 SEC. 184. Funds received by the Federal Highway
23 Administration and Federal Railroad Administration from
24 States, counties, municipalities, other public authorities,
25 and private sources for expenses incurred for training may

1 be credited respectively to the Federal Highway Adminis-
2 tration's "Federal-Aid Highways" account and to the Fed-
3 eral Railroad Administration's "Safety and Operations"
4 account, except for State rail safety inspectors partici-
5 pating in training pursuant to 49 U.S.C. 20105.

6 SEC. 185. (a) None of the funds provided in this Act
7 to the Department of Transportation may be used to make
8 a loan, loan guarantee, line of credit, or discretionary
9 grant unless the Secretary of Transportation notifies the
10 House and Senate Committees on Appropriations not less
11 than 3 full business days before any project competitively
12 selected to receive any discretionary grant award, letter
13 of intent, loan commitment, loan guarantee commitment,
14 line of credit commitment, or full funding grant agreement
15 is announced by the Department or its modal administra-
16 tions: *Provided*, That the Secretary gives concurrent noti-
17 fication to the House and Senate Committees on Appro-
18 priations for any "quick release" of funds from the emer-
19 gency relief program: *Provided further*, That no notifica-
20 tion shall involve funds that are not available for obliga-
21 tion.

22 (b) In addition to the notification required in sub-
23 section (a), none of the funds made available in this Act
24 to the Department of Transportation may be used to make
25 a loan, loan guarantee, line of credit, cooperative agree-

1 ment or discretionary grant unless the Secretary of Trans-
2 portation provides the House and Senate Committees on
3 Appropriations a comprehensive list of all such loans, loan
4 guarantees, lines of credit, cooperative agreement or dis-
5 cretionary grants that will be announced not less the 3
6 full business days before such announcement: *Provided*,
7 That the requirement to provide a list in this subsection
8 does not apply to any “quick release” of funds from the
9 emergency relief program: *Provided further*, That no list
10 shall involve funds that are not available for obligation.

11 SEC. 186. Rebates, refunds, incentive payments,
12 minor fees and other funds received by the Department
13 of Transportation from travel management centers,
14 charge card programs, the subleasing of building space,
15 and miscellaneous sources are to be credited to appropria-
16 tions of the Department of Transportation and allocated
17 to elements of the Department of Transportation using
18 fair and equitable criteria and such funds shall be avail-
19 able until expended.

20 SEC. 187. Amounts made available in this or any
21 prior Act that the Secretary determines represent im-
22 proper payments by the Department of Transportation to
23 a third-party contractor under a financial assistance
24 award, which are recovered pursuant to law, shall be avail-
25 able—

1 (1) to reimburse the actual expenses incurred
2 by the Department of Transportation in recovering
3 improper payments: *Provided*, That amounts made
4 available in this Act shall be available until ex-
5 pended; and

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

11 (A) shall be credited to and merged with
12 the appropriation from which the improper pay-
13 ments were made, and shall be available for the
14 purposes and period for which such appropria-
15 tions are available: *Provided further*, That
16 where specific project or accounting information
17 associated with the improper payment or pay-
18 ments is not readily available, the Secretary
19 may credit an appropriate account, which shall
20 be available for the purposes and period associ-
21 ated with the account so credited; or

22 (B) if no such appropriation remains avail-
23 able, shall be deposited in the Treasury as mis-
24 cellaneous receipts: *Provided further*, That prior
25 to the transfer of any such recovery to an ap-

1 appropriations account, the Secretary shall notify
2 the House and Senate Committees on Appro-
3 priations of the amount and reasons for such
4 transfer: *Provided further*, That for purposes of
5 this section, the term “improper payments” has
6 the same meaning as that provided in section
7 2(d)(2) of Public Law 107–300.

8 SEC. 188. Notwithstanding any other provision of
9 law, if any funds provided in or limited by this Act are
10 subject to a reprogramming action that requires notice to
11 be provided to the House and Senate Committees on Ap-
12 propriations, transmission of said reprogramming notice
13 shall be provided solely to the House and Senate Commit-
14 tees on Appropriations, and said reprogramming action
15 shall be approved or denied solely by the House and Sen-
16 ate Committees on Appropriations: *Provided*, That the
17 Secretary of Transportation may provide notice to other
18 congressional committees of the action of the House and
19 Senate Committees on Appropriations on such reprogram-
20 ming but not sooner than 30 days following the date on
21 which the reprogramming action has been approved or de-
22 nied by the House and Senate Committees on Appropria-
23 tions.

24 SEC. 189. Funds appropriated in this Act to the
25 modal administrations may be obligated for the Office of

1 the Secretary for the costs related to assessments or reim-
2 bursable agreements only when such amounts are for the
3 costs of goods and services that are purchased to provide
4 a direct benefit to the applicable modal administration or
5 administrations.

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

12 SEC. 191. The Department of Transportation may
13 use funds provided by this Act, or any other Act, to assist
14 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
15 geographic, economic, or any other hiring preference not
16 otherwise authorized by law, or to amend a rule, regula-
17 tion, policy or other measure that forbids a recipient of
18 a Federal Highway Administration or Federal Transit Ad-
19 ministration grant from imposing such hiring preference
20 on a contract or construction project with which the De-
21 partment of Transportation is assisting, only if the grant
22 recipient certifies the following:

23 (1) that except with respect to apprentices or
24 trainees, a pool of readily available but unemployed
25 individuals possessing the knowledge, skill, and abil-

1 ity to perform the work that the contract requires
2 resides in the jurisdiction;

3 (2) that the grant recipient will include appro-
4 priate provisions in its bid document ensuring that
5 the contractor does not displace any of its existing
6 employees in order to satisfy such hiring preference;
7 and

8 (3) that any increase in the cost of labor, train-
9 ing, or delays resulting from the use of such hiring
10 preference does not delay or displace any transpor-
11 tation project in the applicable Statewide Transpor-
12 tation Improvement Program or Transportation Im-
13 provement Program.

14 SEC. 192. Not later than 90 days after the date of
15 enactment of this Act, the Secretary of Transportation
16 shall submit to the Committees on Appropriations and
17 Commerce, Science, and Transportation of the Senate and
18 the Committees on Appropriations and Transportation
19 and Infrastructure of the House of Representatives a re-
20 port on efforts by the Department of Transportation to
21 engage with local communities, metropolitan planning or-
22 ganizations, and regional transportation commissions on
23 advancing data and intelligent transportation systems
24 technologies and other smart cities solutions.

1 SEC. 193. The Secretary of Transportation shall con-
2 sult with the Assistant Secretary of the Army for Civil
3 Works to identify any existing authorities and any addi-
4 tional authorities that may be needed to leverage funds
5 from Department of Transportation programs for pur-
6 poses of inland waterway project costs.

7 SEC. 194. (a) Subject to subsections (c) and (d), none
8 of the funds appropriated or otherwise made available to
9 the Department of Transportation by this or any other
10 Act may be obligated or expended to enforce or require
11 the enforcement of section 127(a) of title 23, United
12 States Code, with respect to a segment described in para-
13 graph (1) or (2) of subsection (b) if the segment is des-
14 ignated as a route of the Interstate System.

15 (b) The segments referred to in subsection (a) are
16 the following:

17 (1) The William H. Natcher Parkway (to be
18 designated as a spur of Interstate Route 65) from
19 Interstate Route 65 in Bowling Green, Kentucky, to
20 United States Route 60 in Owensboro, Kentucky.

21 (2) The Julian M. Carroll (Purchase) Parkway
22 (to be designated as Interstate Route 69) in the
23 State of Kentucky from the Tennessee State line to
24 the interchange with Interstate Route 24, near Cal-
25 vert City, Kentucky.

1 (c) Only a vehicle that could operate legally on a seg-
2 ment described in paragraph (1) or (2) of subsection (b)
3 before the date of designation of the segment as a route
4 of the Interstate System may continue to operate on that
5 segment, subject to the condition that, except as provided
6 in subsection (d), the gross vehicle weight of such a vehicle
7 shall not exceed 120,000 pounds.

8 (d) Nothing in this section prohibits a State from
9 issuing a permit for a nondivisible load or vehicle with a
10 gross vehicle weight that exceeds 120,000 pounds.

11 SEC. 195. None of the funds appropriated or other-
12 wise made available to the Department of Transportation
13 may be obligated or expended to implement, administer,
14 or enforce the requirements of section 31137 of title 49,
15 United States Code, or any regulation issued by the Sec-
16 retary pursuant to such section, with respect to the use
17 of electronic logging devices by operators of commercial
18 motor vehicles, as defined in section 31132(1) of such
19 title, transporting livestock, as defined in section 602 of
20 the Emergency Livestock Feed Assistance Act of 1988 (7
21 U.S.C. 1471) or insects.

22 SEC. 196. (a) None of the funds appropriated or oth-
23 erwise made available to the Federal Transit Administra-
24 tion under this title to carry out sections 5307, 5311,
25 5337, and 5339 of title 49, United States Code, may be

1 used in awarding a contract or subcontract to an entity
2 on or after the date of enactment of this Act for the pro-
3 curement of rolling stock for use in public transportation
4 if the manufacturer of the rolling stock is incorporated
5 in or has manufacturing facilities in the United States and
6 receives support from the government of a country that—

7 (1) is identified as a nonmarket economy coun-
8 try (as defined in section 771(18) of the Tariff Act
9 of 1930 (19 U.S.C. 1677(18))) as of the date of en-
10 actment of this Act;

11 (2) was identified by the United States Trade
12 Representative in the most recent report required by
13 section 182 of the Trade Act of 1974 (19 U.S.C.
14 2242) as a priority foreign country under subsection
15 (a)(2) of that section; and

16 (3) is subject to monitoring by the Trade Rep-
17 resentative under section 306 of the Trade Act of
18 1974 (19 U.S.C. 2416).

19 (b) This section shall be applied in a manner con-
20 sistent with the obligations of the United States under
21 international agreements.

22 (c)(1) This section shall not apply to the award of
23 a contract or subcontract made by a public transportation
24 agency with a rail rolling stock manufacturer described in
25 subsection (a) if the manufacturer produces rail rolling

1 stock for an eligible public transportation agency through
2 a contract executed prior to the date of enactment of this
3 Act.

4 (2) A rail rolling stock manufacturer described in
5 subsection (a) may not use funds provided under a con-
6 tract or subcontract described in paragraph (1) to expand
7 the manufacturer's production of rail rolling stock within
8 the United States to an amount of rolling stock vehicles
9 or railcars that is greater than the amount required under
10 contractual obligations of the manufacturer as of the date
11 of enactment of this Act including all options for addi-
12 tional rolling stock.

13 (d) Nothing in this section shall be construed to apply
14 to funds that are not appropriated or otherwise made
15 available to the Federal Transit Administration under this
16 title.

17 This title may be cited as the "Department of Trans-
18 portation Appropriations Act, 2019".

19 TITLE II

20 DEPARTMENT OF HOUSING AND URBAN

21 DEVELOPMENT

22 MANAGEMENT AND ADMINISTRATION

23 EXECUTIVE OFFICES

24 For necessary salaries and expenses for Executive Of-
25 fices, which shall be comprised of the offices of the Sec-

1 retary, Deputy Secretary, Adjudicatory Services, Congres-
2 sional and Intergovernmental Relations, Public Affairs,
3 Small and Disadvantaged Business Utilization, and the
4 Center for Faith-Based and Neighborhood Partnerships,
5 \$14,898,000: *Provided*, That not to exceed \$25,000 of the
6 amount made available under this heading shall be avail-
7 able to the Secretary for official reception and representa-
8 tion expenses as the Secretary may determine.

9 ADMINISTRATIVE SUPPORT OFFICES

10 For necessary salaries and expenses for Administra-
11 tive Support Offices, \$556,000,000, of which \$76,600,000
12 shall be available for the Office of the Chief Financial Offi-
13 cer, (and of which \$25,000,000, to remain available until
14 September 30, 2021, shall be for the financial trans-
15 formation initiative); \$98,000,000 shall be available for
16 the Office of the General Counsel, of which not less than
17 \$15,000,000 shall be for the Departmental Enforcement
18 Center; \$213,300,000 shall be available for the Office of
19 Administration; \$40,200,000 shall be available for the Of-
20 fice of the Chief Human Capital Officer; \$54,000,000
21 shall be available for the Office of Field Policy and Man-
22 agement; \$20,000,000 shall be available for the Office of
23 the Chief Procurement Officer; \$3,600,000 shall be avail-
24 able for the Office of Departmental Equal Employment
25 Opportunity; \$4,300,000 shall be available for the Office

1 of Business Transformation; and \$46,00,000 shall be
2 available for the Office of the Chief Information Officer:
3 *Provided*, That funds provided under this heading may be
4 used for necessary administrative and non-administrative
5 expenses of the Department of Housing and Urban Devel-
6 opment, not otherwise provided for, including purchase of
7 uniforms, or allowances therefor, as authorized by 5
8 U.S.C. 5901–5902; hire of passenger motor vehicles; and
9 services as authorized by 5 U.S.C. 3109: *Provided further*,
10 That notwithstanding any other provision of law, funds
11 appropriated under this heading may be used for adver-
12 tising and promotional activities that directly support pro-
13 gram activities funded in this title: *Provided further*, That
14 the Secretary shall provide the House and Senate Commit-
15 tees on Appropriations quarterly written notification re-
16 garding the status of pending congressional reports: *Pro-*
17 *vided further*, That the Secretary shall provide in elec-
18 tronic form all signed reports required by Congress: *Pro-*
19 *vided further*, That not more than 10 percent of the funds
20 made available under this heading for the Office of Chief
21 Financial Officer for the financial transformation initia-
22 tive may be obligated until the Secretary submits to the
23 House and Senate Committees on Appropriations, for ap-
24 proval, a plan for expenditure that includes the financial
25 and internal control capabilities to be delivered and the

1 mission benefits to be realized, key milestones to be met,
2 and the relationship between the proposed use of funds
3 made available under this heading and the projected total
4 cost and scope of the initiative.

