



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, NOVEMBER 18, 2015

No. 170

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, who established the Heavens, give our lawmakers a faith that will hold strong and steady in life's storms. Help them to remember that You are with them every moment of every day. Blessed by Your loving providence, may they trust You to surround our Nation with the shield of Your favor. Give them a quiet confidence for facing the difficulties of our times. Lord, make our Senators instruments of Your will for the healing of our Nation and world. Thank You for the rewards You give to those who live for You.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

### TRANSPORTATION-HUD APPROPRIATIONS BILL

Mr. McCONNELL. Mr. President, from the outset, the new Senate has worked to realize a smarter and more inclusive appropriations process. That is why we passed a budget, moving past 6 years of inaction. That is why we

passed all 12 appropriations bills through committee, moving past 6 years of inaction. Nearly all of those bills passed on a bipartisan basis. That is why it is so disappointing to see voices on the other side try to tie them up in gridlock.

We never lost sight of the goal. We never stopped trying to move the Senate forward and our country ahead. Because we kept pushing, we are steadily overcoming the partisan gridlock of the past and steadily moving back to regular order on appropriations. Last week we passed one bipartisan appropriations bill—the bill that funds America's veterans. Today we will begin to advance another—the bill that funds America's transportation and housing infrastructure.

I would like to recognize the Senator from Maine, Ms. COLLINS, for her work in crafting a bipartisan bill that makes smart investments in critical transportation and infrastructure priorities. This is a bipartisan bill that will help ensure our transportation systems are reliable, efficient, and safe. This is a bipartisan bill that will increase the efficiency and affordability of Federal housing programs.

For example, the expanded Moving to Work Program it contains will offer a helping hand to lower income Americans. Moving to Work is one of the many success stories of the bipartisan welfare reform effort of the 1990s, and by expanding it from 39 to 339 housing authorities, we can help more Americans achieve the self-sufficiency that is at the core of our national dream.

Americans who strive for a better life deserve real opportunity. They deserve serious policies that can make positive differences in their lives. That is what Moving to Work aims to achieve. It is just one more reason to pass the bipartisan transportation infrastructure bill before us.

Again, I want to thank our colleague from Maine for her important work across the aisle to craft it. We look forward to debating the bill today.

### MEASURE PLACED ON THE CALENDAR—S. 2288

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2288) to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

### EVERY CHILD ACHIEVES ACT OF 2015

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying S. 1177.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House insist upon its amendment to the bill (S. 1177) entitled "An Act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

### COMPOUND MOTION

Mr. McCONNELL. Mr. President, I move to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees.

### CLOTURE MOTION

Mr. President, I send a cloture motion to the desk for the motion to go to conference with respect to S. 1177.

The PRESIDING OFFICER. The cloture motion having been presented

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alexander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### APPROPRIATIONS PROCESS

Mr. REID. Mr. President, I too agree with the distinguished Republican leader that it is good we are moving through the appropriations process. The key to getting this done is December 11. I have checked with the subcommittees, I have been in touch with the White House, and they have made significant progress. I would hope they will be working hard during the recess that we are going to have for Thanksgiving. By the time we get back here it is going to be time to start making some really difficult decisions, which we have to do. I look forward to the appropriations process succeeding, and next year I hope we can move through the bills individually. That would be the best thing to happen to the Senate in a long time.

Mr. President, on the bill that is before the Senate at this stage, the education bill, we have two of the finest Senators I have had the pleasure of serving with who are the managers of this legislation, the distinguished senior Senator from the State of Washington, of course, a member of the Senate Democratic leadership, and the distinguished senior Senator from Tennessee, LAMAR ALEXANDER. They have worked together well, and it is easy to work well with either one of them. They understand what a legislator is. A legislator can't get everything they want, but they have to work for the good of the country. These two have done that with this legislation.

Had I been writing this legislation and advocating on behalf of this legislation, I probably would have done it a little differently than they did, but it is a fine piece of legislation, put together by two very fine Senators. I look forward to it being completed in the immediate future.

#### SURFACE TRANSPORTATION FUNDING

Mr. President, one of the Founding Fathers, Benjamin Franklin, said: "You may delay, but time will not." For far too long Republicans have delayed doing anything to address our Nation's insolvent transportation system or to address other vitally important infrastructure problems. As PAUL RYAN said earlier this year on the House floor:

Instead of fixing the problem, we've dodged it. Five times we've come up with temporary solutions and transferred money from the general fund into the trust fund—which, in English, means we've patched a pothole and not fixed the problem.

Sadly, that is what has happened, and it looks like it is going to happen again—which is too bad—and we are going to have another short-term extension because the conferees couldn't work out their differences.

My Republican colleagues have delayed, but time has marched on, and it has wreaked havoc on our Nation's tens of thousands of roads that are in disrepair. This is a problem and a very dangerous one. We have 61,000 roads and bridges that have been deemed structurally deficient.

Just a short distance from where we are here—just a couple of miles—is the Memorial Bridge that connects Arlington National Cemetery with the National Mall. That bridge is corroded and it is failing. They have closed down several lanes of that bridge. Vehicles that pass over this Memorial Bridge are subject to weight restrictions. Why? Because of the bad condition of the road and the bridge itself. Construction experts are working now to fix the problem, but here is the kicker: The Memorial Bridge is just 1 of 14 structurally deficient bridges in our Nation's Capital, according to the American Road and Transportation Builders Association. There are 14 structurally deficient bridges in our Nation's Capital alone. It is a staggering figure.

But around the country, we have about 60,000 others where we have a problem. The problem is bigger than thousands of these decrepit bridges. The American Society of Civil Engineers estimates that one-third of all U.S. roads are in poor or mediocre condition. That is 1.3 million miles of roadway. The former Secretary of the Treasury and an academic said in a steering committee chaired by Senator KLOBUCHAR recently that each year an American motorist who drives a car in effect is paying an extra \$2,000 in damage to their car. Drive around and feel the crashes as you hit those big potholes.

It is not only in Washington, DC. It is all over the country, and that is to say nothing of the time and resources wasted each year because of our struggling transportation system in other ways. We Americans waste nearly 7 billion hours in our cars due to traffic congestion. We waste 3 billion gallons of fuel. We need real, long-term invest-

ment in America's surface transportation infrastructure.

Right now we are spending about \$90 billion a year, including State and local funds, just to maintain the current poor condition. People don't like to hear this but the fact is that we need to do more.

The Federal Highway Administration estimates it will take \$170 billion a year to improve the condition of our roads and bridges. If we don't increase that funding, it will only get worse. The American Society of Civil Engineers maintains that by 2020 the United States will need to invest \$3.6 trillion in our infrastructure to bring it up to par. If Congress continues the current baseline funding, in the next 6 years our transportation infrastructure will be a disaster, but it looks like that is where we are headed with the new highway bill.

Instead of maintaining the status quo, now is the time for Congress to increase surface transportation funding. There is no reason for any Republican to balk at spending more money for our Nation's roads and bridges. We can be conservative and still support fixing our roads and bridges. Think about \$2,000 per driver because of the condition of the roads and highways.

We need look no further than the senior Senator from Oklahoma. Is there anybody in the world who could say JIM INHOFE is not a conservative? Of course he is. But he has worked hard with liberal BARBARA BOXER to address this critical need. Their bill is not everything I would like—and that is an understatement—but I appreciate their efforts. We need other Republicans to step up, as did INHOFE, and do the right thing. We need a long-term highway bill with increased funding for our roads and our bridges. We shouldn't delay. Now is the time to be bold with adequate resources to address our infrastructure needs.

#### SARAH WINNEMUCCA AND NATIVE AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, in the Capitol Visitor Center, there is a statue of a Nevada Paiute woman named Sarah Winnemucca. Each State gets two statues; one of ours is Sarah Winnemucca. I wish the other one would just go away, but it all has to be done legislatively. That is a subject for another discussion. I am referring to the other one from Nevada.

The statue of Sarah Winnemucca is beautiful. The artist was a 23-year-old young man. When the contest was being held to find out who would get the benefit of being able to sculpt it for Statuary Hall and they brought in his design, the judges gasped. It was so unbelievable. Her skirt is blowing in the breeze. He depicted her with a shellflower in one hand and her autobiography in the other, her dress blowing in the wind. I admire that statue. In fact, I have a smaller version of that statue in my Capitol office.

Think about her accomplishments. She was the first Native American to

publish an autobiography. She was a scholar who spoke five languages. She was a defender of her people. She even met with the President of the United States, Rutherford B. Hayes, to negotiate settlement for the Paiute Tribe.

Sarah Winnemucca was courageous and resolute. She was good for her people and good for her country. She is one of Nevada's heroes.

November marks Native American Heritage Month. During this month, we honor the contributions of American Indian, Alaska Native, and Native Hawaiian cultures and their impact on the United States. We honor the contributions of Native Americans such as Sarah Winnemucca.

Native American heritage is a pillar of America's foundation and certainly the foundation of so many different States. Nevada has 22 separate tribal organizations. We feel that is an important part of our history in the State of Nevada. The Native American cultures are uniquely embedded within the fabric of our Nation, and their contributions must never be forgotten.

Would the Chair announce the business of the day.

#### COMPOUND MOTION

The PRESIDING OFFICER. The compound motion to go to conference on S. 1177 is the pending business.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from Washington and I are here to recommend to Members of the Senate that we vote yes on allowing the majority leader and the minority leader to appoint conferees so our committee can continue its work on a bill to fix No Child Left Behind.

The vote we are about to have is not a vote on the merits of the bill. The reason it is not a vote on the merits of the bill is because there is no bill.

What we are asking for is the usually routine request to permit us to take our legislation, which passed the Senate 81 to 17, and to meet with Members of the House of Representatives, who passed a similar bill, and see whether we can come up with a bill that the conference would recommend to the House and the Senate to approve. When that occurs—and it could occur this week—then Senators would have at least a week to consider whether to vote for or against the bill.

I emphasize to Senators and their staffs who may be watching that this is a routine request. This is the kind of request that the Senate should almost always approve, giving our leaders a chance to allow us to continue our committee work, especially given this bill.

Newsweek magazine recently reminded us what everybody knows. Everybody knows this law needs to be fixed. We are 7 years overdue.

The Senator from Washington and I spent an entire year working with our committee, which is as diverse as any committee in the Senate, to produce a result. The process allowed numerous amendments. Everybody who wanted

an amendment got one in committee. As a result of the process, all 22 voted to report the bill to the Senate. It was a remarkable event considering the diversity of views on our committee. Then we came to the floor of the Senate. We had a full debate. We considered more than 70 amendments. The vote was 81 to 17—a remarkable event. This is a bill which has alligators lurking in every part of the pond, and the Senate is about to get a result on something that affects 100,000 public schools, 3.5 million teachers, and 50 million students.

Since the Senate passed its bill and the House passed its bill, the Senator from Washington and I have been meeting with our counterparts, the chairman and ranking member of the House education committee. Our staffs have been talking, and we have been trying to take the two bills, which are very similar, and see if we could suggest to the conference a way that we could get a result. We don't have the result because we haven't had a meeting of the conference. We can't have a meeting of the conference until the leaders are allowed to appoint the Members of the conference.

On Monday evening, the Rules Committee of the House of Representatives reported a rule to allow the leader to appoint members of the conference, and they did it yesterday, Tuesday, by voice vote. We should be able to do this by consent.

I would think everybody in the Senate would want us to go to work to see if we can produce a result on this bill. We will have a chance, apparently, in a few minutes to vote yes, we want to allow our leaders to appoint conferees so that we can see if we can get a result. This is not a vote on the merits of the bill. Almost everybody voted for the bill in the Senate last time, but even if you didn't, this is not a vote on the merits of the bill. If you want to vote "no" later—which I hope you don't; I hope we will come up with something you will support—you will have a chance to do that and you will have a week to do it.