5 PROGRAM OFFICE SALARIES AND EXPENSES

6 PUBLIC AND INDIAN HOUSING

7 For necessary salaries and expenses of the Office of
8 Public and Indian Housing, \$222,000,000.

9 COMMUNITY PLANNING AND DEVELOPMENT

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

12 HOUSING

13 For necessary salaries and expenses of the Office of
14 Housing, \$390,000,000, of which not less than
15 \$12,500,000 shall be for the Office of Recapitalization.

16 POLICY DEVELOPMENT AND RESEARCH

17 For necessary salaries and expenses of the Office of
18 Policy Development and Research, \$26,000,000.

19 FAIR HOUSING AND EQUAL OPPORTUNITY

20 For necessary salaries and expenses of the Office of
21 Fair Housing and Equal Opportunity, \$71,500,000.

22 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

23 HOMES

24 For necessary salaries and expenses of the Office of
25 Lead Hazard Control and Healthy Homes, \$7,800,000.

1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

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

1 aggregate, from all such appropriations, to be merged with
2 the Fund and to remain available until expended for any
3 purpose under this heading: *Provided further*, That
4 amounts in the Fund shall be the only amounts available
5 to each office or agency of the Department for the serv-
6 ices, or portion of services, specified in the matter pre-
7 ceding the first proviso: *Provided further*, That with re-
8 spect to the Fund, the authorities and conditions under
9 this heading shall supplement the authorities and condi-
10 tions provided under section 7(f).

11 PUBLIC AND INDIAN HOUSING

12 TENANT-BASED RENTAL ASSISTANCE

13 For activities and assistance for the provision of ten-
14 ant-based rental assistance authorized under the United
15 States Housing Act of 1937, as amended (42 U.S.C. 1437
16 et seq.) (“the Act” herein), not otherwise provided for,
17 \$18,780,987,000, to remain available until expended, shall
18 be available on October 1, 2018 (in addition to the
19 \$4,000,000,000 previously appropriated under this head-
20 ing that shall be available on October 1, 2018), and
21 \$4,000,000,000, to remain available until expended, shall
22 be available on October 1, 2019: *Provided*, That the
23 amounts made available under this heading are provided
24 as follows:

1 (1) \$20,520,000,000 shall be available for re-
2 newals of expiring section 8 tenant-based annual
3 contributions contracts (including renewals of en-
4 hanced vouchers under any provision of law author-
5 izing such assistance under section 8(t) of the Act)
6 and including renewal of other special purpose incre-
7 mental vouchers: *Provided*, That notwithstanding
8 any other provision of law, from amounts provided
9 under this paragraph and any carryover, the Sec-
10 retary for the calendar year 2019 funding cycle shall
11 provide renewal funding for each public housing
12 agency based on validated voucher management sys-
13 tem (VMS) leasing and cost data for the prior cal-
14 endar year and by applying an inflation factor as es-
15 tablished by the Secretary, by notice published in
16 the Federal Register, and by making any necessary
17 adjustments for the costs associated with the first-
18 time renewal of vouchers under this paragraph in-
19 cluding tenant protection and Choice Neighborhoods
20 vouchers: *Provided further*, That none of the funds
21 provided under this paragraph may be used to fund
22 a total number of unit months under lease which ex-
23 ceeds a public housing agency's authorized level of
24 units under contract, except for public housing agen-
25 cies participating in the MTW demonstration, which

1 are instead governed by the terms and conditions of
2 their MTW agreements: *Provided further*, That the
3 Secretary shall, to the extent necessary to stay with-
4 in the amount specified under this paragraph (ex-
5 cept as otherwise modified under this paragraph),
6 prorate each public housing agency's allocation oth-
7 erwise established pursuant to this paragraph: *Pro-*
8 *vided further*, That except as provided in the fol-
9 lowing provisos, the entire amount specified under
10 this paragraph (except as otherwise modified under
11 this paragraph) shall be obligated to the public hous-
12 ing agencies based on the allocation and pro rata
13 method described above, and the Secretary shall no-
14 tify public housing agencies of their annual budget
15 by the latter of 60 days after enactment of this Act
16 or March 1, 2019: *Provided further*, That the Sec-
17 retary may extend the notification period with the
18 prior written approval of the House and Senate
19 Committees on Appropriations: *Provided further*,
20 That public housing agencies participating in the
21 MTW demonstration shall be funded pursuant to
22 their MTW agreements and shall be subject to the
23 same pro rata adjustments under the previous pro-
24 visos: *Provided further*, That the Secretary may off-
25 set public housing agencies' calendar year 2019 allo-

1 cations based on the excess amounts of public hous-
2 ing agencies' net restricted assets accounts, includ-
3 ing HUD-held programmatic reserves (in accordance
4 with VMS data in calendar year 2018 that is
5 verifiable and complete), as determined by the Sec-
6 retary: *Provided further*, That public housing agen-
7 cies participating in the MTW demonstration shall
8 also be subject to the offset, as determined by the
9 Secretary, excluding amounts subject to the single
10 fund budget authority provisions of their MTW
11 agreements, from the agencies' calendar year 2019
12 MTW funding allocation: *Provided further*, That the
13 Secretary shall use any offset referred to in the pre-
14 vious two provisos throughout the calendar year to
15 prevent the termination of rental assistance for fam-
16 ilies as the result of insufficient funding, as deter-
17 mined by the Secretary, and to avoid or reduce the
18 proration of renewal funding allocations: *Provided*
19 *further*, That up to \$100,000,000 shall be available
20 only: (1) for adjustments in the allocations for public
21 housing agencies, after application for an adjust-
22 ment by a public housing agency that experienced a
23 significant increase, as determined by the Secretary,
24 in renewal costs of vouchers resulting from unfore-
25 seen circumstances or from portability under section

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

14 (2) \$85,000,000 shall be for section 8 rental as-
15 sistance for relocation and replacement of housing
16 units that are demolished or disposed of pursuant to
17 section 18 of the Act, conversion of section 23
18 projects to assistance under section 8, the family
19 unification program under section 8(x) of the Act,
20 relocation of witnesses in connection with efforts to
21 combat crime in public and assisted housing pursu-
22 ant to a request from a law enforcement or prosecu-
23 tion agency, enhanced vouchers under any provision
24 of law authorizing such assistance under section 8(t)
25 of the Act, Choice Neighborhood vouchers, manda-

1 tory and voluntary conversions, and tenant protec-
2 tion assistance including replacement and relocation
3 assistance or for project-based assistance to prevent
4 the displacement of unassisted elderly tenants cur-
5 rently residing in section 202 properties financed be-
6 tween 1959 and 1974 that are refinanced pursuant
7 to Public Law 106–569, as amended, or under the
8 authority as provided under this Act: *Provided*, That
9 when a public housing development is submitted for
10 demolition or disposition under section 18 of the
11 Act, the Secretary may provide section 8 rental as-
12 sistance when the units pose an imminent health
13 and safety risk to residents: *Provided further*, That
14 the Secretary may only provide replacement vouch-
15 ers for units that were occupied within the previous
16 24 months that cease to be available as assisted
17 housing, subject only to the availability of funds:
18 *Provided further*, That of the amounts made avail-
19 able under this paragraph, \$5,000,000 may be avail-
20 able to provide tenant protection assistance, not oth-
21 erwise provided under this paragraph, to residents
22 residing in low vacancy areas and who may have to
23 pay rents greater than 30 percent of household in-
24 come, as the result of: (A) the maturity of a HUD-
25 insured, HUD-held or section 202 loan that requires

1 the permission of the Secretary prior to loan prepay-
2 ment; (B) the expiration of a rental assistance con-
3 tract for which the tenants are not eligible for en-
4 hanced voucher or tenant protection assistance
5 under existing law; or (C) the expiration of afford-
6 ability restrictions accompanying a mortgage or
7 preservation program administered by the Secretary:
8 *Provided further*, That such tenant protection assist-
9 ance made available under the previous proviso may
10 be provided under the authority of section 8(t) or
11 section 8(o)(13) of the United States Housing Act
12 of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That
13 the Secretary shall issue guidance to implement the
14 previous provisos, including, but not limited to, re-
15 quirements for defining eligible at-risk households
16 within 60 days of the enactment of this Act: *Pro-*
17 *vided further*, That any tenant protection voucher
18 made available from amounts under this paragraph
19 shall not be reissued by any public housing agency,
20 except the replacement vouchers as defined by the
21 Secretary by notice, when the initial family that re-
22 ceived any such voucher no longer receives such
23 voucher, and the authority for any public housing
24 agency to issue any such voucher shall cease to exist:
25 *Provided further*, That the Secretary may provide

1 section 8 rental assistance from amounts made
2 available under this paragraph for units assisted
3 under a project-based subsidy contract funded under
4 the “Project-Based Rental Assistance” heading
5 under this title where the owner has received a No-
6 tice of Default and the units pose an imminent
7 health and safety risk to residents: *Provided further,*
8 That to the extent that the Secretary determines
9 that such units are not feasible for continued rental
10 assistance payments or transfer of the subsidy con-
11 tract associated with such units to another project
12 or projects and owner or owners, any remaining
13 amounts associated with such units under such con-
14 tract shall be recaptured and used to reimburse
15 amounts used under this paragraph for rental assist-
16 ance under the preceding proviso;

17 (3) \$1,956,987,000 shall be for administrative
18 and other expenses of public housing agencies in ad-
19 ministering the section 8 tenant-based rental assist-
20 ance program, of which up to \$30,000,000 shall be
21 available to the Secretary to allocate to public hous-
22 ing agencies that need additional funds to admin-
23 ister their section 8 programs, including fees associ-
24 ated with section 8 tenant protection rental assist-
25 ance, the administration of disaster related vouchers,

1 HUD–VASH vouchers, and other special purpose in-
2 cremental vouchers: *Provided*, That no less than
3 \$1,926,987,000 of the amount provided in this para-
4 graph shall be allocated to public housing agencies
5 for the calendar year 2019 funding cycle based on
6 section 8(q) of the Act (and related Appropriation
7 Act provisions) as in effect immediately before the
8 enactment of the Quality Housing and Work Re-
9 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
10 *vided further*, That if the amounts made available
11 under this paragraph are insufficient to pay the
12 amounts determined under the previous proviso, the
13 Secretary may decrease the amounts allocated to
14 agencies by a uniform percentage applicable to all
15 agencies receiving funding under this paragraph or
16 may, to the extent necessary to provide full payment
17 of amounts determined under the previous proviso,
18 utilize unobligated balances, including recaptures
19 and carryovers, remaining from funds appropriated
20 to the Department of Housing and Urban Develop-
21 ment under this heading from prior fiscal years, ex-
22 cluding special purpose vouchers, notwithstanding
23 the purposes for which such amounts were appro-
24 priated: *Provided further*, That all public housing
25 agencies participating in the MTW demonstration

1 shall be funded pursuant to their MTW agreements,
2 and shall be subject to the same uniform percentage
3 decrease as under the previous proviso: *Provided fur-*
4 *ther*, That amounts provided under this paragraph
5 shall be only for activities related to the provision of
6 tenant-based rental assistance authorized under sec-
7 tion 8, including related development activities;

8 (4) \$154,000,000 for the renewal of tenant-
9 based assistance contracts under section 811 of the
10 Cranston-Gonzalez National Affordable Housing Act
11 (42 U.S.C. 8013), including necessary administra-
12 tive expenses: *Provided*, That administrative and
13 other expenses of public housing agencies in admin-
14 istering the special purpose vouchers in this para-
15 graph shall be funded under the same terms and be
16 subject to the same pro rata reduction as the per-
17 cent decrease for administrative and other expenses
18 to public housing agencies under paragraph (3) of
19 this heading: *Provided further*, That any amounts
20 provided under this paragraph in this Act or prior
21 Acts, remaining available after funding renewals and
22 administrative expenses under this paragraph, shall
23 be available for incremental tenant-based assistance
24 contracts under such section 811, including nec-
25 essary administrative expenses;

1 (5) \$5,000,000 shall be for rental assistance
2 and associated administrative fees for Tribal HUD–
3 VASH to serve Native American veterans that are
4 homeless or at-risk of homelessness living on or near
5 a reservation or other Indian areas: *Provided*, That
6 such amount shall be made available for renewal
7 grants to recipients that received assistance under
8 prior Acts under the Tribal HUD–VASH program:
9 *Provided further*, That the Secretary shall be author-
10 ized to specify criteria for renewal grants, including
11 data on the utilization of assistance reported by
12 grant recipients: *Provided further*, That such assist-
13 ance shall be administered in accordance with pro-
14 gram requirements under the Native American
15 Housing Assistance and Self-Determination Act of
16 1996 and modeled after the HUD–VASH program:
17 *Provided further*, That the Secretary shall be author-
18 ized to waive, or specify alternative requirements for
19 any provision of any statute or regulation that the
20 Secretary administers in connection with the use of
21 funds made available under this paragraph (except
22 for requirements related to fair housing, non-
23 discrimination, labor standards, and the environ-
24 ment), upon a finding by the Secretary that any
25 such waivers or alternative requirements are nec-

1 essary for the effective delivery and administration
2 of such assistance: *Provided further*, That grant re-
3 cipients shall report to the Secretary on utilization
4 of such rental assistance and other program data, as
5 prescribed by the Secretary: *Provided further*, That
6 the Secretary may reallocate, as determined by the
7 Secretary, amounts returned or recaptured from
8 awards under prior acts;

9 (6) \$40,000,000 for incremental rental voucher
10 assistance for use through a supported housing pro-
11 gram administered in conjunction with the Depart-
12 ment of Veterans Affairs as authorized under section
13 8(o)(19) of the United States Housing Act of 1937:
14 *Provided*, That the Secretary of Housing and Urban
15 Development shall make such funding available, not-
16 withstanding section 203 (competition provision) of
17 this title, to public housing agencies that partner
18 with eligible VA Medical Centers or other entities as
19 designated by the Secretary of the Department of
20 Veterans Affairs, based on geographical need for
21 such assistance as identified by the Secretary of the
22 Department of Veterans Affairs, public housing
23 agency administrative performance, and other fac-
24 tors as specified by the Secretary of Housing and
25 Urban Development in consultation with the Sec-

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

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

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

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

11 HOUSING CERTIFICATE FUND

12 (INCLUDING RESCISSIONS)

13 Unobligated balances, including recaptures and car-
14 ryover, remaining from funds appropriated to the Depart-
15 ment of Housing and Urban Development under this
16 heading, the heading “Annual Contributions for Assisted
17 Housing” and the heading “Project-Based Rental Assist-
18 ance”, for fiscal year 2019 and prior years may be used
19 for renewal of or amendments to section 8 project-based
20 contracts and for performance-based contract administra-
21 tors, notwithstanding the purposes for which such funds
22 were appropriated: *Provided*, That any obligated balances
23 of contract authority from fiscal year 1974 and prior that
24 have been terminated shall be rescinded: *Provided further*,
25 That amounts heretofore recaptured, or recaptured during

1 the current fiscal year, from section 8 project-based con-
2 tracts from source years fiscal year 1975 through fiscal
3 year 1987 are hereby rescinded, and an amount of addi-
4 tional new budget authority, equivalent to the amount re-
5 scinded is hereby appropriated, to remain available until
6 expended, for the purposes set forth under this heading,
7 in addition to amounts otherwise available.

8 PUBLIC HOUSING CAPITAL FUND

9 For the Public Housing Capital Fund Program to
10 carry out capital and management activities for public
11 housing agencies, as authorized under section 9 of the
12 United States Housing Act of 1937 (42 U.S.C. 1437g)
13 (the “Act”) \$2,775,000,000, to remain available until
14 September 30, 2022: *Provided*, That notwithstanding any
15 other provision of law or regulation, during fiscal year
16 2019, the Secretary of Housing and Urban Development
17 may not delegate to any Department official other than
18 the Deputy Secretary and the Assistant Secretary for
19 Public and Indian Housing any authority under paragraph
20 (2) of section 9(j) regarding the extension of the time peri-
21 ods under such section: *Provided further*, That for pur-
22 poses of such section 9(j), the term “obligate” means, with
23 respect to amounts, that the amounts are subject to a
24 binding agreement that will result in outlays, immediately
25 or in the future: *Provided further*, That up to \$14,000,000

1 shall be to support ongoing public housing financial and
2 physical assessment activities: *Provided further*, That up
3 to \$1,000,000 shall be to support the costs of administra-
4 tive and judicial receiverships: *Provided further*, That of
5 the total amount provided under this heading, not to ex-
6 ceed \$25,000,000 shall be available for the Secretary to
7 make grants, notwithstanding section 203 of this Act, to
8 public housing agencies for emergency capital needs in-
9 cluding safety and security measures necessary to address
10 crime and drug-related activity as well as needs resulting
11 from unforeseen or unpreventable emergencies and nat-
12 ural disasters excluding Presidentially declared emer-
13 gencies and natural disasters under the Robert T. Stafford
14 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
15 seq.) occurring in fiscal year 2019: *Provided further*, That
16 of the amount made available under the previous proviso,
17 not less than \$5,000,000 shall be for safety and security
18 measures: *Provided further*, That in addition to the
19 amount in the previous proviso for such safety and secu-
20 rity measures, any amounts that remain available, after
21 all applications received on or before September 30, 2020,
22 for emergency capital needs have been processed, shall be
23 allocated to public housing agencies for such safety and
24 security measures: *Provided further*, That of the total
25 amount provided under this heading, up to \$35,000,000

1 shall be for supportive services, service coordinators and
2 congregate services as authorized by section 34 of the Act
3 (42 U.S.C. 1437z-6) and the Native American Housing
4 Assistance and Self-Determination Act of 1996 (25 U.S.C.
5 4101 et seq.): *Provided further*, That of the total amount
6 made available under this heading, \$15,000,000 shall be
7 for a Jobs-Plus initiative modeled after the Jobs-Plus
8 demonstration: *Provided further*, That funding provided
9 under the previous proviso shall be available for competi-
10 tive grants to partnerships between public housing au-
11 thorities, local workforce investment boards established
12 under section 107 of the Workforce Innovation and Oppor-
13 tunity Act of 2014 (29 U.S.C. 3122), and other agencies
14 and organizations that provide support to help public
15 housing residents obtain employment and increase earn-
16 ings: *Provided further*, That applicants must demonstrate
17 the ability to provide services to residents, partner with
18 workforce investment boards, and leverage service dollars:
19 *Provided further*, That the Secretary may allow public
20 housing agencies to request exemptions from rent and in-
21 come limitation requirements under sections 3 and 6 of
22 the United States Housing Act of 1937 (42 U.S.C. 1437a
23 and 1437d), as necessary to implement the Jobs-Plus pro-
24 gram, on such terms and conditions as the Secretary may
25 approve upon a finding by the Secretary that any such

1 waivers or alternative requirements are necessary for the
2 effective implementation of the Jobs-Plus initiative as a
3 voluntary program for residents: *Provided further*, That
4 the Secretary shall publish by notice in the Federal Reg-
5 ister any waivers or alternative requirements pursuant to
6 the preceding proviso no later than 10 days before the ef-
7 fective date of such notice: *Provided further*, That for
8 funds provided under this heading, the limitation in sec-
9 tion 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
10 *ther*, That the Secretary may waive the limitation in the
11 previous proviso to allow public housing agencies to fund
12 activities authorized under section 9(e)(1)(C) of the Act:
13 *Provided further*, That the Secretary shall notify public
14 housing agencies requesting waivers under the previous
15 proviso if the request is approved or denied within 14 days
16 of submitting the request: *Provided further*, That from the
17 funds made available under this heading, the Secretary
18 shall provide bonus awards in fiscal year 2019 to public
19 housing agencies that are designated high performers:
20 *Provided further*, That the Department shall notify public
21 housing agencies of their formula allocation within 60
22 days of enactment of this Act: *Provided further*, That of
23 the total amount provided under this heading,
24 \$25,000,000 shall be available for competitive grants to
25 public housing agencies to evaluate and reduce lead-based

1 paint hazards in public housing by carrying out the activi-
2 ties of risk assessments, abatement, and interim controls
3 (as those terms are defined in section 1004 of the Residen-
4 tial Lead-Based Paint Hazard Reduction Act of 1992 (42
5 U.S.C. 4851b)): *Provided further*, That for purposes of en-
6 vironmental review, a grant under the previous proviso
7 shall be considered funds for projects or activities under
8 title I of the United States Housing Act of 1937 (42
9 U.S.C. 1437 et seq.) for purposes of section 26 of such
10 Act (42 U.S.C. 1437x) and shall be subject to the regula-
11 tions implementing such section.

12 PUBLIC HOUSING OPERATING FUND

13 For 2019 payments to public housing agencies for the
14 operation and management of public housing, as author-
15 ized by section 9(e) of the United States Housing Act of
16 1937 (42 U.S.C. 1437g(e)), \$4,756,000,000, to remain
17 available until September 30, 2020.

18 CHOICE NEIGHBORHOODS INITIATIVE

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

1 borhoods with appropriate services, schools, public assets,
2 transportation and access to jobs, \$100,000,000, to re-
3 main available until September 30, 2021: *Provided*, That
4 grant funds may be used for resident and community serv-
5 ices, community development, and affordable housing
6 needs in the community, and for conversion of vacant or
7 foreclosed properties to affordable housing: *Provided fur-*
8 *ther*, That the use of funds made available under this
9 heading shall not be deemed to be public housing notwith-
10 standing section 3(b)(1) of such Act: *Provided further*,
11 That grantees shall commit to an additional period of af-
12 fordability determined by the Secretary of not fewer than
13 20 years: *Provided further*, That grantees shall provide a
14 match in State, local, other Federal or private funds: *Pro-*
15 *vided further*, That grantees may include local govern-
16 ments, tribal entities, public housing authorities, and non-
17 profits: *Provided further*, That for-profit developers may
18 apply jointly with a public entity: *Provided further*, That
19 for purposes of environmental review, a grantee shall be
20 treated as a public housing agency under section 26 of
21 the United States Housing Act of 1937 (42 U.S.C.
22 1437x), and grants under this heading shall be subject
23 to the regulations issued by the Secretary to implement
24 such section: *Provided further*, That of the amount pro-
25 vided, not less than \$50,000,000 shall be awarded to pub-

1 lic housing agencies: *Provided further*, That such grantees
2 shall create partnerships with other local organizations in-
3 cluding assisted housing owners, service agencies, and
4 resident organizations: *Provided further*, That the Sec-
5 retary shall consult with the Secretaries of Education,
6 Labor, Transportation, Health and Human Services, Agri-
7 culture, and Commerce, the Attorney General, and the Ad-
8 ministrator of the Environmental Protection Agency to co-
9 ordinate and leverage other appropriate Federal resources:
10 *Provided further*, That no more than \$5,000,000 of funds
11 made available under this heading may be provided as
12 grants to undertake comprehensive local planning with
13 input from residents and the community: *Provided further*,
14 That unobligated balances, including recaptures, remain-
15 ing from funds appropriated under the heading “Revital-
16 ization of Severely Distressed Public Housing (HOPE
17 VI)” in fiscal year 2011 and prior fiscal years may be used
18 for purposes under this heading, notwithstanding the pur-
19 poses for which such amounts were appropriated: *Provided*
20 *further*, That the Secretary shall issue the Notice of Fund-
21 ing Availability for funds made available under this head-
22 ing no later than 60 days after enactment of this Act: *Pro-*
23 *vided further*, That the Secretary shall make grant awards
24 no later than one year from the date of enactment of this
25 Act in such amounts that the Secretary determines: *Pro-*

1 *vided further*, That notwithstanding section 24(o) of the
2 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
3 the Secretary may, until September 30, 2019, obligate any
4 available unobligated balances made available under this
5 heading in this, or any prior Act.