We have 22 members of our committee. That is about a quarter of the Senate. We have been talking for years. We have offered amendments. The members of the committee have had the staff draft for the last several days. They have been briefed for the last several days. No amendments can be offered, no bill can be offered until the conference actually meets. So this is a vote to allow leaders to appoint conferees so that we can move ahead on the urgent business of seeing whether we can produce a bill that we will recommend to the House and to the Senate that we will fix No Child Left Behind.

I thank the Senator from Washington for her leadership. It was her advice that led us down this path which so far has produced a good result. I thank the majority leader for making time to put this bill on the floor. I also thank the

Democratic leader, Senator REID, who has worked to make this easy for us to do during this process.

We have had excellent cooperation from Senators. I think everybody wants a result, and we hope we can go to work to do it. So vote yes to give us a chance to finish our work, and then take a look at our work. You will have a week to read it. We will be pleased to visit with you about it. And then I hope you vote yes again, but that will be the vote on the merit. This is a vote simply on whether you trust the leaders to appoint conferees to allow the committees to finish our work.

Mr. President, I reserve the last 5 minutes before the debates ends for any additional comments I might make.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are all in agreement that Congress absolutely needs to work together to finally fix the broken No Child Left Behind law for our students, our teachers, our parents, and the communities in my home State of Washington and across the country. Today we will have the chance to take another step forward toward that goal.

As the Presiding Officer heard from our chairman, Senator ALEXANDER, since February of this year, he and I have worked together on a bipartisan education bill that would remove the harmful one-size-fits-all mandates of No Child Left Behind, while also including Federal guardrails to make sure all of our students have access to a quality education.

We improved on our bipartisan bill in the HELP Committee with the help of our colleagues and a number of amendments that were agreed to, and in July the Senate voted to pass that bipartisan bill with a vote of 81 to 17. The House also passed their bill in July.

Since then, Chairman ALEXANDER and I—as he just mentioned—have been working with House Education and the Workforce Committee Chairman KLINE and Ranking Member SCOTT. The four of us have had very good conversations about making sure the conference is successful, and I hope we will be able to continue our bipartisan work in the conference, continue to bring in the priorities and ideas of our fellow Senators and Members of the House, and make sure that the final product we will bring forward is something that can pass both Chambers and that President Obama can sign into law. But first we need to take the next step in the legislative process by approving this compound motion to name conferees and allow the Senate to proceed to conference with the House.

In the Senate, we want to appoint every member of the HELP Committee. Our committee members have worked very hard to craft the Senate bill, and we want to make sure their voices are heard in the conference meeting.

I urge our Members to support this compound motion in a few minutes so

we can continue this incredibly important work to finally fix No Child Left Behind.

I once again thank Chairman ALEXANDER for the tremendous job he has done in moving the legislation to this point.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, shortly the Senate will vote on the motion to appoint conferees—or what is often called the motion to go to conference—for a bill that reauthorizes the Elementary and Secondary Education Act, the ESEA, which is the legislation governing our Federal K–12 education policy. Because most Americans have probably never heard of this obscure parliamentary procedure—the motion to appoint conferees, that is—I wish to take just a moment to explain how it works or at least how it should work.

When the House and the Senate each pass separate but similar bills, the two Chambers have the ability to convene what is called a conference, a conference committee. A conference is essentially a meeting where delegates from each Chamber come together to iron out any differences between their respective—similar but somewhat different—bills and then put together what is called a conference report, which is a single piece of legislation that reconciles any disparities between the House-passed bill and the Senate-passed counterpart to that bill. Once the delegates to the conference—the conferees, as they are sometimes known—agree on a conference report, they bring it back to their respective Chambers, to the House and the Senate, for a final vote.

It is important to note that once the conference report is sent to the House and the Senate for a final vote, there is no opportunity to amend the legislation. It is an up-or-down vote. Each Chamber can either approve or reject the conference report in its entirety. If each Chamber votes to approve the conference report, then it is sent to the President, who can either sign it into law or veto it. So what we are doing today is voting on the motion to appoint conferees for the reauthorization of the Elementary and Secondary Education Act.

Earlier this year, both the House and the Senate passed their own ESEA reauthorizations and now we are voting to proceed to the conference process and to appoint certain Senators to participate in that process as conferees. Historically, and according to the way the conference process is supposed to work, this vote is not that big of a deal. Voting on the motion to appoint

conferees is usually, and mostly, a matter of routine, but it is not a vote that should be rushed through on a moment's notice because it is the last opportunity for Senators and Representatives who are not conferees, such as I, to influence the outcome of the conference process.

We can do that by offering what are called motions to instruct the conferees. For example, let's say I was not chosen to be a conferee on a particular bill, but there was an issue related to the bill that was important to me and to the people I represent. In that case I could ask the Senate to vote on a set of instructions that would be sent to the conference to inform the conference's deliberations and influence the substance of the conference report.

This is how the conference process is supposed to work, but it is not how the conference process has been conducted with respect to this bill—the Elementary and Secondary Education Act reauthorization. Sure, we are still voting to appoint conferees and those conferees will still convene a conference and that conference will still produce a conference report. So from the surface it will still look like the conference process is happening, is unfolding in the manner in which it is supposed to, but beneath the surface we know that all of this has already been prearranged, precooked, predetermined by a select few Members of Congress working behind closed doors free from scrutiny, and we know this vote was scheduled on extremely short notice so it would be difficult, if not impossible, for the rest of us to influence the substance of the conference report through motions to instruct.

Why does this matter? We know the American people care deeply about K–12 education policy, but why should they care about this obscure parliamentary procedure in the Senate? They should care, and we know they do care, because the process influences the policy. In this case, the process expedites the passage of policies we know don't work, policies to which the American people are strongly opposed. For instance, it is my understanding this bill would authorize \$250 million in new spending on Federal pre-K programs—what amounts to a downpayment on the kind of universal, federally run pre-K programs advocated by President Obama. This would be a disaster not only for American children and American families but for our 21st century economy that increasingly requires investments in human capital.

We know a good education starting at a young age is an essential ingredient for upward economic mobility later in life. A mountain of recent social science research proves what experience and intuition have been teaching mankind for millennia; that a child's first few years of life are critical in their cognitive and emotional development. Yet we also know that too many of America's public schools, especially those public schools in low-

income and disadvantaged neighborhoods, often fail to prepare their students to succeed. Nowhere has the top-down, centrally planned model of public education failed more emphatically than in our Nation's public pre-K programs. The epitome of Federal preschool programs is Head Start, which has consistently failed to improve the lives and educational achievements of the children it ostensibly serves.

According to a 2012 study by President Obama's own Department of Health and Human Services, whatever benefits children gain from the program disappear by the time they reach the third grade, but because bureaucracies invariably measure success in terms of inputs instead of on the basis of actual outcomes, Head Start and its \$8 billion annual budget is the model for Democrats as they seek to expand Federal control over childcare programs in communities all across this country.

This bill also doubles down on the discredited common-core approach to elementary and secondary education the American people have roundly and consistently rejected. Parents and teachers across America are frustrated by the heavy-handed, overly prescriptive approach to education policy by Washington, DC. I have heard from countless moms and dads in Utah who feel as though anonymous government officials living and working 2,000 miles away have a greater say in the education of their own children than they do. The only way to improve our K–12 education system in America is to empower parents, educators and local policymakers to meet the unique needs of their communities and serve the low-income families the status quo is leaving behind.

With early childhood education, we could start block-granting the Head Start budget to the States. This would allow those closest to the children and families being served to design their own programs rather than spending all their time complying with onerous, one-size-fits-all mandates and designate eligible public and private preschools to receive grants. We know this works because many States are already doing it. In my home State of Utah, for instance, the United Way of Salt Lake has partnered with two private financial institutions, Goldman Sachs and J.B. Pritzker, to provide first-rate early education programs to thousands of Utah children. They call it a pay-for-success loan. With no upfront cost or risk to the taxpayers, private capital is invested in the Utah High Quality Preschool Program, which is implemented and overseen by the United Way. If, as expected, the preschool program results in increased school readiness and improved academic performance, the State of Utah repays the private investors with the public funds it would have spent on remedial services the children would have needed between kindergarten and the 12th grade had they not participated in the program.

Washington policymakers should not look at Utah's pay-for-success initiatives and other local success stories like them as potential Federal programs but rather as a testament to the power of State and local control, of State and local ingenuity. We should not expand Washington's control over America's schools and pre-K programs. Instead, Congress must advance reforms that empower parents with flexibility and with choice to do what is in the best interests of their children. The policies in this bill, as I understand them, move in the opposite direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I know there are a number of Senators who have important appointments. I know the Senator from Oklahoma has a military funeral he wants to attend, so I intend to make about 3 or 4 minutes of concluding remarks and then yield back the rest of the Republican time.

I would say this to my friend from Utah. Critics of this body say we are not able to get a result. We are often able to get a result, and this vote is about whether we are able to get a result. That is what this vote is about.

We have big differences. That is why we are sent here—to resolve our big differences. If all we want to do is announce our differences, we could stay home and speak on a street corner. After we announce our differences, our job is to get a result. We are not the Iraqi Parliament, we are the United States Senate. Under our rules, after we have had a full process, our leaders—the Republican leader and the Democratic leader—appoint Members of the Senate to work with Members of the House and see if we can get a result—see if we can get a result.

As I said earlier, this went through committee—22 members on the committee. As diverse a committee as we have, unanimously they recommended a result, with many amendments. This came to the floor, we had more than 70 amendments, and with a vote of 81 to 17 we got a result. We have our instructions. It came from this Senate—81 to 17. We have our instructions.

We will work with Members of the House of Representatives, if given permission, and see if we can get a final bill. All 22 members of our committee will be on that conference. There will be more Members than that on the conference. So all of the education committee members will be continuing our work to get a result. Why would we slow this down when the American people have waited 7 years for us to get a result on fixing No Child Left Behind?

So, Mr. President, however you voted on the bill earlier—and almost everyone voted for it—I hope you will support Senator MCCONNELL, Senator REID, Senator MURRAY and me and our committee and our efforts to continue our work to get a result. This is not a vote on the merits of the bill because

there is no bill. We are asking for permission to go write a bill and then we will bring it back here and Senators will have at least a week to consider it and then they can vote yes or no. We need a result. I urge a “yes” vote.

I yield back our time.

Mrs. MURRAY. I yield back all time on the Democratic side.

The PRESIDING OFFICER. Is there objection to yielding back all time?

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object, I ask unanimous consent to speak for 1 more minute following his comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, I thank my friend and distinguished colleague from Tennessee for his remarks.

In light of the fact that this bill does involve a complicated process, in light of the fact that this bill—the original Senate bill—was many hundreds of pages long, in light of the fact that the conference report is likely to be lengthy, I would hope and I would urge my colleagues to have a say in the matter. I hope we will all work toward a process that can result in at least allowing the American people to see this bill before it comes back in conference report form—at least a week or so before we actually have a vote on the conference report. I think the American people deserve to see what is in it before their representatives in the House and in the Senate have an opportunity to vote on it. I hope that will be the case and I hope my colleagues will agree to that.

Mr. ALEXANDER. Mr. President, as the Senator from Utah knows, that is the case. I said that to him yesterday and I just said it on the floor. We hope to complete our work this week. We may or we may not, but the bill will be out for at least a week for Members of this body to consider it.