6 FAMILY SELF-SUFFICIENCY

7 For the Family Self-Sufficiency program to support
8 family self-sufficiency coordinators under section 23 of the
9 United States Housing Act of 1937, to promote the devel-
10 opment of local strategies to coordinate the use of assist-
11 ance under sections 8(o) and 9 of such Act with public
12 and private resources, and enable eligible families to
13 achieve economic independence and self-sufficiency,
14 \$80,000,000, to remain available until September 30,
15 2020: *Provided*, That the Secretary may, by Federal Reg-
16 ister notice, waive or specify alternative requirements
17 under subsections b(3), b(4), b(5), or c(1) of section 23
18 of such Act in order to facilitate the operation of a unified
19 self-sufficiency program for individuals receiving assist-
20 ance under different provisions of the Act, as determined
21 by the Secretary: *Provided further*, That owners of a pri-
22 vately owned multifamily property with a section 8 con-
23 tract may voluntarily make a Family Self-Sufficiency pro-
24 gram available to the assisted tenants of such property
25 in accordance with procedures established by the Sec-

1 retary: *Provided further*, That such procedures established
2 pursuant to the previous proviso shall permit participating
3 tenants to acerue escrow funds in accordance with section
4 23(d)(2) and shall allow owners to use funding from resid-
5 ual receipt accounts to hire coordinators for their own
6 Family Self-Sufficiency program.

7 NATIVE AMERICAN HOUSING BLOCK GRANTS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the Native American Housing Block Grants pro-
10 gram, as authorized under title I of the Native American
11 Housing Assistance and Self-Determination Act of 1996
12 (NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to
13 remain available until September 30, 2023: *Provided*,
14 That, notwithstanding NAHASDA, to determine the
15 amount of the allocation under title I of such Act for each
16 Indian tribe, the Secretary shall apply the formula under
17 section 302 of such Act with the need component based
18 on single-race census data and with the need component
19 based on multi-race census data, and the amount of the
20 allocation for each Indian tribe shall be the greater of the
21 two resulting allocation amounts: *Provided further*, That
22 of the amounts made available under this heading,
23 \$7,000,000 shall be for providing training and technical
24 assistance to Indian housing authorities and tribally des-
25 igned housing entities, to support the inspection of In-

1 dian housing units, contract expertise, and for training
2 and technical assistance related to funding provided under
3 this heading and other headings under this Act for the
4 needs of Native American families and Indian country:
5 *Provided further*, That amounts made available under the
6 previous proviso may be used, contracted, or competed as
7 determined by the Secretary: *Provided further*, That of the
8 amount provided under this heading, \$2,000,000 shall be
9 made available for the cost of guaranteed notes and other
10 obligations, as authorized by title VI of NAHASDA: *Pro-*
11 *vided further*, That such costs, including the costs of modi-
12 fying such notes and other obligations, shall be as defined
13 in section 502 of the Congressional Budget Act of 1974,
14 as amended: *Provided further*, That these funds are avail-
15 able to subsidize the total principal amount of any notes
16 and other obligations, any part of which is to be guaran-
17 teed, not to exceed \$17,761,989: *Provided further*, That
18 the Department will notify grantees of their formula allo-
19 cation within 60 days of the date of enactment of this Act:
20 *Provided further*, That for an additional amount for the
21 Native American Housing Block Grants program, as au-
22 thorized under title I of NAHASDA, \$100,000,000 to re-
23 main available until September 30, 2023: *Provided further*,
24 That the Secretary shall obligate this additional amount
25 for competitive grants to eligible recipients authorized

1 under NAHASDA that apply for funds: *Provided further*,
2 That in awarding this additional amount, the Secretary
3 shall consider need and administrative capacity, and shall
4 give priority to projects that will spur construction and
5 rehabilitation: *Provided further*, That up to 1 percent of
6 this additional amount may be transferred, in aggregate,
7 to “Program Office Salaries and Expenses—Public and
8 Indian Housing” for necessary costs of administering and
9 overseeing the obligation and expenditure of this addi-
10 tional amount: *Provided further*, That any funds trans-
11 ferred pursuant to the previous proviso shall remain avail-
12 able until September 30, 2024.

13 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
14 ACCOUNT

15 For the cost of guaranteed loans, as authorized by
16 section 184 of the Housing and Community Development
17 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-
18 main available until expended: *Provided*, That such costs,
19 including the costs of modifying such loans, shall be as
20 defined in section 502 of the Congressional Budget Act
21 of 1974: *Provided further*, That these funds are available
22 to subsidize total loan principal, any part of which is to
23 be guaranteed, up to \$553,846,154, to remain available
24 until expended: *Provided further*, That up to \$750,000 of
25 this amount may be for administrative contract expenses

1 including management processes and systems to carry out
2 the loan guarantee program.

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-
5 gram, as authorized under title VIII of the Native Amer-
6 ican Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
8 available until September 30, 2023: *Provided*, That not-
9 withstanding section 812(b) of such Act, the Department
10 of Hawaiian Home Lands may not invest grant amounts
11 provided under this heading in investment securities and
12 other obligations: *Provided further*, That amounts made
13 available under this heading in this and prior fiscal years
14 may be used to provide rental assistance to eligible Native
15 Hawaiian families both on and off the Hawaiian Home
16 Lands, notwithstanding any other provision of law.

17 COMMUNITY PLANNING AND DEVELOPMENT

18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

19 For carrying out the Housing Opportunities for Per-
20 sons with AIDS program, as authorized by the AIDS
21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
22 \$375,000,000, to remain available until September 30,
23 2020, except that amounts allocated pursuant to section
24 854(c)(5) of such Act shall remain available until Sep-
25 tember 30, 2021: *Provided*, That the Secretary shall renew

1 rectly receives funds under this heading may not sell,
2 trade, or otherwise transfer all or any portion of such
3 funds to another such entity in exchange for any other
4 funds, credits or non-Federal considerations, but must use
5 such funds for activities eligible under title I of the Act:
6 *Provided further*, That notwithstanding section 105(e)(1)
7 of the Act, no funds provided under this heading may be
8 provided to a for-profit entity for an economic develop-
9 ment project under section 105(a)(17) unless such project
10 has been evaluated and selected in accordance with guide-
11 lines required under subsection (e)(2): *Provided further*,
12 That the Department shall notify grantees of their for-
13 mula allocation within 60 days of enactment of this Act:
14 *Provided further*, That of the total amount provided under
15 this heading, \$65,000,000 shall be for grants to Indian
16 tribes notwithstanding section 106(a)(1) of such Act, of
17 which, notwithstanding any other provision of law (includ-
18 ing section 203 of this Act), up to \$4,000,000 may be
19 used for emergencies that constitute imminent threats to
20 health and safety.

21 COMMUNITY DEVELOPMENT LOAN GUARANTEES

22 PROGRAM ACCOUNT

23 Subject to section 502 of the Congressional Budget
24 Act of 1974, during fiscal year 2019, commitments to
25 guarantee loans under section 108 of the Housing and

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

11 HOME INVESTMENT PARTNERSHIPS PROGRAM

12 For the HOME Investment Partnerships program, as
13 authorized under title II of the Cranston-Gonzalez Na-
14 tional Affordable Housing Act, as amended,
15 \$1,362,000,000, to remain available until September 30,
16 2022: *Provided*, That notwithstanding the amount made
17 available under this heading, the threshold reduction re-
18 quirements in sections 216(10) and 217(b)(4) of such Act
19 shall not apply to allocations of such amount: *Provided*
20 *further*, That the Department shall notify grantees of their
21 formula allocation within 60 days of enactment of this Act.

22 SELF-HELP AND ASSISTED HOMEOWNERSHIP

23 OPPORTUNITY PROGRAM

24 For the Self-Help and Assisted Homeownership Op-
25 portunity Program, as authorized under section 11 of the

1 Housing Opportunity Program Extension Act of 1996, as
2 amended, \$54,000,000, to remain available until Sep-
3 tember 30, 2021: *Provided*, That of the total amount pro-
4 vided under this heading, \$10,000,000 shall be made
5 available to the Self-Help Homeownership Opportunity
6 Program as authorized under section 11 of the Housing
7 Opportunity Program Extension Act of 1996, as amended:
8 *Provided further*, That of the total amount provided under
9 this heading, \$35,000,000 shall be made available for the
10 second, third, and fourth capacity building activities au-
11 thorized under section 4(a) of the HUD Demonstration
12 Act of 1993 (42 U.S.C. 9816 note), of which not less than
13 \$5,000,000 shall be made available for rural capacity
14 building activities: *Provided further*, That of the total
15 amount provided under this heading, \$5,000,000 shall be
16 made available for capacity building by national rural
17 housing organizations with experience assessing national
18 rural conditions and providing financing, training, tech-
19 nical assistance, information, and research to local non-
20 profits, local governments, and Indian Tribes serving high
21 need rural communities: *Provided further*, That of the
22 total amount provided under this heading, \$4,000,000,
23 shall be made available for a program to rehabilitate and
24 modify the homes of disabled or low-income veterans, as
25 authorized under section 1079 of Public Law 113–291:

1 *Provided further*, That funds provided under the previous
2 proviso shall be awarded within 180 days of enactment
3 of this Act: *Provided further*, That funds provided for such
4 program in fiscal years 2016, 2017, and 2018 shall be
5 awarded within 60 days of enactment of this Act.

6 HOMELESS ASSISTANCE GRANTS

7 For the Emergency Solutions Grants program as au-
8 thorized under subtitle B of title IV of the McKinney-
9 Vento Homeless Assistance Act, as amended; the Con-
10 tinuum of Care program as authorized under subtitle C
11 of title IV of such Act; and the Rural Housing Stability
12 Assistance program as authorized under subtitle D of title
13 IV of such Act, \$2,612,000,000, to remain available until
14 September 30, 2021: *Provided*, That any rental assistance
15 amounts that are recaptured under such Continuum of
16 Care program shall remain available until expended: *Pro-*
17 *vided further*, That not less than \$270,000,000 of the
18 funds appropriated under this heading shall be available
19 for such Emergency Solutions Grants program: *Provided*
20 *further*, That not less than \$2,205,000,000 of the funds
21 appropriated under this heading shall be available for such
22 Continuum of Care and Rural Housing Stability Assist-
23 ance programs: *Provided further*, That of the amounts
24 made available under this heading, up to \$50,000,000
25 shall be made available for grants for rapid re-housing

1 projects and supportive service projects providing coordi-
2 nated entry, and for eligible activities the Secretary deter-
3 mines to be critical in order to assist survivors of domestic
4 violence, dating violence, and stalking: *Provided further,*
5 That such projects shall be eligible for renewal under the
6 continuum of care program subject to the same terms and
7 conditions as other renewal applicants: *Provided further,*
8 That up to \$7,000,000 of the funds appropriated under
9 this heading shall be available for the national homeless
10 data analysis project: *Provided further,* That all funds
11 awarded for supportive services under the Continuum of
12 Care program and the Rural Housing Stability Assistance
13 program shall be matched by not less than 25 percent in
14 cash or in kind by each grantee: *Provided further,* That
15 for all match requirements applicable to funds made avail-
16 able under this heading for this fiscal year and prior fiscal
17 years, a grantee may use (or could have used) as a source
18 of match funds other funds administered by the Secretary
19 and other Federal agencies unless there is (or was) a spe-
20 cific statutory prohibition on any such use of any such
21 funds: *Provided further,* That the Secretary shall collect
22 system performance measures for each continuum of care,
23 and that relative to fiscal year 2015, under the Continuum
24 of Care competition with respect to funds made available
25 under this heading, the Secretary shall base an increasing

1 share of the score on performance criteria: *Provided fur-*
2 *ther*, That none of the funds provided under this heading
3 shall be available to provide funding for new projects, ex-
4 cept for projects created through reallocation, unless the
5 Secretary determines that the continuum of care has dem-
6 onstrated that projects are evaluated and ranked based
7 on the degree to which they improve the continuum of
8 care's system performance: *Provided further*, That the
9 Secretary shall prioritize funding under the Continuum of
10 Care program to continuums of care that have dem-
11 onstrated a capacity to reallocate funding from lower per-
12 forming projects to higher performing projects: *Provided*
13 *further*, That all awards of assistance under this heading
14 shall be required to coordinate and integrate homeless pro-
15 grams with other mainstream health, social services, and
16 employment programs for which homeless populations
17 may be eligible: *Provided further*, That any unobligated
18 amounts remaining from funds appropriated under this
19 heading in fiscal year 2012 and prior years for project-
20 based rental assistance for rehabilitation projects with 10-
21 year grant terms may be used for purposes under this
22 heading, notwithstanding the purposes for which such
23 funds were appropriated: *Provided further*, That all bal-
24 ances for Shelter Plus Care renewals previously funded
25 from the Shelter Plus Care Renewal account and trans-

1 ferred to this account shall be available, if recaptured, for
2 Continuum of Care renewals in fiscal year 2019: *Provided*
3 *further*, That the Department shall notify grantees of their
4 formula allocation from amounts allocated (which may
5 represent initial or final amounts allocated) for the Emer-
6 gency Solutions Grant program within 60 days of enact-
7 ment of this Act: *Provided further*, That up to
8 \$80,000,000 of the funds appropriated under this heading
9 shall be to implement projects to demonstrate how a com-
10 prehensive approach to serving homeless youth, age 24
11 and under, in up to 25 communities, including at least
12 five communities with substantial rural populations, can
13 dramatically reduce youth homelessness: *Provided further*,
14 That of the amount made available under the previous
15 proviso, up to \$5,000,000 shall be available to provide
16 technical assistance on youth homelessness, and collection,
17 analysis, and reporting of data and performance measures
18 under the comprehensive approaches to serve homeless
19 youth, in addition to and in coordination with other tech-
20 nical assistance funds provided under this title: *Provided*
21 *further*, That such projects shall be eligible for renewal
22 under the continuum of care program subject to the same
23 terms and conditions as other renewal applicants: *Pro-*
24 *vided further*, That youth aged 24 and under seeking as-
25 sistance under this heading shall not be required to pro-

1 vide third party documentation to establish their eligibility
2 under 42 U.S.C. 11302(a) or (b) to receive services: *Pro-*
3 *vided further*, That unaccompanied youth aged 24 and
4 under or families headed by youth aged 24 and under who
5 are living in unsafe situations may be served by youth-
6 serving providers funded under this heading.

7 HOUSING PROGRAMS

8 PROJECT-BASED RENTAL ASSISTANCE

9 For activities and assistance for the provision of
10 project-based subsidy contracts under the United States
11 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
12 Act”), not otherwise provided for, \$11,347,000,000, to re-
13 main available until expended, shall be available on Octo-
14 ber 1, 2018 (in addition to the \$400,000,000 previously
15 appropriated under this heading that became available Oc-
16 tober 1, 2018), and \$400,000,000, to remain available
17 until expended, shall be available on October 1, 2019: *Pro-*
18 *vided*, That the amounts made available under this head-
19 ing shall be available for expiring or terminating section
20 8 project-based subsidy contracts (including section 8
21 moderate rehabilitation contracts), for amendments to sec-
22 tion 8 project-based subsidy contracts (including section
23 8 moderate rehabilitation contracts), for contracts entered
24 into pursuant to section 441 of the McKinney-Vento
25 Homeless Assistance Act (42 U.S.C. 11401), for renewal

1 of section 8 contracts for units in projects that are subject
2 to approved plans of action under the Emergency Low In-
3 come Housing Preservation Act of 1987 or the Low-In-
4 come Housing Preservation and Resident Homeownership
5 Act of 1990, and for administrative and other expenses
6 associated with project-based activities and assistance
7 funded under this paragraph: *Provided further*, That of
8 the total amounts provided under this heading, not to ex-
9 ceed \$245,000,000 shall be available for performance-
10 based contract administrators for section 8 project-based
11 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
12 *further*, That the Secretary may also use such amounts
13 in the previous proviso for performance-based contract ad-
14 ministrators for the administration of: interest reduction
15 payments pursuant to section 236(a) of the National
16 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement
17 payments pursuant to section 101 of the Housing and
18 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
19 tion 236(f)(2) rental assistance payments (12 U.S.C.
20 1715z-1(f)(2)); project rental assistance contracts for the
21 elderly under section 202(c)(2) of the Housing Act of
22 1959 (12 U.S.C. 1701q); project rental assistance con-
23 tracts for supportive housing for persons with disabilities
24 under section 811(d)(2) of the Cranston-Gonzalez Na-
25 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));

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

1 HOUSING FOR THE ELDERLY

2 For capital advances, including amendments to cap-
3 ital advance contracts, for housing for the elderly, as au-
4 thorized by section 202 of the Housing Act of 1959, as
5 amended, for project rental assistance for the elderly
6 under section 202(c)(2) of such Act, including amend-
7 ments to contracts for such assistance and renewal of ex-
8 piring contracts for such assistance for up to a 1-year
9 term, for senior preservation rental assistance contracts,
10 including renewals, as authorized by section 811(e) of the
11 American Housing and Economic Opportunity Act of
12 2000, as amended, and for supportive services associated
13 with the housing, \$678,000,000, to remain available until
14 September 30, 2022: *Provided*, That of the amount pro-
15 vided under this heading, up to \$90,000,000 shall be for
16 service coordinators and the continuation of existing con-
17 gregate service grants for residents of assisted housing
18 projects: *Provided further*, That amounts under this head-
19 ing shall be available for Real Estate Assessment Center
20 inspections and inspection-related activities associated
21 with section 202 projects: *Provided further*, That the Sec-
22 retary may waive the provisions of section 202 governing
23 the terms and conditions of project rental assistance, ex-
24 cept that the initial contract term for such assistance shall
25 not exceed 5 years in duration: *Provided further*, That

1 upon request of the Secretary, project funds which are
2 held in residual receipts accounts for any project subject
3 to a section 202 project rental assistance contract and,
4 upon termination of such contract, are in excess of an
5 amount to be determined by the Secretary shall be remit-
6 ted to the Department and deposited in this account, to
7 remain available until September 30, 2022: *Provided fur-*
8 *ther*, That amounts deposited in this account pursuant to
9 the previous proviso shall be available, in addition to the
10 amounts otherwise provided by this heading, for amend-
11 ments and renewals: *Provided further*, That unobligated
12 balances, including recaptures and carryover, remaining
13 from funds transferred to or appropriated under this
14 heading shall be available for amendments and renewals
15 notwithstanding the purposes for which such funds origi-
16 nally were appropriated: *Provided further*, That of the
17 total amount provided under this heading, \$10,000,000,
18 shall be for a program to be established by the Secretary
19 to make grants to experienced non-profit organizations,
20 States, local governments, or public housing agencies for
21 safety and functional home modification repairs to meet
22 the needs of low-income elderly persons to enable them
23 to remain in their primary residence: *Provided further*,
24 That of the total amount made available under the pre-
25 vious proviso, no less than \$5,000,000 shall be available

1 to meet such needs in communities with substantial rural
2 populations.

3 HOUSING FOR PERSONS WITH DISABILITIES

4 For amendments to capital advance contracts, for
5 supportive housing for persons with disabilities, as author-
6 ized by section 811 of the Cranston-Gonzalez National Af-
7 fordable Housing Act (42 U.S.C. 8013), as amended, for
8 project rental assistance for supportive housing for per-
9 sons with disabilities under section 811(d)(2) of such Act,
10 for project assistance contracts pursuant to section 202(h)
11 of the Housing Act of 1959 (Public Law 86–372; 73 Stat.
12 667), including amendments to contracts for such assist-
13 ance and renewal of expiring contracts for such assistance
14 for up to a 1-year term, for project rental assistance to
15 State housing finance agencies and other appropriate enti-
16 ties as authorized under section 811(b)(3) of the Cran-
17 ston-Gonzalez National Housing Act, and for supportive
18 services associated with the housing for persons with dis-
19 abilities as authorized by section 811(b)(1) of such Act,
20 \$154,000,000, to remain available until September 30,
21 2022: *Provided*, That amounts made available under this
22 heading shall be available for Real Estate Assessment
23 Center inspections and inspection-related activities associ-
24 ated with section 811 projects: *Provided further*, That,
25 upon the request of the Secretary, project funds which are

1 held in residual receipts accounts for any project subject
2 to a section 811 project rental assistance contract and,
3 upon termination of such contract, are in excess of an
4 amount to be determined by the Secretary shall be remit-
5 ted to the Department and deposited in this account, to
6 remain available until September 30, 2022: *Provided fur-*
7 *ther*, That amounts deposited in this account pursuant to
8 the previous proviso shall be available in addition to the
9 amounts otherwise provided by this heading for amend-
10 ments and renewals: *Provided further*, That unobligated
11 balances, including recaptures and carryover, remaining
12 from funds transferred to or appropriated under this
13 heading shall be used for amendments and renewals not-
14 withstanding the purposes for which such funds originally
15 were appropriated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance excluding
18 loans, as authorized under section 106 of the Housing and
19 Urban Development Act of 1968, as amended,
20 \$45,000,000, to remain available until September 30,
21 2020, including up to \$4,500,000 for administrative con-
22 tract services: *Provided*, That grants made available from
23 amounts provided under this heading shall be awarded
24 within 180 days of enactment of this Act: *Provided further*,
25 That funds shall be used for providing counseling and ad-

1 vice to tenants and homeowners, both current and pro-
2 spective, with respect to property maintenance, financial
3 management or literacy, and such other matters as may
4 be appropriate to assist them in improving their housing
5 conditions, meeting their financial needs, and fulfilling the
6 responsibilities of tenancy or homeownership; for program
7 administration; and for housing counselor training: *Pro-*
8 *vided further*, That for purposes of providing such grants
9 from amounts provided under this heading, the Secretary
10 may enter into multiyear agreements, as appropriate, sub-
11 ject to the availability of annual appropriations.

12 RENTAL HOUSING ASSISTANCE

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

1 up to one year for expiring contracts under such sections
2 of law.

3 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

4 FUND

5 For necessary expenses as authorized by the National
6 Manufactured Housing Construction and Safety Stand-
7 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
8 \$12,000,000, to remain available until expended, of which
9 \$12,000,000 is to be derived from the Manufactured
10 Housing Fees Trust Fund: *Provided*, That not to exceed
11 the total amount appropriated under this heading shall be
12 available from the general fund of the Treasury to the ex-
13 tent necessary to incur obligations and make expenditures
14 pending the receipt of collections to the Fund pursuant
15 to section 620 of such Act: *Provided further*, That the
16 amount made available under this heading from the gen-
17 eral fund shall be reduced as such collections are received
18 during fiscal year 2019 so as to result in a final fiscal
19 year 2019 appropriation from the general fund estimated
20 at zero, and fees pursuant to section 620 of such Act shall
21 be modified as necessary to ensure such a final fiscal year
22 2019 appropriation: *Provided further*, That for the dispute
23 resolution and installation programs, the Secretary may
24 assess and collect fees from any program participant: *Pro-*
25 *vided further*, That such collections shall be deposited into

1 the Fund, and the Secretary, as provided herein, may use
2 such collections, as well as fees collected under section 620
3 of such Act, for necessary expenses of such Act: *Provided*
4 *further*, That, notwithstanding the requirements of section
5 620 of such Act, the Secretary may carry out responsibil-
6 ities of the Secretary under such Act through the use of
7 approved service providers that are paid directly by the
8 recipients of their services.

9 FEDERAL HOUSING ADMINISTRATION

10 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

11 New commitments to guarantee single family loans
12 insured under the Mutual Mortgage Insurance Fund shall
13 not exceed \$400,000,000,000, to remain available until
14 September 30, 2020: *Provided*, That during fiscal year
15 2019, obligations to make direct loans to carry out the
16 purposes of section 204(g) of the National Housing Act,
17 as amended, shall not exceed \$1,000,000: *Provided fur-*
18 *ther*, That the foregoing amount in the previous proviso
19 shall be for loans to nonprofit and governmental entities
20 in connection with sales of single family real properties
21 owned by the Secretary and formerly insured under the
22 Mutual Mortgage Insurance Fund: *Provided further*, That
23 for administrative contract expenses of the Federal Hous-
24 ing Administration, \$130,000,000, to remain available
25 until September 30, 2020: *Provided further*, That to the

1 extent guaranteed loan commitments exceed
2 \$200,000,000,000 on or before April 1, 2019, an addi-
3 tional \$1,400 for administrative contract expenses shall be
4 available for each \$1,000,000 in additional guaranteed
5 loan commitments (including a pro rata amount for any
6 amount below \$1,000,000), but in no case shall funds
7 made available by this proviso exceed \$30,000,000: *Pro-*
8 *vided further*, That notwithstanding the limitation in the
9 first sentence of section 255(g) of the National Housing
10 Act (12 U.S.C. 1715z-20(g)), during fiscal year 2019 the
11 Secretary may insure and enter into new commitments to
12 insure mortgages under section 255 of the National Hous-
13 ing Act only to the extent that the net credit subsidy cost
14 for such insurance does not exceed zero: *Provided further*,
15 That for fiscal year 2019, the Secretary shall not take any
16 action against a lender solely on the basis of compare ra-
17 tios that have been adversely affected by defaults on mort-
18 gages secured by properties in areas where a major dis-
19 aster was declared in 2017 or 2018 pursuant to the Rob-
20 ert T. Stafford Disaster Relief and Emergency Assistance
21 Act (42 U.S.C. 5121 et seq.).

22 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

23 New commitments to guarantee loans insured under
24 the General and Special Risk Insurance Funds, as author-
25 ized by sections 238 and 519 of the National Housing Act

1 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
2 \$30,000,000,000 in total loan principal, any part of which
3 is to be guaranteed, to remain available until September
4 30, 2020: *Provided*, That during fiscal year 2019, gross
5 obligations for the principal amount of direct loans, as au-
6 thorized by sections 204(g), 207(l), 238, and 519(a) of
7 the National Housing Act, shall not exceed \$1,000,000,
8 which shall be for loans to nonprofit and governmental en-
9 tities in connection with the sale of single family real prop-
10 erties owned by the Secretary and formerly insured under
11 such Act.