We considered it in committee with many amendments, on the floor with many amendments, and 22 Members of the Senate are reading the staff recommendations right now. We hope to get a bill. We will get a result. And, yes, all Members—I am glad we are having this discussion. We haven't had conferences in years around here. Senator MIKULSKI has mentioned that. Maybe this discussion will help us understand how to get a result in the Senate.

I yield the floor, and I call for a vote.

The PRESIDING OFFICER. All time is yielded back.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alexander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the compound motion to go to conference for S. 1177 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 91, nays 6, as follows:

[Rollcall Vote No. 308 Leg.]

#### YEAS—91

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Perdue
Barrasso	Gillibrand	Peters
Bennet	Grassley	Portman
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Booker	Heitkamp	Roberts
Boozman	Heller	Rounds
Boxer	Hirono	Sanders
Brown	Hoeven	Sasse
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Capito	Johnson	Scott
Cardin	Kaine	Sessions
Carper	King	Shaheen
Casey	Kirk	Shelby
Cassidy	Klobuchar	Stabenow
Coats	Lankford	Sullivan
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Corker	McCain	Toomey
Cornyn	McCaskill	Udall
Cotton	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

#### NAYS—6

Crapo	Daines	Paul
Cruz	Lee	Risch

#### NOT VOTING—3

Graham	Rubio	Vitter
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The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 6.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the question occurs on agreeing to the motion to go to conference.

The motion was agreed to.

The Presiding Officer appointed Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. PAUL, Ms. COLLINS, Ms. MURKOWSKI, Mr. KIRK, Mr. SCOTT, Mr. HATCH, Mr. ROBERTS, Mr. CASSIDY, Mrs. MURRAY, Ms. MIKULSKI, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN conferees on the part of the Senate.

The PRESIDING OFFICER. The majority leader.

## TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. McCONNELL. Mr. President, pursuant to the previous order, I ask that the Senate proceed to the consideration of H.R. 2577.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 2577

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:*

### TITLE I

#### DEPARTMENT OF TRANSPORTATION

##### OFFICE OF THE SECRETARY

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$110,738,000, of which not to exceed \$2,734,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,109,000 shall be available for the Office of the General Counsel; not to exceed \$10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,029,000 shall be available for the Office of Public Affairs; not to exceed \$1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed \$1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$16,880,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office

of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112-141: Provided further, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by \$100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

##### RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,000,000, of which \$8,218,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

##### NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$500,000,000, to remain available through September 30, 2019: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs

of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than \$10,000,000 and not greater than \$100,000,000: Provided further, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That of the amount made available under this heading, the Secretary may use an amount not to exceed \$25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: Provided further, That grants awarded under the previous proviso shall not be subject to a minimum grant size: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

##### FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2017.

##### CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, \$8,000,000, to remain available through September 30, 2017.

##### OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,678,000.

##### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$6,000,000.

##### INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation



infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, \$4,000,000, to remain available until expended: Provided, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

#### WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,039,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

#### MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$336,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, \$597,000.

#### MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$3,084,000, to remain available until September 30, 2017: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

#### PAYMENTS TO AIR CARRIERS

##### (AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of

title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

#### ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: Provided, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

#### FEDERAL AVIATION ADMINISTRATION OPERATIONS

##### (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$9,897,818,000 of which \$8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,505,293,000 shall be available for air traffic organization activities; not to exceed \$1,258,411,000 shall be available for aviation safety activities; not to exceed \$17,425,000 shall be available for commercial space transportation activities; not to exceed \$748,969,000 shall be available for finance and management activities; not to exceed \$60,089,000 shall be available for NextGen and operations planning activities; not to exceed \$100,880,000 shall be available for security and hazardous materials safety; and not to exceed \$206,751,000 shall be available for staff offices: Provided, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to

any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 2 percent: Provided further, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: Provided further, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than \$154,400,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

#### FACILITIES AND EQUIPMENT

##### (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,600,000,000, of which

\$467,000,000 shall remain available until September 30, 2016, and \$2,133,000,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT  
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(AIRPORT AND AIRWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)  
(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of

funds limited under this heading, not more than \$107,100,000 shall be obligated for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,000,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section 48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION  
ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

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

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

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for

an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the non-commercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

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

FEDERAL HIGHWAY ADMINISTRATION  
LIMITATION ON ADMINISTRATIVE EXPENSES  
(HIGHWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

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

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112-141 shall not exceed total obligations of \$40,256,000,000 for fiscal year 2016: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, \$40,995,000,000 derived from the Highway Trust



Fund (other than the Mass Transit Account), to remain available until expended.

**ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION**

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

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

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

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

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

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

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

(3) determine the proportion that—

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

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

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

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

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

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

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

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

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

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

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

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

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

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

(A) remain available for a period of 4 fiscal years; and

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

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141), the amount of \$22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: Provided, That this provision shall not apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109-59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112-141): Provided further, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: Provided further, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

“(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate

Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

“(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

“(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

“(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

“(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.”.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 3112(c)(5) of title 49, United States Code, is amended—

(1) by striking “Nebraska may” and inserting “Nebraska and Kansas may”; and

(2) by striking “the State of Nebraska” and inserting “the relevant state”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

“(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—”;

(2) by striking “; and” at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting “; and”.

FEDERAL MOTOR CARRIER SAFETY  
ADMINISTRATION  
MOTOR CARRIER SAFETY OPERATIONS AND  
PROGRAMS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, \$259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$259,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2016, of which \$9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which \$34,545,000, to remain available for obligation until September 30, 2018, is for information management: Provided further, That \$1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141.

MOTOR CARRIER SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, \$313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$313,000,000 in fiscal year 2016 for “Motor Carrier Safety Grants”; of which \$218,000,000 shall be available for the motor carrier safety assistance program, \$30,000,000 shall be available for commercial driver’s license program improvement grants, \$32,000,000 shall be available for border enforcement grants, \$5,000,000 shall be available for performance and registration information system management grants, \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and \$3,000,000 shall be available for safety data improvement grants: Provided further, That, of the funds made available herein for the motor carrier safety assistance program, \$32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR  
CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and condi-

tions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107–87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner’s permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner’s permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading “Motor Carrier Safety Operations and Programs” may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier’s Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113–235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113–235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking “or”;

(2) in subsection (15) by striking “.” and inserting “; or”;

(3) by inserting at the end, “(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.”.

SEC. 137. (a) Section 3111(b)(1)(A) of title 49, United States Code, is amended by striking “or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,” and inserting “or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination.”.

(b) Section 3111(f) of title 49, United States Code, the term “chief executive officer of a State” shall include “chief executive officer of a State Department of Transportation”.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semi-trailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$130,500,000, of which \$20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$118,500,000, of which \$113,500,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the \$118,500,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER  
PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, \$575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which \$235,000,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402; \$272,000,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; \$29,000,000 shall be for “High Visibility Enforcement Program” under section 2009 of Public Law 109–59, as amended by Public Law 112–141; \$25,500,000 shall be for “Administrative Expenses” under section 31101(a)(6) of Public Law 112–141: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection

(d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: Provided further, That \$10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: Provided further, That \$4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: Provided further, That the additional \$14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109–59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL  
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION  
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$199,000,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT  
FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, \$50,000,000, of which not to exceed \$25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed \$15,000,000 shall be made available to carry out 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), \$288,500,000, to remain available until expended: Provided, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: Provided further, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: Provided further, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: Provided further, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: Provided further, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: Provided further, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE  
NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), \$1,101,500,000, to remain available until expended, of which not to exceed \$160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: Provided, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: Provided further, That after an initial distribution of up to \$200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided

to the Corporation only on a reimbursable basis: Provided further, That of the amounts made available under this heading, up to \$50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2016: Provided further, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110-432, of which up to \$500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110-432: Provided further, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: Provided further, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: Provided further, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: Provided further, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110-432, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110-432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

#### ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Rail Line Relocation and Improvement Program", \$2,241,385; and "Railroad Research and Development", \$1,960,000: Provided, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended: Provided further, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: Provided further, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110-432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and \$11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Grants to the National Railroad Passenger Corporation", \$267,019; "Next Generation High-Speed Rail", \$4,944,504; and "Safety and Operations", \$6,710,477: Provided, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: Provided further, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

#### FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$107,000,000, of which not less than \$5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than \$1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

#### TRANSIT FORMULA GRANTS

#### (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, \$9,500,000,000, to be derived

from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, shall not exceed total obligations of \$8,595,000,000 in fiscal year 2016.

#### TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, \$32,500,000, to remain available until expended: Provided, That \$30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and \$2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

#### TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), \$3,153,000, to remain available until expended: Provided, That \$2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and \$500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

#### CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,585,000,000, to remain available until expended: Provided, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

#### GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110-432 (112 Stat. 4968).

#### ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

#### (INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by

September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

- (1) in the areas of Arctic research;
- (2) to map the Arctic;
- (3) to collect and analyze data in the Arctic;
- (4) to support activities that further Arctic exploration, research, or development; or
- (5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP-21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, \$10,000,000 is hereby rescinded.

#### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

#### OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

#### MARITIME ADMINISTRATION MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$186,000,000, to remain available until expended.

#### OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$170,000,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$5,000,000 shall remain

available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which \$1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): Provided, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: Provided further, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

#### ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$5,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

#### SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$4,000,000, to remain available until expended.

#### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

#### (INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$8,135,000, of which \$5,000,000 shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That not to exceed \$3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

#### ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appro-

priation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

#### PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

#### OPERATIONAL EXPENSES

#### (INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$22,500,000: Provided, That \$1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code: Provided further, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

#### HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: Provided, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

#### PIPELINE SAFETY

#### (PIPELINE SAFETY FUND)

#### (OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$146,623,000, of which \$19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which \$127,123,000 shall be derived from the Pipeline Safety Fund, of which \$66,309,000 shall remain available until September 30, 2018: Provided, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

#### EMERGENCY PREPAREDNESS GRANTS

#### (EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), \$188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: Provided, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): Provided further, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to



develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

#### ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

#### OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$87,472,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Provided further, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

#### SURFACE TRANSPORTATION BOARD SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$32,375,000: Provided, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than \$31,125,000.

#### GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more

than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act:

Provided, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor sup-

port in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;



(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the "Department of Transportation Appropriations Act, 2016".

#### TITLE II

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### MANAGEMENT AND ADMINISTRATION

##### EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$14,500,000: Provided, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

##### ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$568,244,000, of which not to exceed \$44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed \$96,000,000 shall be available for the Office of the General Counsel; not to exceed \$208,604,000 shall be available for the Office of Administration; not to exceed \$61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed \$50,000,000 shall be available for the Office of Field Policy and Management; not to exceed \$17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed \$3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed \$4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed \$82,802,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

##### PROGRAM OFFICE SALARIES AND EXPENSES

##### PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$207,000,000.

##### COMMUNITY PLANNING AND DEVELOPMENT

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

##### HOUSING

For necessary salaries and expenses of the Office of Housing, \$382,000,000.

##### POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$23,100,000.

##### FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,500,000.

##### OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$6,800,000.

##### PUBLIC AND INDIAN HOUSING

##### TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided fur-

ther, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary:

(2) \$130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and

carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110-329;

(3) \$1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That not less than \$1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any stat-

ute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) \$20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

#### HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

#### PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") \$1,742,870,000, to remain available until September 30, 2019: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That up to \$3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: Provided further, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed \$23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emer-

gencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Provided further, That of the amount made available under the previous proviso, not less than \$6,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

#### PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain available until September 30, 2017.

#### CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$65,000,000, to remain available until September 30, 2018: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the

community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less than \$40,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than \$5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: Provided further, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

#### FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2017: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

#### INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to remain available until September 30, 2020: Provided, That, not-

withstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: Provided further, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,452,007: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, \$60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

#### INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$7,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,111,111,000, to remain available until expended: Provided further, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

#### COMMUNITY PLANNING AND DEVELOPMENT

##### HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and

have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: Provided further, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: Provided further, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.), \$2,900,000,000, to remain available until September 30, 2018: Provided, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

#### HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$66,000,000, to remain available until September 30, 2019: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not

apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which became effective on such date: Provided further, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2018: Provided, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: Provided further, That \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: Provided further, That an additional \$5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113–291.

#### HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,235,000,000, to remain available until September 30, 2018: Provided, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: Provided further, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than \$1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That up to \$2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway

Homeless Youth Act (42 U.S.C. 5714–25), notwithstanding section 204 of this title: Provided further, That up to \$33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: Provided further, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to \$5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: Provided further, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

#### HOUSING PROGRAMS

##### PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2015), and \$400,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That of the total amounts provided under this heading, not to exceed \$215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

##### HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly

under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$420,000,000 to remain available until September 30, 2019: Provided, That of the amount provided under this heading, up to \$77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$137,000,000, to remain available until September 30, 2019: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the pur-

poses authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2017, including up to \$4,500,000 for administrative contract services: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

#### RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$30,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

#### MANUFACTURED HOUSING STANDARDS PROGRAM PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000, to remain available until expended, of which \$10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use

of approved service providers that are paid directly by the recipients of their services.

#### FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2017: Provided, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2017: Provided further, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2016, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

#### GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

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

#### GOVERNMENT NATIONAL MORTGAGE ASSOCIATION GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

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

#### POLICY DEVELOPMENT AND RESEARCH RESEARCH AND TECHNOLOGY (INCLUDING TRANSFER OF FUNDS)

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



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

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: Provided further, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

#### FAIR HOUSING AND EQUAL OPPORTUNITY

##### FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2017, of which \$38,600,000 shall be to carry out activities pursuant to such section 561: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

#### OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

##### LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$110,000,000, to remain available until September 30, 2017, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, \$45,000,000 shall be made available on a competi-

tive basis for areas with the highest lead paint abatement needs: Provided further, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

##### INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$250,000,000, shall remain available until September 30, 2017: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

##### OFFICE OF INSPECTOR GENERAL

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

#### GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (INCLUDING TRANSFER OF FUNDS) (INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

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

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter “metropolitan division”) of the New York-Newark-Edison,

NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).



SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

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

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

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

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

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

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

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

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

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the

statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

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

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

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

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

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

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

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

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

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

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

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

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

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

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

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

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

under such section 8 as of November 30, 2005; and

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

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

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

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all

funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any office funded under the heading “Administrative Support Offices” to any other office funded under such heading: Provided, That no appropriation for any office funded under the heading “Administrative Support Offices” shall be increased or decreased by more than 5 percent or

\$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading “Program Office Salaries and Expenses” to any other account funded under such heading: Provided further, That no appropriation for any account funded under the general heading “Program Office Salaries and Expenses” shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading “Administrative Support Offices” and any account funded under the general heading “Program Office Salaries and Expenses”, but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a “program of the Department of Housing and Urban Development” under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

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

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

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

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

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

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

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

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

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

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

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

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

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

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

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

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected

under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

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

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: “Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).”.

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

SEC. 235. The language under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55) is amended:

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

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

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

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

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

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

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

“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency’s Capital Fund into a replacement reserve subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

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

“(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the

size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

“(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

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

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

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

(1) inserting “(A)” immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: “; and”;

(3) inserting the following new paragraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.”.

SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the National Housing Act is amended by inserting at the end of subsection (b)—

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

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines

that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

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

“(6) REVIEWS OF FAMILY INCOME.—

“(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

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

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

“(B) FIXED-INCOME FAMILIES.—

“(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

“(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

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

“(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93-66;

“(II) Social Security payments;

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

“(IV) other periodic payments received from annuities, insurance policies, retirement funds,

disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

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

“(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.”.

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

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

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

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

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

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

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

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

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

(I) be contingent on documented utility savings; and

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

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

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

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

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

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

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

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

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

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

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

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

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

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

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

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

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

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

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

(7) **EVALUATION.**—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

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

**SEC. 244. (a) AUTHORITY.**—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

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

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

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) **CONDITIONS.**—The transfers authorized by this section shall be subject to the following conditions:

(1) The owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

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

**SEC. 245. (a)** Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "General and Special Risk Program Account", and for the cost of guaranteed notes and other obligations under the heading "Native American Housing Block Grants", \$12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings "Rural Housing and Economic Development", and "Homeownership and Opportunity for People Everywhere Grants" are hereby rescinded.

**SEC. 246.** Funds made available in this title under the heading "Homeless Assistance Grants" may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

**SEC. 247.** Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: Provided, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

**SEC. 248.** None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2016".

### TITLE III

#### RELATED AGENCIES

##### ACCESS BOARD

##### SALARIES AND EXPENSES

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

#### FEDERAL MARITIME COMMISSION

##### SALARIES AND EXPENSES

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

#### NATIONAL RAILROAD PASSENGER CORPORATION

##### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,999,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided further, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

#### NATIONAL TRANSPORTATION SAFETY BOARD

##### SALARIES AND EXPENSES

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

#### NEIGHBORHOOD REINVESTMENT CORPORATION

##### PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42

U.S.C. 8101–8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON  
HOMELESSNESS  
OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking “level V” and inserting “level IV”.

TITLE IV  
GENERAL PROVISIONS—THIS ACT

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.

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.

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.

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

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

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

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

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

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

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

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

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

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

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

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

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

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

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

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016”.

The PRESIDING OFFICER. The Senator from Maine.

COMMITTEE-REPORTED AMENDMENT WITHDRAWN

Ms. COLLINS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?



Mr. WICKER. Mr. President, reserving the right to object, I understand that we are moving to consideration of the Transportation and HUD appropriations bill. Is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. Reserving the right to object, just for point of clarification, I am under the assumption that the bill will move under regular order requiring a 50-vote threshold for all amendments.

I ask, through the Chair, if the Senator from Maine can tell me if I am operating under the correct assumption.

Ms. COLLINS. Mr. President, I want to assure the Senator from Mississippi that for germane amendments, regular order will be in effect.

Mr. WICKER. Mr. President, I thank the Senator for her assurance, and I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 2812

(Purpose: In the nature of a substitute)

Ms. COLLINS. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 2813 TO AMENDMENT NO. 2812

Ms. COLLINS. Mr. President, I send a first-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2813 to amendment No. 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical amendment)

On page 55, line 22, strike "2015" and insert "2016".

Ms. COLLINS. Mr. President, I am pleased to begin the floor consideration of the fiscal year 2016 appropriations bill for Transportation, Housing and Urban Development, and related agencies. This bill funds programs that are essential to the American people. Our bill provides \$18.5 billion for the Department of Transportation and \$38.5 billion for the Department of Housing and Urban Development to meet the

housing needs of low-income, disabled, and older Americans, to shelter the homeless and to boost our economy and to create jobs through much-needed investments in our roads, bridges, seaports, railroads, transit systems, and airports.

Let me begin my remarks by thanking the chairman of the full committee, Senator COCHRAN, and the vice chairman, Senator MIKULSKI, for their leadership in advancing these appropriations bills. As Chairman COCHRAN has previously noted, this is the first time in 6 years that the Appropriations Committee has approved all 12 of the funding bills, and I will point out that we did so months ago. I also wish to thank and acknowledge the hard work of the ranking member of the subcommittee, Senator JACK REED. I am very pleased that he is cosponsoring this legislation and that we are offering these substitute amendments that have just been filed together. The two of us have worked very closely in drafting this bill, and we have listened to the recommendations from Members on both sides of the aisle. Through considerable negotiation and compromise, we have crafted a bipartisan bill that targets limited resources to those programs that meet our most essential transportation and housing needs.

As a result of hard work and compromise by many of our colleagues and the administration, the recent bipartisan budget bill allows the legislation before us today to be made even more effective. As I mentioned, I have offered on behalf of Senator REED and myself a substitute that reflects the new allocation made possible by the budget agreement. This additional funding has allowed for further investments in key programs, such as increasing the HOME Program by \$830 million for a total of \$900 million, increasing the Community Development Block Grant Program by \$100 million for a total of \$3 billion. I must note that those are the current funding levels.

The bill also provides \$255 million in additional funds for the FAA's facilities and equipment account for a total of \$2.8 billion, which is the budget-requested level to ensure that critical aviation programs are not delayed. These programs offer a wide range of support, from space-based surveillance, data communications, to everyday basic needs, ensuring that power systems are fully supplied to support the aviation and air traffic systems that operate 24 hours, 7 days a week.

We have also allocated an additional \$100 million for the TIGER Program for a total of \$600 million for this important and much-in-demand program that supports infrastructure, economic development, and job creation throughout the Nation. In fact, every State in the Nation has benefited from the TIGER Program.

We are bringing the Maritime Security Program up by \$24 million for a total of \$210 million to match the recently passed authorized level.

Finally, we are providing an additional \$311 million for FTA's Capital Investment Grants Program, for a total of approximately \$1.9 billion, which supports transit systems across the country.

This bill is critical to meeting the vast needs of our Nation's crumbling infrastructure. We have all heard of the low grades that the American Association of Civil Engineers has given to our bridges and highways. Many of us—particularly those of us who represent large rural States—know about the deplorable conditions of far too many of our roads and highways and the need for the State departments of transportation to post bridges that are no longer able to accommodate weight loads and modern traffic.

The TIGER Program will help us meet the needs of our crumbling infrastructure. This highly competitive program creates jobs and supports economic growth in every one of our States. The need for the program is demonstrated by the statistics. Listen to this, my colleagues: The Department of Transportation has received 627 eligible applications requesting more than \$10 billion for fiscal year 2015 from all over the country, but only 39 of those 627 eligible applications were able to be funded. Only \$500 million of the more than \$10.1 billion in requested funds could be granted. This is a successful program with an overwhelming demand, and I am happy that the new allocation allows us to give it a modest increase. It doesn't begin to match the application level for this program, which, again, is a reflection of our infrastructure needs in this country.

Turning to air travel, the aviation investments will continue to modernize our Nation's air traffic system and help to keep rural communities connected to the transportation network. These investments are creating safer skies and a more efficient airspace to move the flying public.

I have been very troubled by the devastating rail accidents that have occurred in recent years. In 2013, the runaway train near the Maine border in the Province of Quebec, Canada, devastated the community of Lac-Mégantic, and the inferno killed 47 people. First responders from Maine responded to the calls for help from their Canadian counterparts and helped to put out that terrible fire. More recently, we saw an Amtrak train in Pennsylvania derail, killing eight passengers. We have seen case after case of railcars turning over and spilling hazardous substances. This is a real problem, and it is one this bill addresses. To improve rail safety, our legislation provides \$50 million in new funding for infrastructure improvements, rail grade crossings, and positive train control safety technology.

In addition to rail, we have included several important provisions to enhance truck safety on our Nation's

highways. For example, our bill requires the Department of Transportation to finalize a rule mandating electronic logging devices within 60 days of enactment. This rule is critical to ensuring that bad actors will not be able to falsify their records. It will bring greater accountability to the industry. It helps those good truck drivers, the vast majority of our truck drivers. It separates them from the bad apples who are falsifying their logs.

The bill also requires the Department of Transportation to publish a proposed rule on speed governors, which limit the speed at which trucks can operate. The Department has delayed this important rulemaking 22 times since 2011. It is far past time to get this important safety rule completed and to implement it. It isn't just the ranking member and I who think so, this is also supported by the trucking industry itself.

We need to make progress in both the areas of electronic logs and speed governors, and our bill will ensure that that occurs.

We also provide funding for the Office of Defects Investigation at the National Highway Traffic Safety Administration to analyze consumers' complaints and trends related to vehicle safety defects. The Presiding Officer may recall that this agency came under scrutiny this past year for failing to discover and act on defective airbags, as well as faulty ignition safety switches. We must ensure that remedies are implemented promptly and make certain the public is better informed of critical defects.

Our bill also provides for critical housing programs. It preserves existing rental assistance for vulnerable families and individuals, and it improves the Federal response to the problem of youth homelessness. Both of these were priorities for me. I wanted to make sure that those vulnerable, low-income families, our disabled citizens, and low-income seniors did not lose the subsidized housing to which they are entitled and in which they are already living. So that is a very important provision. I would note, when we look at the budget of the Department of Housing and Urban Development, that more than 83 percent of the budget is devoted to these programs that are so vital to ensuring safe and affordable housing for some of the most vulnerable Americans.

Improving the Federal response to homelessness is also an important priority for me. That is why we placed a special emphasis in this bill on the growing problem of youth homelessness, and we have funded additional vouchers for what is known as the VASH Program that is aimed at our homeless veterans. Sufficient funding is provided to keep pace with the rising cost of housing vulnerable families. I will note that doing so this year has been especially challenging, given the administration's decision to lower mortgage insurance premiums, because that reduced FHA receipts by nearly

\$1.1 billion, but despite this challenge, this bill, by setting priorities, ensures that the more than 4.7 million individuals and families currently housed will not have to worry about losing their assistance. Again, let me emphasize, without this assistance, many of these families, many of our disabled Americans, and many of our low-income seniors could become homeless. We are preventing that.

The increase in youth homelessness is especially troubling and warrants more attention. Reflecting this concern, \$40 million is provided to expand efforts to reduce youth homelessness. In addition, the bill includes funding for more than 2,500 family unification vouchers to assist our young people who are exiting the foster care system, and it extends the amount of time these youth can use their vouchers.

I am sure if the Presiding Officer talked to foster youth in his State, the situation would be the same as mine. He would find that when they reach a certain age, they are no longer eligible for care by foster families and they have nowhere to go. Oftentimes, they end up in shelters. That is not an acceptable situation. So by expanding these family unification vouchers, we are hoping to ensure that these youth are not homeless or forced to live in shelters.

These efforts build on our success in reducing veterans' homelessness. We have had real success in this area. VASH is a program that actually works. We have reduced the number of homeless veterans by one-third, but the job is not done. We have a goal in this country of ending homelessness among our veterans who have served our country. We provide an additional 10,000 vouchers for our homeless veterans so we can complete our work and reach that goal.

Our bill is also an important source for local development. We worked hard to provide \$3 billion for the Community Development Block Grant Programs. This is an extremely popular program with the States and communities because it allows them to tailor Federal funds to support local economic and job creation projects. In fact, in my State, it is one of the most popular economic development programs—and I think that is true across America—because it isn't a top-down Federal Government dictating how the funds are used; instead, there is great flexibility in providing funds to States and communities, and they decide what is needed. They match the funds. There is often private sector money involved as well which may be used to revitalize the downtown to build affordable housing or whatever that particular community decides will spur economic development and create jobs. This is a job creation program, and it is one that is flexible and recognizes that those at the local and State level know best what their economic development and job creation priorities are.

The bill before us does not solve all of the problems facing housing and

transportation in this country. We simply do not have the money to do that, even with the higher allocation, in this era where we are facing a \$17 trillion debt. This is a fiscally responsible bill. It reflects priorities. We cannot fund every good program out there. We have to make choices. We certainly don't want to fund programs that are not effective. We have put our money on our priority programs that will make a real difference.

I appreciate the opportunity to present our appropriations bill to this Chamber. Again, I want to thank my ranking member, Senator JACK REED, with whom we have worked very closely on the substitute amendment.

As we begin debate on the Transportation-HUD appropriations bill, I urge my colleagues to consider the careful balance struck by the compromise that our subcommittee and our full committee worked so hard to achieve.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise with my colleague Senator COLLINS in support of the Transportation, Housing and Urban Development appropriations bill before us.

I begin first by commending the chairman for her extraordinary work, her thoughtful, careful consideration of all of these issues, and her willingness to include priorities of members on both sides. As always, she did this in a fair, considerate, and transparent manner, along with the staff who also did a remarkable job. So I thank her for her leadership and for her consideration.

As a result of the budget agreement, we have a higher allocation—an allocation that will allow us to make more responsible investments in key transportation and housing initiatives that will help grow our economy, create jobs, strengthen neighborhoods, and better meet our affordable housing goals throughout the country. We need to improve housing stability for our most vulnerable citizens, and this allocation will allow us to preserve HUD's housing and homeless assistance programs, which are vital to our Nation's security and the progress and opportunity for all of our people.

Over half of HUD's rental assistance goes to support someone who is elderly or disabled or both, so these programs are particularly important for seniors and for Americans with disabilities who need the kind of security that only adequate housing can give. Without these programs, frankly, many of these individuals would be homeless or paying more than half of their income in rent alone and, as a result, unable to support the other basics of life, including food and clothing and just basically getting around.

Overall, this bill makes important contributions toward improving the safety of our roads—another area of our responsibility is transportation—in helping people better connect to jobs and opportunities. It is often overlooked that housing is critical in every

aspect, particularly in being able to get and maintain a job, and that certainly is something we want to encourage. Also, these investments can serve as a catalyst for economic development, enhancing the community, preserving community assets, allowing Federal resources to leverage—many times over, in some cases—private resources and local resources.

Among the critical transportation investments that this bill provides is \$16 billion to the Federal Aviation Administration, fully funding the agency's budget request for air traffic control, safety oversight, and its facilities and equipment. Again, so much of our commercial activity depends upon a solid aviation infrastructure. We are fully funding their request, ensuring that they have adequate infrastructure, particularly when it comes to air traffic control in an age in which there are technological revolutions, causing them to reinvest constantly in better equipment and better preparation. For the past 3 years, in fact, maintenance on the agency's basic infrastructure has been deferred so the air traffic control challenges could be met and could be fully funded, but that is not a sustainable long-term strategy. The bill in front of us today, under the leadership of the chairman, puts the FAA back on track, and we want to keep it on track.

As the chairman has pointed out, in the transportation area, \$600 million is allocated for the TIGER Program, which fully funds local solutions to transportation problems. One of the commendable aspects—and there are many in this program—is these are localities coming to the Department of Transportation with specific requests that they know will help their economy, that will help move people and goods and services and improve the competitiveness of not only the locality but the Nation.

In addition to that, \$41 billion in highway grants and another \$8.6 billion in transit formula grants are allocated that States and local government rely on every year.

In addition to these provisions, the bill makes strong investments in Amtrak and rail safety, providing \$50 million for rail safety grants and targeted new investments along the Northeast corridor, which is one of the major thoroughfares of commerce and travel in our country.

It also allows the Federal Railroad Administration to hire 84 new inspectors and safety staff to address the safe transportation of passengers and energy products. We have seen repeated incidents of tragic accidents caused by outdated equipment and caused by many factors. We hope that with this legislation, we will not only reduce them but eliminate them.

We have also seen accidents in the center of the United States, in the far West, where products were being transported by rail and there were problems there too. Again, these energy products are necessary for the whole economy,

and we need to be on the job inspecting, to ensure that they are moving safely through all of our communities.

These investments are necessary. They are necessary for safety, they are necessary for efficiency, and they are necessary to build the kind of transportation system that supports jobs and economic growth. I think most people—and most people back home, certainly—understand the connection between good infrastructure, good jobs, and a prosperous economy. They get it, and this legislation gets it also.

At the Department of Housing and Urban Development, the bill makes important investments in our communities. Again, as the chairman has pointed out, the Community Development Block Grant Program—CDBG—is an extraordinarily effective tool for local governments to spur innovation and economic investment. Again, as the chairman indicated, it comes from the bottom up, not the top down. It allows mayors and city councils and local planning agencies that are able to utilize this money in combination with other resources to fund projects that make their communities more effective and more efficient. It is based upon their perspective, not our perspective, and it is a very efficient and very helpful program. It gives communities the tools to address their ailing infrastructure problems, and it brings critical services to many who need them the most.

The legislation also includes additional resources for affordable housing production through the HOME Program—an investment we know is necessary as our Nation faces a lack of affordable housing nationwide.

The bill also protects some of our most vulnerable citizens by providing critical resources to prevent and end homelessness, among veterans and youth in particular. This bill provides an additional 10,000 vouchers to move us closer to eliminating homelessness among our Nation's veterans. Just a few days ago we celebrated Veterans Day, but we can't celebrate it 1 day a year, we have to celebrate it every day. One way we can do that is to put the resources where they need to be so every veteran, we hope, can achieve affordable, decent, and safe housing. In that way, we celebrate their service every day, and this bill tries to do that. We have already seen success in this regard—about a 33-percent reduction in veterans' homelessness since 2009—but it is not good enough. There is still work to be done. That is a commitment that Senator COLLINS and I share, and her leadership has helped us move forward to achieve that objective.

Youth experiences in homelessness is another phenomenon, and the chairman spoke very eloquently about the fact that we are able to target resources to help some of these programs for young people to find homes. In particular, the chairman made the point about young people who are aging out of foster care. We have a fairly sub-

stantial system to help young people until they reach their adulthood, and after that it seems to go away. And so with resources we are helping children through foster homes and suddenly they have to go and they are on their own. This legislation is going to help them make a transition, at least to have the housing they need so they can use their skills productively for the benefit of everyone.

It also helps us improve coordination across the government so that these young people don't fall through the cracks. Some of it is resources and some of it is just working together cooperatively in a governmentwide approach and the legislation helps encourage that.

As I said and as I am repeating what the chairman said so well, homelessness is a barrier to education, employment, and opportunity. If you have to move three or four times a year and you are a young child, your education is going to be very challenging from school to school to school. If you are a person who doesn't have an address or moves frequently, how do you get that callback for the job interview if they can't find you and you can't find them? All of this instability can be significantly reduced and opportunity better achieved if we have dependable housing, and that is at the essence of our proposal today. So it applies to youth, families, and it applies to a whole span of Americans. Again, let me thank the Senator for her leadership in crafting this bill. On the whole it achieves a balanced compromise that responds to the priorities of the Members of this Chamber within the allocation we received.

We don't have unlimited resources so we had to figure out innovative ways to deliver better results with what we have, and I think we have gone a long way in doing that. We also have to continue to look to the future: making smart investments today that will help us build a much better tomorrow with a better transportation system, better housing options and, again, this legislation does that.

As with any legislative proposal, there are aspects of the legislation that could be improved. I hope we can improve them going forward. There are provisions, for example, with respect to addressing the safety of double 33 trailers which already passed the Senate on a bipartisan basis. Those are issues that we can and must work on to go forward, but overall this proposal does a great deal to respond to the needs of the American public.

Again, let me thank the chairman. It has been very challenging, but it is very enjoyable to work with her. We also have quickly an omnibus we must prepare. So we are literally going from the floor to meet with our colleagues, so hopefully we can pull this all together so we will have the opportunity to present to the full Senate a bill that is thoughtful and achieves the needs of our people.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE  
CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m., on Monday, November 30, the Senate proceed to executive session to consider the following nomination: Calendar No. 268; that there be 30 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to make a brief announcement before yielding to Senator BLUNT and Senator KLOBUCHAR, and that is that we are open for business as far as amendments are concerned.