12 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
13 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
14 GUARANTEE PROGRAM ACCOUNT

15 New commitments to issue guarantees to carry out
16 the purposes of section 306 of the National Housing Act,
17 as amended (12 U.S.C. 1721(g)), shall not exceed
18 \$550,000,000,000, to remain available until September
19 30, 2020: *Provided*, That \$27,000,000 shall be available
20 for necessary salaries and expenses of the Office of Gov-
21 ernment National Mortgage Association: *Provided further*,
22 That to the extent that guaranteed loan commitments ex-
23 ceed \$155,000,000,000 on or before April 1, 2019, an ad-
24 ditional \$100 for necessary salaries and expenses shall be
25 available until expended for each \$1,000,000 in additional

1 guaranteed loan commitments (including a pro rata
2 amount for any amount below \$1,000,000), but in no case
3 shall funds made available by this proviso exceed
4 \$3,000,000: *Provided further*, That receipts from Commit-
5 ment and Multiclass fees collected pursuant to title III of
6 the National Housing Act, as amended, shall be credited
7 as offsetting collections to this account.

8 POLICY DEVELOPMENT AND RESEARCH

9 RESEARCH AND TECHNOLOGY

10 For contracts, grants, and necessary expenses of pro-
11 grams of research and studies relating to housing and
12 urban problems, not otherwise provided for, as authorized
13 by title V of the Housing and Urban Development Act
14 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
15 out the functions of the Secretary of Housing and Urban
16 Development under section 1(a)(1)(i) of Reorganization
17 Plan No. 2 of 1968, and for technical assistance,
18 \$100,000,000, to remain available until September 30,
19 2020: *Provided*, That with respect to amounts made avail-
20 able under this heading, notwithstanding section 203 of
21 this title, the Secretary may enter into cooperative agree-
22 ments with philanthropic entities, other Federal agencies,
23 State or local governments and their agencies, or colleges
24 or universities for research projects: *Provided further*,
25 That with respect to the previous proviso, such partners

1 to the cooperative agreements must contribute at least a
2 50 percent match toward the cost of the project: *Provided*
3 *further*, That for non-competitive agreements entered into
4 in accordance with the previous two provisos, the Sec-
5 retary of Housing and Urban Development shall comply
6 with section 2(b) of the Federal Funding Accountability
7 and Transparency Act of 2006 (Public Law 109–282, 31
8 U.S.C. note) in lieu of compliance with section
9 102(a)(4)(C) with respect to documentation of award deci-
10 sions: *Provided further*, That prior to obligation of tech-
11 nical assistance funding, the Secretary shall submit a
12 plan, for approval, to the House and Senate Committees
13 on Appropriations on how it will allocate funding for this
14 activity: *Provided further*, That none of the funds provided
15 under this heading may be available for the doctoral dis-
16 sertation research grant program.

17 FAIR HOUSING AND EQUAL OPPORTUNITY

18 FAIR HOUSING ACTIVITIES

19 For contracts, grants, and other assistance, not oth-
20 erwise provided for, as authorized by title VIII of the Civil
21 Rights Act of 1968, as amended by the Fair Housing
22 Amendments Act of 1988, and section 561 of the Housing
23 and Community Development Act of 1987, as amended,
24 \$65,300,000, to remain available until September 30,
25 2020: *Provided*, That notwithstanding 31 U.S.C. 3302,

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

14 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

15 HOMES

16 LEAD HAZARD REDUCTION

17 For the Lead Hazard Reduction Program, as author-
18 ized by section 1011 of the Residential Lead-Based Paint
19 Hazard Reduction Act of 1992, \$260,000,000, to remain
20 available until September 30, 2020, of which \$45,000,000
21 shall be for the Healthy Homes Initiative, pursuant to sec-
22 tions 501 and 502 of the Housing and Urban Develop-
23 ment Act of 1970, which shall include research, studies,
24 testing, and demonstration efforts, including education
25 and outreach concerning lead-based paint poisoning and

1 other housing-related diseases and hazards: *Provided,*
2 That for purposes of environmental review, pursuant to
3 the National Environmental Policy Act of 1969 (42 U.S.C.
4 4321 et seq.) and other provisions of law that further the
5 purposes of such Act, a grant under the Healthy Homes
6 Initiative, or the Lead Technical Studies program under
7 this heading or under prior appropriations Acts for such
8 purposes under this heading, shall be considered to be
9 funds for a special project for purposes of section 305(c)
10 of the Multifamily Housing Property Disposition Reform
11 Act of 1994: *Provided further,* That not less than
12 \$95,000,000 of the amounts made available under this
13 heading for the award of grants pursuant to section 1011
14 of the Residential Lead-Based Paint Hazard Reduction
15 Act of 1992 shall be provided to areas with the highest
16 lead-based paint abatement needs: *Provided further,* That
17 \$45,000,000 of the funds appropriated under this heading
18 shall be for the implementation of projects to demonstrate
19 how intensive, extended multi-year interventions can dra-
20 matically reduce the presence of lead-based paint hazards
21 in communities containing high concentrations of both
22 pre-1940 housing and low-income families by achieving
23 economies of scale that substantially reduce the cost of
24 lead-based paint remediation activities and administrative
25 costs for grantees: *Provided further,* That such projects

1 in each of five communities shall be for five years and
2 serve no more than four contiguous census tracts in which
3 there are high concentrations of housing stock built before
4 1940, in which low-income families with children make up
5 a significantly higher proportion of the population as com-
6 pared to the State average, and that are located in juris-
7 dictions in which instances of elevated blood lead levels
8 reported to the State are significantly higher than the
9 State average: *Provided further*, That funding awarded for
10 such projects shall be made available for draw down con-
11 tingent upon the grantee meeting cost-savings, produc-
12 tivity, and grant compliance benchmarks established by
13 the Secretary: *Provided further*, That each recipient of
14 funds for such projects shall contribute an amount not less
15 than 10 percent of the total award, and that the Secretary
16 shall give priority to applicants that secure commitments
17 for additional contributions from public and private
18 sources: *Provided further*, That grantees currently receiv-
19 ing grants made under this heading shall be eligible to
20 apply for such projects, provided that they are deemed to
21 be in compliance with program requirements established
22 by the Secretary: *Provided further*, That each applicant
23 shall certify adequate capacity that is acceptable to the
24 Secretary to carry out the proposed use of funds pursuant
25 to a notice of funding availability: *Provided further*, That

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

8 INFORMATION TECHNOLOGY FUND

9 For the development, modernization, and enhance-
10 ment of, modifications to, and infrastructure for Depart-
11 ment-wide and program-specific information technology
12 systems, for the continuing operation and maintenance of
13 both Department-wide and program-specific information
14 systems, and for program-related maintenance activities,
15 \$280,000,000, of which \$260,000,000 shall remain avail-
16 able until September 30, 2020, and of which \$20,000,000
17 shall remain available until September 30, 2021: *Provided*,
18 That any amounts transferred to this Fund under this Act
19 shall remain available until expended: *Provided further*,
20 That any amounts transferred to this Fund from amounts
21 appropriated by previously enacted appropriations Acts
22 may be used for the purposes specified under this Fund,
23 in addition to any other information technology purposes
24 for which such amounts were appropriated: *Provided fur-*
25 *ther*, That not more than 10 percent of the funds made

1 available under this heading for development, moderniza-
2 tion and enhancement may be obligated until the Sec-
3 retary submits to the House and Senate Committees on
4 Appropriations, for approval, a plan for expenditure
5 that—(A) identifies for each modernization project: (i) the
6 functional and performance capabilities to be delivered
7 and the mission benefits to be realized, (ii) the estimated
8 life-cycle cost, and (iii) key milestones to be met; and (B)
9 demonstrates that each modernization project is: (i) com-
10 pliant with the Department’s enterprise architecture, (ii)
11 being managed in accordance with applicable life-cycle
12 management policies and guidance, (iii) subject to the De-
13 partment’s capital planning and investment control re-
14 quirements, and (iv) supported by an adequately staffed
15 project office.

16 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSION)

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

23 SEC. 202. None of the amounts made available under
24 this Act may be used during fiscal year 2019 to investigate
25 or prosecute under the Fair Housing Act any otherwise

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

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

12 SEC. 204. Funds of the Department of Housing and
13 Urban Development subject to the Government Corpora-
14 tion Control Act or section 402 of the Housing Act of
15 1950 shall be available, without regard to the limitations
16 on administrative expenses, for legal services on a contract
17 or fee basis, and for utilizing and making payment for
18 services and facilities of the Federal National Mortgage
19 Association, Government National Mortgage Association,
20 Federal Home Loan Mortgage Corporation, Federal Fi-
21 nancing Bank, Federal Reserve banks or any member
22 thereof, Federal Home Loan banks, and any insured bank
23 within the meaning of the Federal Deposit Insurance Cor-
24 poration Act, as amended (12 U.S.C. 1811-1).

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

7 SEC. 206. Corporations and agencies of the Depart-
8 ment of Housing and Urban Development which are sub-
9 ject to the Government Corporation Control Act are here-
10 by authorized to make such expenditures, within the limits
11 of funds and borrowing authority available to each such
12 corporation or agency and in accordance with law, and to
13 make such contracts and commitments without regard to
14 fiscal year limitations as provided by section 104 of such
15 Act as may be necessary in carrying out the programs set
16 forth in the budget for 2019 for such corporation or agen-
17 cy except as hereinafter provided: *Provided*, That collec-
18 tions of these corporations and agencies may be used for
19 new loan or mortgage purchase commitments only to the
20 extent expressly provided for in this Act (unless such loans
21 are in support of other forms of assistance provided for
22 in this or prior appropriations Acts), except that this pro-
23 viso shall not apply to the mortgage insurance or guaranty
24 operations of these corporations, or where loans or mort-

1 gage purchases are necessary to protect the financial in-
2 terest of the United States Government.

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

10 SEC. 208. The President's formal budget request for
11 fiscal year 2020, as well as the Department of Housing
12 and Urban Development's congressional budget justifica-
13 tions to be submitted to the Committees on Appropriations
14 of the House of Representatives and the Senate, shall use
15 the identical account and sub-account structure provided
16 under this Act.

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

21 SEC. 210. (a) Notwithstanding any other provision
22 of law, subject to the conditions listed under this section,
23 for fiscal years 2019 and 2020, the Secretary of Housing
24 and Urban Development may authorize the transfer of
25 some or all project-based assistance, debt held or insured

1 by the Secretary and statutorily required low-income and
2 very low-income use restrictions if any, associated with one
3 or more multifamily housing project or projects to another
4 multifamily housing project or projects.

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

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

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

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

24 (B) For unoccupied units in the transfer-
25 ring project: The Secretary may authorize a re-

1 duction in the number of dwelling units in the
2 receiving project or projects to allow for a re-
3 configuration of bedroom sizes to meet current
4 market demands, as determined by the Sec-
5 retary and provided there is no increase in the
6 project-based assistance budget authority.

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

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

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

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

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

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

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

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

1 (d) For purposes of this section—

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

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

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

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

16 (C) housing that is assisted under section
17 202 of the Housing Act of 1959, as amended
18 by section 801 of the Cranston-Gonzales Na-
19 tional Affordable Housing Act;

20 (D) housing that is assisted under section
21 202 of the Housing Act of 1959, as such sec-
22 tion existed before the enactment of the Cran-
23 ston-Gonzales National Affordable Housing Act;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (2) is under 24 years of age;

6 (3) is not a veteran;

7 (4) is unmarried;

8 (5) does not have a dependent child;

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

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

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

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

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

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

11 SEC. 213. Notwithstanding any other provision of
12 law, in fiscal year 2019, in managing and disposing of any
13 multifamily property that is owned or has a mortgage held
14 by the Secretary of Housing and Urban Development, and
15 during the process of foreclosure on any property with a
16 contract for rental assistance payments under section 8
17 of the United States Housing Act of 1937 or other Fed-
18 eral programs, the Secretary shall maintain any rental as-
19 sistance payments under section 8 of the United States
20 Housing Act of 1937 and other programs that are at-
21 tached to any dwelling units in the property. To the extent
22 the Secretary determines, in consultation with the tenants
23 and the local government, that such a multifamily prop-
24 erty owned or held by the Secretary is not feasible for con-
25 tinued rental assistance payments under such section 8

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

23 SEC. 214. The commitment authority funded by fees
24 as provided under the heading “Community Development
25 Loan Guarantees Program Account” may be used to guar-

1 antee, or make commitments to guarantee, notes, or other
2 obligations issued by any State on behalf of non-entitle-
3 ment communities in the State in accordance with the re-
4 quirements of section 108 of the Housing and Community
5 Development Act of 1974: *Provided*, That any State re-
6 ceiving such a guarantee or commitment shall distribute
7 all funds subject to such guarantee to the units of general
8 local government in non-entitlement areas that received
9 the commitment.