I would invite my colleagues to start sharing their proposals with Senator REED, with me, and with our staffs so we can see if there are some that can be cleared, and perhaps, later in the day, we can move by unanimous consent a package of those that are acceptable and noncontroversial to both sides. The sooner we can get going on the review of those amendments, the better. I would encourage my colleagues to proceed.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

EXPRESSING SUPPORT FOR THE  
GOALS OF NATIONAL ADOPTION  
DAY AND NATIONAL ADOPTION  
MONTH

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 315, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 315) expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. I ask unanimous consent that the resolution be agreed to, the

preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. BLUNT. Mr. President, before I start my remarks, let me say how pleased I am to see Senator REED and Senator COLLINS here with this important bill, the opportunity to amend the bill and do the business we should be doing.

This Senator is also glad to be here with Senator KLOBUCHAR. She and I co-chair the Senate side of the congressional caucus on adoption, and the resolution that was just agreed to adopts November as National Adoption Month, and November 21 as National Adoption Day. While we are here talking about this, all of our States have kids who need to be adopted.

If you went to the Missouri Department of Social Services Web site today, you would find 114 foster youth who are ready and waiting to be adopted. If you looked around the country today, you would find that there are 415,000 children in the U.S. foster care system and 108,000 of those kids are waiting to be adopted. Last year 22,000 young men and women aged out of the foster care system and they never got that opportunity for the permanent home, the forever home that could make such a difference in their lives, not only as a kid but their lives as an adult.

I have two or three kids I want to talk about. Austin is 12. He is full of energy. He has a great smile. He is extremely active, as lots of 12-year-old boys are. He loves to be outside. He enjoys, as he would phrase it, "going on adventures." He likes animals. He would like to live on a farm one day. He likes basketball. He likes being on his basketball team, but mostly he would like to have a family. Mostly his dream is the dream that he would have a family to encourage him and support him.

There are two other young brothers, aged 11 and 7. When you first meet Mykez, you can tell he is relaxed. He is laid back. He is an easy guy to be with. In his free time he likes being active. He likes to be on his bike. He likes to play football. If it is possible being outdoors, he would like to be outdoors, but he is also happy with a video game or with the TV. At school he likes history class the best, but his best grade in school is art. His brother Jameer appears to be pretty shy and quiet, but once he gets to know you, he easily turns on the charm. He is a football and basketball guy as well, but he enjoys quiet activities such as drawing, reading, and coloring. He loves being with his brother. He loves video games. His favorite class is math, earning his highest grade there. But what they

would like is a family. They would like a family that would allow them to keep in contact with their siblings but would also give them some structure, some attention, and some consistency that has been missing in their life.

Marissa is 5. She has some challenges. She is a sweet, loving girl. She is happy, curious, and loves to laugh. She has a hard time right now expressing herself in lots of other ways. She is working on building her vowels and consonant sounds. She works on her sign language vocabulary. She has a spunky attitude, but she would melt the heart of a future family if those things ever become connected.

There are tens of thousands of children all over the country just like them who just need a family—tens of thousands of children where a family could make all the difference in the world, not only when they are growing up but when they are adults and they have that family to turn back to.

Nobody is better to work with on these issues than Senator KLOBUCHAR. I ask unanimous consent to enter into a colloquy with her and then come back to me in a little bit after she has had a chance to talk about the importance of National Adoption Month and National Adoption Day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I actually would have a question, first, of Senator BLUNT, because I know he is the parent of an adopted child from Russia.

I heard a rumor they are traveling to every State in the Union; is that correct?

Mr. BLUNT. We are trying.

Ms. KLOBUCHAR. OK, good. I wanted to get that on the record because I know he wanted to come to North Dakota, which is everyone's dream, and so Senator BLUNT asked for some advice from me to go to the great State of North Dakota.

Your child whom you adopted is Russian, and we have so many issues with some of these countries, from Russia to the Congo. I know families in Minnesota who have adopted children from Russia, and they were just ready to adopt the sibling. They met the brother or sister—and of course the kids know the brother or sister—and then the curtain was brought down, and those kids were literally pawns in a political game when Russia stopped all adoptions.

Senator BLUNT is hosting a meeting with the people involved in adoptions in the Congo. We have had a similar situation where the visas were pulled and the parents who visited these kids and are ready to adopt these kids haven't been able to do that.

I wondered if Senator BLUNT could comment on the situation with these countries and what the Senator thinks we can do.

Mr. BLUNT. I think this is a problem, and there are lots of families in the United States who would love to

have kids from wherever in the world kids are who need families. The two examples you have just given are some of the frustrations of international adoption in just the last few years, where thousands of kids were coming to the United States from other countries such as China, Ethiopia, Guatemala, the Democratic Republic of the Congo, and certainly from Russia.

The tragedy of so many of these stories is that the child has suddenly seen that opportunity, they have bonded with families, and they have gone through the whole process. Many people, when Russia stopped Russian adoptions, were ready to go to court, had been to Russia multiple times and had exchanged visits and photos. Not only is it that the family is ready for the adoption to occur, but, more importantly, the person who is to be adopted is ready for the adoption to occur.

Just to show what can happen, in the case of Russia, the kids who were closest to being adopted by American families, the Russian Government suddenly created incentives to put them at the top of a list that doesn't get much attention, which gave special incentives to Russian families to adopt these kids before the American families who were ready to welcome them could adopt them.

We are having a meeting today with the Ambassador from the Democratic Republic of the Congo, and I am grateful the Ambassador would come. Our real concern there is that there are many kids in the Congo who had actually been adopted. There was a commission that had been put in place to study the question of why they can't get their exit visas now to leave with the families the courts in the Democratic Republic of the Congo have said could adopt these kids and that group has been disbanded. All that is necessary there is the exit opportunity—the exit permission—to leave the country to go with the families who have already legally adopted them.

The Senator and I and several of our colleagues are going to meet with the Ambassador today. We are glad he is coming. We would like to see that meeting result in going back and looking at cases where their government has already decided this is a great match for these kids and these families and figure out how to let those families get their kids to the United States.

Ms. KLOBUCHAR. Thank you. This is also very important in my State. As I mentioned, we have the highest rate of international adoptions in the country. We have families who have opened their hearts and their homes to kids from every country, including Vietnam, Guatemala, Nepal, and Haiti.

In my background as county attorney, for 8 years I oversaw the lawyers who worked with foster care and adoptions. We made it a huge priority to try to speed up the process for kids to be adopted from foster care. Right now in our country nearly 400,000 children are living without permanent families

in the foster care system. Over 100,000 of these children are eligible for adoption, but too many of them will languish for years in foster care—often times with very good families for them, but obviously a permanent home is what you want.

We talked about international adoptions around the world. There are estimated to be nearly 18 million orphans who have lost both parents and are living in orphanages or on the streets who want, again, a permanent home.

Senator BLUNT talked about some examples from his own State. One example is the Hatch family. Emerson Hatch was one of these orphaned children. They started the process to adopt her from India in 2000. Emerson was one of 300 kids living in an orphanage built to house 34 children.

The Indian Government refused to release her, and the family had to endure a 2-year wait, an earthquake, and a contested election in India before they were finally able to get her out of India with 1 minute to spare before her passport expired. She was malnourished, 2 years old but only weighed 14 pounds and was in poor health.

But with a lot of love and the help of the Adoption Medicine Clinic at the University of Minnesota, Emerson and the Hatch family are thriving. She is in high school, and the family is passionate about giving orphans permanent, loving homes.

There are many things that this Senate can do. The first, as Senator BLUNT explained, is leading efforts when countries put up barriers for no good reason. Obviously, sometimes you will have legal issues in countries with corruption or other reasons why there is a pause in adoptions. But when countries are putting up barriers for no good reasons and for reasons that are fairly transparent, we must lead and work with other Senators across the aisle to get this done.

The second is legislation. We have had a number of successful bills passed in the Senate. The bill I am probably proudest of is something that I did with Senator SESSIONS and Senator INHOFE, which was to allow older siblings to come in internationally when a younger sibling had been adopted. What was happening is kids would turn 17 after holding the family together as the oldest sibling, and then they would no longer be eligible for adoption.

We had a family out of the Philippines with nine children, and the oldest two kids helped hold them together in an orphanage and then they turned too old to be adopted. That family I will never forget. The Merkourises came to me and said: Well, we have these choices. We can adopt the seven kids and leave the two behind—it was like a “Sophie's Choice”—or we can leave them all there because we want them to stay together or you can change the law. That was the discussion.

So I worked with my colleagues. I will never forget. The Merkourises

came with pictures of these children on their iPads and went around to the offices of House Members and Senators who were holding up the bill and showed them to their staff members. The staff members would call our staff crying and said: OK, well, we won't hold it up anymore. And we were able to get that passed.

To Senator BLUNT, I was able to be with that family in their home, a farmhouse that they have expanded. It was like a Philippine version of “The Sound of Music.” They are an incredible family. I just talked to them a few months ago, and they are doing very well.

This is, I would argue to our colleagues, a bipartisan area in Congress. It is something we can do across the aisle, but it is also something where we can make significant difference—not just in one family's life but in many, many families' lives.

I thank the Senator for his work and his continued leadership in this area.

Mr. BLUNT. I would say in this regard that there are several things we are trying to do that we are still working on with Senator KLOBUCHAR and others together. Clearly, there are great stories to be told.

One thing we don't want to forget with National Adoption Month and National Adoption Day is the many families and the many individuals who benefit from adoptions. It is very easy to talk about the frustrations of trying to make things work better—the foster kids who aren't adopted, the international kids who should be here who have families who want them to be here.

We also want to talk about the many success stories. We had an Angels in Adoption event just a few weeks ago and recognized from virtually every State a family that had done something extraordinary, such as the family who took a family from the Philippines. Expanding the farmhouse is probably job one if you are going to bring nine more people into your house.

The Supporting Adoptive Families Act, the Timely Mental Health for Foster Youth Act, and the Adoption Tax Credit Refundability Act all need attention to make adoption work and to make it easier. It is life changing for everybody involved and, in most cases, it is life changing not just for the family but for anybody who really knows the family and sees what happens when people are able to reach out, become a family, and make a difference in the moment but also to make a difference forever.

I will let Senator KLOBUCHAR finish, but working on these issues is important, and it is bipartisan. You are never going to find anybody who says: Well, we don't need that. But we do need to be sure we are paying the kind of attention that we need to make this work better, to make it easier, and to increase the chances that adoptive families not only are able to become adoptive families but that they are

also able and more likely to be successful adoptive families.

Again, I thank Senator KLOBUCHAR for her leadership and for her work.

Ms. KLOBUCHAR. Thank you.

As you know, our work is never done. We have a number of bills out there for which we have bipartisan support and that we are going to work on.

I think my last statement would be that our kids deserve so much more than just a roof over their heads and a bed to sleep in. Each and every child deserves a loving home, a nurturing family, and a brighter future. That is what National Adoption Month is all about, and that is why Senator BLUNT and I are on the floor today. That is why all of us have a responsibility to carry on this torch and to keep fighting for these children.

I thank Senator BLUNT.

I yield the floor.

#### TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

Ms. KLOBUCHAR. Mr. President, I ask to speak on one other subject briefly for 2 minutes.

The PRESIDING OFFICER. The Senator from Minnesota.

#### DEPARTMENT OF VETERANS AFFAIRS PERFORMANCE BONUSES

Ms. KLOBUCHAR. Mr. President, I rise today to express my concern that the Department of Veterans Affairs chose to issue performance bonuses to senior executives, including the director of the St. Paul Regional Office of the Veterans Benefits Administration, despite recent revelations of improper and dishonest conduct.