10 SEC. 215. Public housing agencies that own and oper-
11 ate 400 or fewer public housing units may elect to be ex-
12 empt from any asset management requirement imposed by
13 the Secretary of Housing and Urban Development in con-
14 nection with the operating fund rule: *Provided*, That an
15 agency seeking a discontinuance of a reduction of subsidy
16 under the operating fund formula shall not be exempt
17 from asset management requirements.

18 SEC. 216. With respect to the use of amounts pro-
19 vided in this Act and in future Acts for the operation, cap-
20 ital improvement and management of public housing as
21 authorized by sections 9(d) and 9(e) of the United States
22 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
23 Secretary shall not impose any requirement or guideline
24 relating to asset management that restricts or limits in
25 any way the use of capital funds for central office costs

1 pursuant to section 9(g)(1) or 9(g)(2) of the United States
2 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
3 *vided*, That a public housing agency may not use capital
4 funds authorized under section 9(d) for activities that are
5 eligible under section 9(e) for assistance with amounts
6 from the operating fund in excess of the amounts per-
7 mitted under section 9(g)(1) or 9(g)(2).

8 SEC. 217. No official or employee of the Department
9 of Housing and Urban Development shall be designated
10 as an allotment holder unless the Office of the Chief Fi-
11 nancial Officer has determined that such allotment holder
12 has implemented an adequate system of funds control and
13 has received training in funds control procedures and di-
14 rectives. The Chief Financial Officer shall ensure that
15 there is a trained allotment holder for each HUD appro-
16 priation under the accounts “Executive Offices” and “Ad-
17 ministrative Support Offices,” as well as each account re-
18 ceiving appropriations under the general heading “Pro-
19 gram Office Salaries and Expenses”, “Government Na-
20 tional Mortgage Association—Guarantees of Mortgage-
21 Backed Securities Loan Guarantee Program Account”,
22 and “Office of Inspector General” within the Department
23 of Housing and Urban Development.

24 SEC. 218. The Secretary of the Department of Hous-
25 ing and Urban Development shall, for fiscal year 2019,

1 notify the public through the Federal Register and other
2 means, as determined appropriate, of the issuance of a no-
3 tice of the availability of assistance or notice of funding
4 availability (NOFA) for any program or discretionary
5 fund administered by the Secretary that is to be competi-
6 tively awarded. Notwithstanding any other provision of
7 law, for fiscal year 2019, the Secretary may make the
8 NOFA available only on the Internet at the appropriate
9 Government web site or through other electronic media,
10 as determined by the Secretary.

11 SEC. 219. Payment of attorney fees in program-re-
12 lated litigation shall be paid from the individual program
13 office and Office of General Counsel salaries and expenses
14 appropriations. The annual budget submission for the pro-
15 gram offices and the Office of General Counsel shall in-
16 clude any such projected litigation costs for attorney fees
17 as a separate line item request. No funds provided in this
18 title may be used to pay any such litigation costs for attor-
19 ney fees until the Department submits for review a spend-
20 ing plan for such costs to the House and Senate Commit-
21 tees on Appropriations.

22 SEC. 220. The Secretary is authorized to transfer up
23 to 10 percent or \$5,000,000, whichever is less, of funds
24 appropriated for any office under the heading “Adminis-
25 trative Support Offices” or for any account under the gen-

1 eral heading “Program Office Salaries and Expenses” to
2 any other such office or account: *Provided*, That no appro-
3 priation for any such office or account shall be increased
4 or decreased by more than 10 percent or \$5,000,000,
5 whichever is less, without prior written approval of the
6 House and Senate Committees on Appropriations: *Pro-*
7 *vided further*, That the Secretary shall provide notification
8 to such Committees three business days in advance of any
9 such transfers under this section up to 10 percent or
10 \$5,000,000, whichever is less.

11 SEC. 221. (a) Any entity receiving housing assistance
12 payments shall maintain decent, safe, and sanitary condi-
13 tions, as determined by the Secretary of Housing and
14 Urban Development (in this section referred to as the
15 “Secretary”), and comply with any standards under appli-
16 cable State or local laws, rules, ordinances, or regulations
17 relating to the physical condition of any property covered
18 under a housing assistance payment contract.

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

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

24 (2) fails to certify in writing to the Secretary
25 within 3 days that all Exigent Health and Safety de-

1 deficiencies identified by the inspector at the project
2 have been corrected.

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

11 (c)(1) Within 15 days of the issuance of the REAC
12 inspection, the Secretary must provide the owner with a
13 Notice of Default with a specified timetable, determined
14 by the Secretary, for correcting all deficiencies. The Sec-
15 retary must also provide a copy of the Notice of Default
16 to the tenants, the local government, any mortgagees, and
17 any contract administrator. If the owner's appeal results
18 in a UPCS score of 60 or above, the Secretary may with-
19 draw the Notice of Default.

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

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

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

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

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

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

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

18 (G) seek judicial appointment of a receiver to
19 manage the property and cure all project deficiencies
20 or seek a judicial order of specific performance re-
21 quiring the owner to cure all project deficiencies;

22 (H) work with the owner, lender, or other re-
23 lated party to stabilize the property in an attempt
24 to preserve the property through compliance, trans-

1 fer of ownership, or an infusion of capital provided
2 by a third-party that requires time to effectuate; or

3 (I) take any other regulatory or contractual
4 remedies available as deemed necessary and appro-
5 priate by the Secretary.

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

16 (1) the costs of rehabilitating and operating the
17 property and all available Federal, State, and local
18 resources, including rent adjustments under section
19 524 of the Multifamily Assisted Housing Reform
20 and Affordability Act of 1997 (“MAHRAA”); and

21 (2) environmental conditions that cannot be
22 remedied in a cost-effective fashion, the Secretary
23 may contract for project-based rental assistance pay-
24 ments with an owner or owners of other existing

1 housing properties, or provide other rental assist-
2 ance.

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

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

14 (2) actions that the Department of Housing
15 and Urban Development is taking to protect tenants
16 of such identified properties; and

17 (3) any administrative or legislative rec-
18 ommendations to further improve the living condi-
19 tions at properties covered under a housing assist-
20 ance payment contract.

21 This report shall be due to the Senate and House Commit-
22 tees on Appropriations no later than 30 days after the
23 enactment of this Act, and on the first business day of
24 each Federal fiscal year quarter thereafter while this sec-
25 tion remains in effect.

1 SEC. 222. None of the funds made available by this
2 Act, or any other Act, for purposes authorized under sec-
3 tion 8 (only with respect to the tenant-based rental assist-
4 ance program) and section 9 of the United States Housing
5 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
6 any public housing agency for any amount of salary, in-
7 cluding bonuses, for the chief executive officer of which,
8 or any other official or employee of which, that exceeds
9 the annual rate of basic pay payable for a position at level
10 IV of the Executive Schedule at any time during any pub-
11 lic housing agency fiscal year 2019.

12 SEC. 223. None of the funds in this Act provided to
13 the Department of Housing and Urban Development may
14 be used to make a grant award unless the Secretary noti-
15 fies the House and Senate Committees on Appropriations
16 not less than 3 full business days before any project,
17 State, locality, housing authority, tribe, nonprofit organi-
18 zation, or other entity selected to receive a grant award
19 is announced by the Department or its offices.

20 SEC. 224. None of the funds made available by this
21 Act may be used to require or enforce the Physical Needs
22 Assessment (PNA).

23 SEC. 225. None of the funds made available in this
24 Act shall be used by the Federal Housing Administration,
25 the Government National Mortgage Administration, or the

1 Department of Housing and Urban Development to in-
2 sure, securitize, or establish a Federal guarantee of any
3 mortgage or mortgage backed security that refinances or
4 otherwise replaces a mortgage that has been subject to
5 eminent domain condemnation or seizure, by a State, mu-
6 nicipality, or any other political subdivision of a State.

7 SEC. 226. None of the funds made available by this
8 Act may be used to terminate the status of a unit of gen-
9 eral local government as a metropolitan city (as defined
10 in section 102 of the Housing and Community Develop-
11 ment Act of 1974 (42 U.S.C. 5302)) with respect to
12 grants under section 106 of such Act (42 U.S.C. 5306).

13 SEC. 227. Amounts made available under this Act
14 which are either appropriated, allocated, advanced on a
15 reimbursable basis, or transferred to the Office of Policy
16 Development and Research in the Department of Housing
17 and Urban Development and functions thereof, for re-
18 search, evaluation, or statistical purposes, and which are
19 unexpended at the time of completion of a contract, grant,
20 or cooperative agreement, may be deobligated and shall
21 immediately become available and may be reobligated in
22 that fiscal year or the subsequent fiscal year for the re-
23 search, evaluation, or statistical purposes for which the
24 amounts are made available to that Office subject to re-
25 programming requirements in section 405 of this Act.

1 SEC. 228. None of the funds provided in this Act or
2 any other act may be used for awards, including perform-
3 ance, special act, or spot, for any employee of the Depart-
4 ment of Housing and Urban Development who has been
5 subject to administrative discipline in fiscal years 2018 or
6 2019, including suspension from work.

7 SEC. 229. Funds made available in this title under
8 the heading “Homeless Assistance Grants” may be used
9 by the Secretary to participate in Performance Partner-
10 ship Pilots authorized under section 526 of division H of
11 Public Law 113–76, section 524 of division G of Public
12 Law 113–235, section 525 of division H of Public Law
13 114–113, and such authorities as are enacted for Perform-
14 ance Partnership Pilots in an appropriations Act for fiscal
15 year 2019: *Provided*, That such participation shall be lim-
16 ited to no more than 10 continuums of care and housing
17 activities to improve outcomes for disconnected youth.

18 SEC. 230. With respect to grant amounts awarded
19 under the heading “Homeless Assistance Grants” for fis-
20 cal years 2015, 2016, 2017, 2018 and 2019 for the con-
21 tinuum of care (CoC) program as authorized under sub-
22 title C of title IV of the McKinney-Vento Homeless Assist-
23 ance Act, costs paid by program income of grant recipients
24 may count toward meeting the recipient’s matching re-

1 requirements, provided the costs are eligible CoC costs that
2 supplement the recipient's CoC program.

3 SEC. 231. (a) From amounts made available under
4 this title under the heading "Homeless Assistance
5 Grants", the Secretary may award 1-year transition
6 grants to recipients of funds for activities under subtitle
7 C of the McKinney-Vento Homeless Assistance Act (42
8 U.S.C. 11381 et seq.) to transition from one Continuum
9 of Care program component to another.

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

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

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

20 SEC. 232. None of the funds made available by this
21 Act may be used by the Department of Housing and
22 Urban Development to direct a grantee to undertake spe-
23 cific changes to existing zoning laws as part of carrying
24 out the final rule entitled "Affirmatively Furthering Fair
25 Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the

1 notice entitled “Affirmatively Furthering Fair Housing
2 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
3 2014)).

4 SEC. 233. Section 218(g) of the Cranston-Gonzalez
5 National Affordable Housing Act (42 U.S.C. 12748(g))
6 shall not apply with respect to the right of a jurisdiction
7 to draw funds from its HOME Investment Trust Fund
8 that otherwise expired or would expire in 2016, 2017,
9 2018, 2019, 2020 or 2021 under that section.

10 SEC. 234. The Promise Zone designations and Prom-
11 ise Zone Designation Agreements entered into pursuant
12 to such designations, made by the Secretary of Housing
13 and Urban Development in prior fiscal years, shall remain
14 in effect in accordance with the terms and conditions of
15 such agreements.

16 SEC. 235. The Secretary shall initiate a comprehen-
17 sive review of existing public housing and tenant-based
18 rental assistance regulations and related notices and other
19 guidance documents to identify opportunities to streamline
20 the administration of such programs while also ensuring
21 compliance with Federal financial and internal control re-
22 quirements. The Secretary shall establish a regulatory ad-
23 visory committee, composed of program and research ex-
24 perts from the Department, a fair representation of public
25 housing agencies, and independent subject matter experts

1 in housing policy, property management, and Federal
2 grant management, which shall advise the Secretary with
3 respect to specific policy proposals to reduce administra-
4 tive burden. The Secretary, in consultation with the advi-
5 sory committee, shall submit a report on the results of
6 such regulatory review to the House and Senate Commit-
7 tees on Appropriations no later than one year after the
8 date of enactment of this Act.

9 SEC. 236. None of the funds made available by this
10 Act may be used to establish and apply a ranking factor
11 in the selection and award of any funds made available
12 and requiring competitive selection under this Act, includ-
13 ing preference or bonus points or other incentives for par-
14 ticipation in or coordination with EnVision Centers.

15 SEC. 237. (a) The Secretary of Housing and Urban
16 Development shall continue to engage in efforts authorized
17 by the Violence Against Women Reauthorization Act of
18 2013 (Public Law 113–4; 127 Stat. 54) to ensure that
19 survivors of domestic violence and sexual assault are not
20 unlawfully evicted or denied housing by certain landlords
21 based on their experience as survivors.