According to a report released by the VA's Office of the Inspector General in September, two VBA executives used their positions to assign themselves to different jobs that involve fewer responsibilities while maintaining their higher salaries. They actually assigned themselves to a different job where they had to work less and then kept their high salaries.

One of them was a woman named Kim Graves, the director of the Veterans Benefits Administration St. Paul Regional Office since October 2014. The inspector general found that Ms. Graves used her influence as director of the VBA's Eastern Area Office to compel the relocation of the previous St. Paul office director. So she moved that person and then moved herself into the job. She then proceeded to submit her own name for consideration and fill the vacancy that she had just created.

Taking on the job of directing the St. Paul Regional Office was actually a step down in responsibility for Ms. Graves. In the inspector general's words, she "went from being responsible for oversight of 16 [regional offices] to being responsible for only 1 [regional office]," but she kept her Senior Executive Service salary of \$173,949 per year. She also received over \$129,000 in relocation expenses.

In spite of this behavior, Ms. Graves received an \$8,687 performance bonus this year. The St. Cloud VA health care system chief of staff, Susan Markstrom, received a performance bonus as well the same year she was reported with some mismanagement issues.

A chief of staff collecting bonuses while running off nurses and doctors and a senior executive using her position to push out one of her colleagues and give herself a plum assignment with fewer responsibilities but the same high salary are the kinds of actions that create a breach of trust. I am generally proud of Veterans Affairs. We obviously have issues in our health system with backlogs and other problems, but there are a lot of hard-working people who work in Veterans Affairs who should be lauded for that work because our veterans deserve nothing but the best.

But in this case, I thank the inspector general for being willing to look into this difficult case and shedding light on what has been happening. The conduct is unacceptable and further erodes trust.

It is commendable that the VA inspector general took action by referring these two cases to the U.S. attorney for possible criminal prosecution. The VA needs to do right by our veterans and taxpayers by holding bad actors accountable and implementing reforms to prevent exploitation such as this from ever happening again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—S. 310

Mr. CASSIDY. Mr. President, I rise today in support of S. 310, the Eliminating Government-funded Oil-painting Act, or the EGO Act. I would like to thank my colleagues, Chairman RON JOHNSON and Ranking Member TOM CARPER of the Committee on Homeland Security and Governmental Affairs. Their committee considered the EGO Act in its business meeting of June 24, 2015, and reported it favorably without amendment.

The Eliminating Government-funded Oil-painting Act is commonsense legislation that bans the Federal Government from spending taxpayer dollars on oil paintings of Presidents, Vice Presidents, Cabinet Secretaries, or Members of Congress. These paintings can cost as much as \$40,000 and are often placed in a back hall of a government bureaucracy, never to be seen by the public.

I will note that \$40,000 is the same as the average annual wage of a worker in Louisiana. Think about it—that worker worked a whole year, and what she

earned is what the Federal Government will spend on the painting of a Cabinet Secretary who serves for 6 months, and then the painting is put in the back of a building, never to be seen.

With trillions in debt, there is more to do in our obligation to spend taxpayers' money wisely, but this is a start.

I offer my strong support for the EGO Act and urge its passage.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 165, S. 310; I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASSIDY. Mr. President, I have no clue why the esteemed Democratic leader objects. All I can say is that is an incredible insensitivity to working families. I have no clue.

There is a family out there right now struggling, not sure if they can pay their rent or their mortgage. They are going to lose their car. Their children will go to school in old clothes and maybe hungry because the amount of money they earn per year is not enough. They look at people in Washington like a new version of "The Hunger Games"—it is the Capital of this country, and all the riches of this country are brought here to the Capital for paintings of government officials, to be hidden away, while they struggle to make their mortgage, their car note, and to make sure their child is properly fed.

That people in government would be insensitive to those families shows the problem. That people in Washington would be insufficiently aware that the average family is making \$40,000 a year—the same as what one of these paintings can cost—and not care is an indictment of those who do not care.

I regret that there is objection to this, but we will bring it up later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to speak in what is probably my 119th "Time to Wake Up" speech related to climate change.



I would like to take this occasion to express my appreciation to a person whom the TV cameras can probably see behind me sitting on the staff bench, Joseph Majkut, who has been a fellow on my staff for over a year now. He has been very instrumental in helping me prepare these speeches. I am grateful to him.

Today, I ask that we imagine a dark castle with looming ramparts and tall towers. It is strongly built, and it is well defended. Its defenders are determined and implacable. They patrol those ramparts and from their castle battlements attack and harass their opponents. The castle's thick walls are built to keep out unwelcome things. In this castle, those unwelcome things are science—the science of climate change; truth—the truth of what carbon pollution does to our atmosphere and oceans; and decency—the human decency, in the face of that information, to try to do the right thing.

This is Denial Castle, the fortress of climate denial constructed by the big polluters. Like many castles, this castle is built on elements that date back to earlier wars. Some parts date back to tobacco companies denying that smoking causes cancer. Some parts of it date back to the lead industries denying that lead paint poisons children. Some parts go back to denial of what acid rain was doing to our New England lakes and denial of what pollution was doing to our atmosphere's ozone layer. There might even be a few bits dating back to denial that seatbelts and airbags were a good idea. But now it is the big carbon polluters who command Denial Castle. They now enjoy the power to pollute for free, so they attack climate science. They send out trolls to disrupt Web sites and blogs. They harass climate scientists. One minion became attorney general of Virginia and so harassed a University of Virginia scientist that Mr. Jefferson's university had to use university lawyers and the State supreme court to get the harassment stopped.

This castle has within it its own little stable of scientists to trot out like trained ponies to create false doubt and uncertainty about the harm carbon pollution causes. Of course, the polluters have mouthpieces, such as the Wall Street Journal editorial page, to help spread their fog of doubt and denial. Most of all, they have weaponry. The weaponry on these dark ramparts is not just pointed outward at science and at the public; those polluter weapons point in, as well, at the Members of Congress who are held hostage inside the castle. This is not just a fortress; it is also a prison. Members know that if they try to escape, the full force of the polluters' political weaponry will fall on them. Many of the hostages are restless, but escape is hazardous. Some are actually happy to help man the ramparts. Look at the effort by Senate Republicans this week to override the Obama administration's Clean Power Plan—our Nation's most significant ef-

fort yet to assert global leadership in staving off the worst effects of climate change.

For those Republican Senators who want out of Denial Castle, escape is hazardous because Citizens United, that shameful Supreme Court decision, armed the polluters on the ramparts with a terrifying new weapon: the threat of massive, sudden, anonymous, unlimited political spending. A Republican in a primary has virtually no defense against that. One minute you are on course to reelection; the next moment a primary opponent has millions of dollars, pounding you with negative ads, and the polluter-funded attack machine has turned on you.

One polluter front group actually warned that anyone who crossed them would be "at a severe disadvantage," and that addressing carbon pollution with a price on carbon would be a "political loser." From a group backed by billionaires now threatening to wield, just in this election, \$750 million in political spending, that is not a very subtle threat.

Of course, a threatened attack doesn't actually have to happen to have its political effect. A threat, a quiet threat, a secret threat can be enough. We will never see those threats unless we are in the backroom where they are made. That is the unacknowledged danger of Citizens United.

What were the five Republican judges thinking when their Citizens United decision unleashed unlimited political spending and its dark twin, the silent threat of that unlimited political spending? This is not an idle concern. By 2 to 1, Americans think the Justices often let political considerations and personal views influence their decisions. Americans massively oppose the Citizens United decision—80 percent against, with 71 percent strongly opposed. Most tellingly, by a ratio of 9 to 1, Americans now believe our Supreme Court treats corporations more favorably than individuals. Even self-identified conservative Republicans by a 4-to-1 margin now believe the Court treats corporations more favorably than individuals.

Linda Greenhouse, who long resisted drawing such a conclusion, has written that she finds it "impossible to avoid the conclusion that the Republican-appointed majority is committed to harnessing the Supreme Court to an ideological agenda." Other noted Court watchers such as Norm Ornstein at the conservative American Enterprise Institute and Jeffrey Toobin long ago reached a similar conclusion.

Let's look carefully at what those five Justices did in their 5-to-4 Citizens United decision. Let's start where they started, with the First Amendment to the Constitution. The First Amendment protects honest elections by allowing limitations on the influence of money. The First Amendment allows limitations on election spending when they reflect a reasonable concern about corruption.

If you are a judge who wants to unleash unlimited corporate money into elections, you need to get around that problem, which they did by making the factual finding that all this corporate money will not present even a risk of corruption, not a chance. That is obviously false, but they said it anyway, which is interesting. But wait, it gets more interesting still. To make that factual finding, they had to break a venerable rule—the rule that appellate courts don't do factfinding. They broke that rule.

They did something else, too. Every time Congress or the Supreme Court had examined corporate corruption in elections, they found a rich, sordid record of corporate corruption of elections. That is American history. The five Justices knew a record like that in the case would have made it pretty hard to find no risk of corporate corruption of elections. All the evidence would go the other way.

How did the five Justices make sure the case had no good evidentiary record on corporate corruption of elections? Very cleverly. They changed the question in the case—what the Court calls the question presented. They changed the question late in the case, after there was any chance to develop a factual record on that new question presented. It is very unusual, but it is exactly what they did. Then they overruled a hundred years of practice and precedent of earlier Courts.

One could argue that each one of these different steps was wrong. Certainly, the ultimate factual finding, that corporate money can't corrupt an election, is way wrong. But the worst wrong is that these steps are linked together in a chain of necessity you must follow to get that result.

What is the chance that these conservative Justices just happened to change the question presented, which just happened to prevent there being a robust factual record on the very question where they just happened to need to make false factual findings about corruption; which just happened, this of all times, to be the time they broke the rule against appellate fact finding; all of which just happened to provide the exact findings of fact necessary to get around that First Amendment leash on corporate political spending?

Put all those steps together, and what you see is Justices behaving not like an umpire evenly calling balls and strikes, but like a locksmith carefully manufacturing a key, each of whose parts is precisely assembled to fit the tumblers and turn a particular lock. The result was amazing new weaponry for the corporate polluter apparatus, political Gatling guns in a field of muskets, which the polluters have deployed very effectively to silence debate about climate change.

Before Citizens United, Republicans regularly stood up to address climate change. A Republican nominee campaigning for President had a strong climate change platform. A Republican

President spoke of its urgency. Republican Senators authored and sponsored big climate change bills. Republican Congressmen voted for the Waxman-Markey bill in the House or wrote articles favoring a carbon tax and then came over and became Senators.

But after Citizens United, there was virtual silence. The polluters used Citizens United's new political artillery to shut debate down.

Money can be speech, but it isn't always. Money can also be bribery, bullying, intimidation, harassment, shouting down, and drowning out. The legendary turn-of-the-century political fixer Mark Hanna once said:

There are two things that are important in politics. The first is money, and I can't remember what the second one is.

He didn't say that because money is free speech. Money is political artillery. Look at the munitions. My gosh, most dark money political ads in the last election were negative ads. At times, virtually all on the air have been negative ads. Many ads have been reviewed and deemed false or misleading. At times, a majority of the ads running were deemed false or misleading. That is not debate; that is artillery.

The power to fire that artillery opens the way for secret threats and promises to use or not use that artillery. It does cause corruption when a politician will not vote his conscience because he hears those whispered threats and fears that new artillery. But even with all this new political artillery, the Denier Castle is not as secure as it looks. It is built on a foundation of lies—lies that the science of climate change is unsettled, lies that there is no urgency to this, lies that there will be economic harm if we fix the problem. The truth is exactly the opposite. The effects of carbon pollution are deadly real in our atmosphere and oceans. Time is running out to avoid the worst of the peril, and a sensible political response to climate change actually yields broad economic gains.