22 (b) Not later than 180 days after the date of enact-
23 ment of this Act, the Secretary of Housing and Urban
24 Development shall submit to Congress a report on the ef-
25 forts described in subsection (a).

1 SEC. 238. None of the funds made available under
2 this Act may be used to provide housing assistance bene-
3 fits for an individual who is convicted of—

4 (1) aggravated sexual abuse under section 2241
5 of title 18, United States Code;

6 (2) murder under section 1111 of title 18,
7 United States Code; or

8 (3) any other Federal or State offense involv-
9 ing—

10 (A) severe forms of trafficking in persons
11 or sex trafficking, as those terms are defined in
12 paragraphs (9) and (10), respectively, of section
13 103 of the Trafficking Victims Protection Act
14 of 2000 (22 U.S.C. 7102); or

15 (B) child pornography, as defined in sec-
16 tion 2256 of title 18, United States Code.

17 This title may be cited as the “Department of Hous-
18 ing and Urban Development Appropriations Act, 2019”.

1 TITLE III
2 RELATED AGENCIES
3 ACCESS BOARD
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$8,400,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses.

11 FEDERAL MARITIME COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime
14 Commission as authorized by section 201(d) of the Mer-
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16 cluding services as authorized by 5 U.S.C. 3109; hire of
17 passenger motor vehicles as authorized by 31 U.S.C.
18 1343(b); and uniforms or allowances therefore, as author-
19 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That
20 not to exceed \$2,000 shall be available for official recep-
21 tion 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
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$23,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of 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
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President’s budget
2 request for fiscal year 2020, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2020 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government: *Provided further*,
7 That not later than 240 days after the date of enactment
8 of this Act, the Inspector General shall update the report
9 entitled “Effects of Amtrak’s Poor On-Time Perform-
10 ance”, numbered CR–2008–047, and dated March 28,
11 2008, and make the updated report publicly available.

12 NATIONAL TRANSPORTATION SAFETY BOARD

13 SALARIES AND EXPENSES

14 For necessary expenses of the National Transpor-
15 tation Safety Board, including hire of passenger motor ve-
16 hicles and aircraft; services as authorized by 5 U.S.C.
17 3109, but at rates for individuals not to exceed the per
18 diem rate equivalent to the rate for a GS–15; uniforms,
19 or allowances therefor, as authorized by law (5 U.S.C.
20 5901–5902), \$110,400,000, of which not to exceed \$2,000
21 may be used for official reception and representation ex-
22 penses. The amounts made available to the National
23 Transportation Safety Board in this Act include amounts
24 necessary to make lease payments on an obligation in-
25 curred in fiscal year 2001 for a capital lease.

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

4 For payment to the Neighborhood Reinvestment Cor-
5 poration for use in neighborhood reinvestment activities,
6 as authorized by the Neighborhood Reinvestment Corpora-
7 tion Act (42 U.S.C. 8101–8107), \$145,000,000, of which
8 \$5,000,000 shall be for a multi-family rental housing pro-
9 gram: *Provided*, That an additional \$2,000,000, to remain
10 available until September 30, 2023, shall be for the pro-
11 motion and development of shared equity housing models.

12 SURFACE TRANSPORTATION BOARD

13 SALARIES AND EXPENSES

14 For necessary expenses of the Surface Transpor-
15 tation Board, including services authorized by 5 U.S.C.
16 3109, \$37,100,000: *Provided*, That notwithstanding any
17 other provision of law, not to exceed \$1,250,000 from fees
18 established by the Chairman of the Surface Transpor-
19 tation Board shall be credited to this appropriation as off-
20 setting collections and used for necessary and authorized
21 expenses under this heading: *Provided further*, That the
22 sum herein appropriated from the general fund shall be
23 reduced on a dollar-for-dollar basis as such offsetting col-
24 lections are received during fiscal year 2019, to result in

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

3 UNITED STATES INTERAGENCY COUNCIL ON
4 HOMELESSNESS
5 OPERATING EXPENSES

6 For necessary expenses (including payment of sala-
7 ries, authorized travel, hire of passenger motor vehicles,
8 the rental of conference rooms, and the employment of ex-
9 perts and consultants under section 3109 of title 5, United
10 States Code) of the United States Interagency Council on
11 Homelessness in carrying out the functions pursuant to
12 title II of the McKinney-Vento Homeless Assistance Act,
13 as amended, \$3,600,000: *Provided*, That the first proviso
14 in Public Law 115–141 under the heading “United States
15 Interagency Council on Homelessness—Operating Ex-
16 penses” is amended by striking “2020” and inserting
17 “2021”.

1

TITLE IV

2

GENERAL PROVISIONS—THIS ACT

3

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.

8

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.

12

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.

20

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

23

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

25

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

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

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

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

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2019, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

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

3 (1) creates a new program;

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

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

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

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

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

17 (7) creates, reorganizes, or restructures a
18 branch, division, office, bureau, board, commission,
19 agency, administration, or department different from
20 the budget justifications submitted to the Commit-
21 tees on Appropriations or the tables in the explana-
22 tory statement described in section 421 of this Act,
23 whichever is more detailed, unless prior approval is
24 received from the House and Senate Committees on
25 Appropriations: *Provided*, That not later than 60

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

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

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

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

21 SEC. 406. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2019 from
24 appropriations made available for salaries and expenses
25 for fiscal year 2019 in this Act, shall remain available

1 through September 30, 2020, for each such account for
2 the purposes authorized: *Provided*, That a request shall
3 be submitted to the House and Senate Committees on Ap-
4 propriations for approval prior to the expenditure of such
5 funds: *Provided further*, That these requests shall be made
6 in compliance with reprogramming guidelines under sec-
7 tion 405 of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 SEC. 418. (a) None of the funds made available in
16 this Act may be used to deny an Inspector General funded
17 under this Act timely access to any records, documents,
18 or other materials available to the department or agency
19 over which that Inspector General has responsibilities
20 under the Inspector General Act of 1978 (5 U.S.C. App.),
21 or to prevent or impede that Inspector General's access
22 to such records, documents, or other materials, under any
23 provision of law, except a provision of law that expressly
24 refers to the Inspector General and expressly limits the
25 Inspector General's right of access.

1 (b) A department or agency covered by this section
2 shall provide its Inspector General with access to all such
3 records, documents, and other materials in a timely man-
4 ner.

5 (c) Each Inspector General shall ensure compliance
6 with statutory limitations on disclosure relevant to the in-
7 formation provided by the establishment over which that
8 Inspector General has responsibilities under the Inspector
9 General Act of 1978 (5 U.S.C. App.).

10 (d) Each Inspector General covered by this section
11 shall report to the Committees on Appropriations of the
12 House of Representatives and the Senate within 5 cal-
13 endar days any failures to comply with this requirement.

14 SEC. 419. None of the funds appropriated or other-
15 wise made available by this Act may be used to pay award
16 or incentive fees for contractors whose performance has
17 been judged to be below satisfactory, behind schedule, over
18 budget, or has failed to meet the basic requirements of
19 a contract, unless the Agency determines that any such
20 deviations are due to unforeseeable events, government-
21 driven scope changes, or are not significant within the
22 overall scope of the project and/or program unless such
23 awards or incentive fees are consistent with 16.401(e)(2)
24 of the FAR.

1 SEC. 420. (a) Section 420 (a) None of the funds ap-
2 propriated or otherwise made available under this Act may
3 be used to acquire telecommunications equipment pro-
4 duced by Huawei Technologies Company, ZTE Corpora-
5 tion or a high-impact or moderate-impact information sys-
6 tem, as defined for security categorization in the National
7 Institute of Standards and Technology's (NIST) Federal
8 Information Processing Standard Publication 199,
9 "Standards for Security Categorization of Federal Infor-
10 mation and Information Systems" unless the agency
11 has—

12 (1) reviewed the supply chain risk for the infor-
13 mation systems against criteria developed by NIST
14 to inform acquisition decisions for high-impact and
15 moderate-impact information systems within the
16 Federal Government;

17 (2) reviewed the supply chain risk from the pre-
18 sumptive awardee against available and relevant
19 threat information provided by the Federal Bureau
20 of Investigation and other appropriate agencies; and

21 (3) in consultation with the Federal Bureau of
22 Investigation or other appropriate Federal entity,
23 conducted an assessment of any risk of cyber-espio-
24 nage or sabotage associated with the acquisition of
25 such system, including any risk associated with such

1 system being produced, manufactured, or assembled
2 by one or more entities identified by the United
3 States Government as posing a cyber threat, includ-
4 ing but not limited to, those that may be owned, di-
5 rected, or subsidized by the People's Republic of
6 China, the Islamic Republic of Iran, the Democratic
7 People's Republic of Korea, or the Russian Federa-
8 tion.

9 (b) None of the funds appropriated or otherwise
10 made available under this Act may be used to acquire a
11 high-impact or moderate impact information system re-
12 viewed and assessed under subsection (a) unless the head
13 of the assessing entity described in subsection (a) has—

14 (1) developed, in consultation with NIST and
15 supply chain risk management experts, a mitigation
16 strategy for any identified risks;

17 (2) determined, in consultation with NIST and
18 the Federal Bureau of Investigation, that the acqui-
19 sition of such system is in the vital national security
20 interest of the United States; and

21 (3) reported that determination to the Commit-
22 tees on Appropriations of the House of Representa-
23 tives and the Senate in a manner that identifies the
24 system intended for acquisition and a detailed de-
25 scription of the mitigation strategies identified in

1 (1), provided that such report may include a classi-
2 fied annex as necessary.

3 SEC. 421. The explanatory statement regarding divi-
4 sion D of H.R. 21, printed in the Congressional Record
5 on January 3, 2019, and submitted by the Chair of the
6 Committee on Appropriations, shall have the same effect
7 with respect to allocation of funds and implementation of
8 this Act as if it were a joint explanatory statement of a
9 committee of conference.

10 SEC. 422. (a) Employees furloughed as a result of
11 any lapse in appropriations beginning on or about Decem-
12 ber 22, 2018 and ending on the date of enactment of this
13 Act shall be compensated at their standard rate of com-
14 pensation, for the period of such lapse in appropriations,
15 as soon as practicable after such lapse in appropriations
16 ends.

17 (b) For purposes of this section, “employees” means
18 any Federal employees whose salaries and expenses are
19 provided in this Act.

20 (c) All obligations incurred in anticipation of the ap-
21 propriations made and authority granted by this Act for
22 the purposes of maintaining the essential level of activity
23 to protect life and property and bringing about orderly ter-
24 mination of Government functions, and for purposes as
25 otherwise authorized by law, are hereby ratified and ap-

1 proved if otherwise in accord with the provisions of this
2 Act.

3 SEC. 423. (a) If a State (or another Federal grantee)
4 used State funds (or the grantee's non-Federal funds) to
5 continue carrying out a Federal program or furloughed
6 State employees (or the grantee's employees) whose com-
7 pensation is advanced or reimbursed in whole or in part
8 by the Federal Government—

9 (1) such furloughed employees shall be com-
10 pensated at their standard rate of compensation for
11 such period;

12 (2) the State (or such other grantee) shall be
13 reimbursed for expenses that would have been paid
14 by the Federal Government during such period had
15 appropriations been available, including the cost of
16 compensating such furloughed employees, together
17 with interest thereon calculated under section
18 6503(d) of title 31, United States Code; and

19 (3) the State (or such other grantee) may use
20 funds available to the State (or the grantee) under
21 such Federal program to reimburse such State (or
22 the grantee), together with interest thereon cal-
23 culated under section 6503(d) of title 31, United
24 States Code.

1 (b) For purposes of this section, the term “State”
2 and the term “grantee,” including United States terri-
3 tories and possessions, shall have the meaning given such
4 terms under the applicable Federal program under sub-
5 section (a). In addition, “to continue carrying out a Fed-
6 eral program” means the continued performance by a
7 State or other Federal grantee, during the period of a
8 lapse in appropriations, of a Federal program that the
9 State or such other grantee had been carrying out prior
10 to the period of the lapse in appropriations.

11 (c) The authority under this section applies with re-
12 spect to any period in fiscal year 2019 (not limited to peri-
13 ods beginning or ending after the date of the enactment
14 of this Act) during which there occurs a lapse in appro-
15 priations with respect to any department or agency of the
16 Federal Government receiving funding in this Act which,
17 but for such lapse in appropriations, would have paid, or
18 made reimbursement relating to, any of the expenses re-
19 ferred to in this section with respect to the program in-
20 volved. Payments and reimbursements under this author-
21 ity shall be made only to the extent and in amounts pro-
22 vided in advance in appropriations Acts.

23 This Act may be cited as the “Transportation, Hous-
24 ing and Urban Development, and Related Agencies Appro-
25 priations Act, 2019”.