The Denier Castle's foundation of lies is slowly crumbling. The cracks are already beginning to appear. Twelve Republican House Members escaped from the castle—far enough to sponsor a climate resolution. Young Republicans—under 35—by a majority think climate denial is ignorant, out of touch, or crazy. Conservative heartland farmers see unprecedented weather in their fields and coastal fishermen see unfamiliar fish in their nets. Corporate climate leadership grows, from Walmart, Coke and Pepsi, Ford and GM, Mars and Unilever, General Mills and many others, and whole industries like the property casualty insurance industry. Of course, well-respected military leaders warn of climate change as danger, a catalyst of conflict. With all that comes the economic tide of lower and lower cost clean energy—energy which is probably cheaper already than fossil fuel, if the energy market weren't rigged by the polluters to favor their dirty product.

The blocks of the Denier Castle are loosening and beginning to fall. Mortar sifts down. The whole structure of deceit and denial is creaking and crumbling. Fear is starting to spread within the castle about what will happen when the lies are exposed and all the bullying revealed. Will there really be no price to pay for all that deceit and denial in a world of justice and consequences?

The Wall Street Journal editorial page has gotten so anxious that it accuses me of "treat[ing] [climate] heretics like Cromwell did Catholics," all because I, the junior Senator of the smallest State, had the temerity to say that mighty ExxonMobil, one of the biggest corporations in the history of the world and a Goliath if there ever were one, should maybe have to tell the truth in the place we trust in America to find the truth—an American courtroom. Exxon has gotten so frantic that their public relations people are starting to use bad language, things I can't even say on the Senate floor.

Even this week's Clean Power Plan challenge has an air of desperation—a last-ditch effort to show the fossil fuel industry that folks have done all they could before they stand down and evacuate the castle. The dark castle will fall, and it will fall abruptly. It will collapse. More hostages will break free, and a torrent will follow. When the lies and political influence are all exposed, there will come a day of reckoning. For all faithful stewards of God's Earth, and for our American democracy, that will be a day of joy, a day of honor, and a day of liberation. Each one of us can push a little harder to make that day come a little sooner. Let us lean into our tasks and to our duty.

I yield the floor.

Ms. MIKULSKI. Mr. President, I want to commend Senators COLLINS and REED for their hard work on this bill. The Senators worked closely together, continuing a great tradition of the Appropriations Committee.

The Transportation, Housing and Urban Development (HUD), and Related Agencies bill has two critical missions. It is Congress' annual infrastructure bill, creating jobs in construction, and it meets compelling human needs by strengthening communities. While I support this bill, I also reaffirm my continued commitment to getting a 12-bill omnibus done by December 11—leaving no bill behind and no Christmas crisis.

This bill keeps Americans on the move, delivering Federal formula funding to every State for highways, byways, and mass transit. Thanks to the Bipartisan Budget Act of 2015, which increased the discretionary caps by \$50 billion, we are here today to take up the Collins and Reed amendment, adding nearly \$1.6 billion to the Senate Committee bill.

The Collins-Reed amendment increases funding for the Federal Aviation Administration, the Federal Tran-

sit Administration's New Starts program, and competitive TIGER grants. It recognizes the importance of the U.S. flag fleet and merchant marines to our national security by increasing funding for the Maritime Security Program. The amendment also restores funding to HUD's Community Development Block Grant and HOME programs. These are programs that every county executive and mayor talk to me about.

For my home State of Maryland, this bill fully funds the Washington Metropolitan Area Transit Authority. I am beyond frustrated with Metro, but will not waver in my support for Federal funding to improve the safety and operational reliability of the system because many of my constituents rely upon Metro every day. I included bill and report language requiring strict U.S. Department of Transportation, DOT, oversight of how these taxpayer dollars are spent. And I appreciate the support of Senators COLLINS and REED for my amendment to give DOT the power to appoint and oversee Metro's Federal board members, instead of the General Services Administration.

The bill provides funding for an important Maryland jobs corridor—the Purple Line, which is a new light rail system to be constructed in Montgomery and Prince George's Counties. HUD's Office of Healthy Homes and Lead Hazard Control also receives strong funding, which is critically important to my hometown of Baltimore. Like many older cities in the Northeast, Baltimore has a significant lead paint problem.

This is a good bill. I urge my colleagues to offer only germane amendments, so we can complete our work before Thanksgiving and keep momentum going to complete a 12-bill omnibus before December 11.

The PRESIDING OFFICER. (Mr. PERDUE). The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to report that the ranking member and I have two amendments that have been cleared by both sides.

Mr. President, it appears that I am premature by a couple of moments, so I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EPILEPSY AWARENESS MONTH

Mr. WHITEHOUSE. Mr. President, I wish to speak for 5 minutes on Epilepsy Awareness Month. If the matter for which Senator WICKER is waiting comes to the floor, I will interrupt my speech immediately so I don't slow down his business at all. I know he has been waiting here for a while, but as long as we were in a quorum call, I will speak in recognition of November as Epilepsy Awareness Month.

Epilepsy is a chronic, debilitating condition that can produce violent, unpredictable seizures. It can be caused by traumatic events such as strokes, tumors, or brain injuries, but for a lot of patients the cause remains unknown. It is no easy thing to live with epilepsy. Yet millions of Americans do so every day, including an estimated 10,000 Rhode Islanders. They include Sawyer, a 12-year-old Warwick resident who recently started seventh grade. I think we all remember what it was like to be a young person in school. I am sure we all know someone who for one reason or another was labeled as different and had a harder time than most. Well, imagine how hard it must be to navigate that world while also struggling with the daily symptoms of epilepsy. It takes a brave person to confront that challenge head-on, and I think we can all admire Sawyer's courage every day as he goes to school and pursues his education amid challenging circumstances.

One reason Sawyer and his mom moved to Rhode Island was to take advantage of the support services provided by the Matty Fund, a local organization dedicated to helping those living with epilepsy and raising awareness of the condition. The organization was founded in 2003 by Richard and Deb Siravo in honor of their son Matty, whom they lost to epilepsy that same year. The group provides services to local families, including Camp Matty, a day camp designed for kids with epilepsy.

Sawyer recently attended Camp Matty and spent time with other kids like him, as well as older camp counselors, who are living with epilepsy and thriving. According to the Matty Fund, Sawyer flourished during his time at the camp. The group's executive director, Marisol Garcies, tells me that Sawyer "could see in these teenagers and volunteers a glimpse of himself in a few short years, and it comforted him."

I am proud of the work the Matty Fund is doing to support Rhode Island kids like Sawyer, and I would also like to see us in Congress do more to give hope to him and millions of other Americans living with epilepsy.

Federal funding for epilepsy research through the National Institutes of Health was cut \$27 million from fiscal year 2012 to fiscal year 2013 as a result of the recent budget battles. Funding has been restored in the years since, but until we provide the kind of year-to-year funding certainty that big research initiatives need, there will continue to be trouble.

The researchers developing the next generation of medical treatments for epilepsy and countless other conditions shouldn't have to worry that their funding is at risk because Congress is having another political fight. That is why I am proud to be a cosponsor of Senator DURBIN's American Cures Act, which would create a trust fund dedicated to sustaining and expanding

funding for health research at the NIH, CDC, Department of Defense, and Department of Veterans Affairs. In addition, I am currently working with my colleagues on the Health, Education, Labor and Pensions Committee to make NIH funding a mandatory part of our annual budget, ensuring that a baseline of Federal research dollars will be available year in and year out. I hope we can get it done.

In the meantime, let's all keep sending our thoughts and prayers to people like Sawyer, and to help to lift the stigma that is too often associated with epilepsy. These brave individuals fight every day to live a normal life against some very real obstacles, and we can help by giving them our admiration and encouragement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the ranking member and I have two amendments that have been cleared by both sides.

AMENDMENTS NOS. 2809 AND 2817 TO AMENDMENT NO. 2812

I ask unanimous consent that the following amendments be called up and agreed to en bloc: Senator MCCAIN's amendment No. 2809 and Senator MIKULSKI's amendment No. 2817.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. MCCAIN, proposes an amendment numbered 2809 to amendment No. 2812.

The Senator from Rhode Island [Mr. REED], for Ms. MIKULSKI, proposes an amendment numbered 2817 to amendment No. 2812.

The amendments are as follows:

AMENDMENT NO. 2809

(Purpose: To require the Administrator of the Federal Aviation Administration to review certain decisions to grant categorical exclusions for Next Generation flight procedures and to consult with the airports at which such procedures will be implemented)

After section 119C, insert the following:

SEC. 119D. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

"(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

"(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

"(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

"(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

"(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a ma-

terial change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

"(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

"(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

"(ii) in conducting such consultations, consider the use of alternative flight paths.

"(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term 'human environment' has the meaning given that term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of the enactment of this paragraph)."

AMENDMENT NO. 2817

(Purpose: To provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) In this section—

(1) the term "Compact" means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat 1324);

(2) the term "Federal Director" means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term "Transit Authority" means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111-62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The PRESIDING OFFICER. Under the previous order, the amendments (Nos. 2809 and 2817) are agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, just a very brief explanation on both of these amendments. Senator MIKULSKI's amendment simply allows the Secretary of Transportation to select the Federal appointees for the Washington metro system. That is done by the head of GSA right now, and obviously GSA is an agency with no transportation policy expertise, so this simply makes sense. It is non-controversial and has already been passed out of the Senate committee of jurisdiction.

Senator MIKULSKI has been very concerned, as have many of us, about the safety and operational issues with Metro, and I believe this amendment is an excellent one, and I am proud to lend my support.

Senator MCCAIN's amendment ensures that the Federal Aviation Administration reviews its procedures when there are complaints from a community about the noise of airplanes that are landing in a particular area and that they do a report.

I think both of these amendments make a great deal of sense, and I am pleased that we were able to clear them and get them adopted.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 2815 TO AMENDMENT NO. 2812

Mr. WICKER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 2815.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER] proposes an amendment numbered 2815 to amendment No. 2812.

Mr. WICKER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the Secretary of Transportation to increase the minimum length limitation for a truck tractor-semitrailer-trailer combination from 28 to 33 feet if such change would not negatively impact public safety)

Beginning on page 45, strike line 16 and all that follows through line a on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 3111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112-141), that such change would not have a net negative impact on public safety.

Mr. WICKER. Mr. President, I thank the chair and ranking member of the committee and, of course, the staff for working with us on this issue. This is an amendment that should be familiar to Members because essentially the same language was voted on in the form of a motion to instruct conferees last week. The essence of both that motion, which was adopted on a vote of 56 to 31, and this amendment today is to prevent a Federal mandate which has been contained in the committee version of this bill. That mandate would have required all 50 States to allow twin 33 tandem tractor-trailer rigs in each State. Some 12 States allow these twin 33 tandem tractor-

trailer trucks and some 38 States prevent them. If the language were to remain in the appropriations bill, all 50 States, including the 38 States that have chosen not to accept these trucks, would be mandated.

I think the vote of the Senate was clear last week. I will simply point out that this will remove a Federal mandate and will assist small business truckers who don't have the capital to move to these new longer double trucks. It will promote public safety and, I would submit, save lives and save \$1.2 to \$1.8 billion every year in maintenance and repair because of the damage caused by these twin 33 trailers.

I appreciate the committee working with me to get a vote, and at this point I ask that the amendment be adopted.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we are now prepared to have a voice vote on Senator WICKER's amendment; therefore, I know of no further debate on the Wicker amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2815) was agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, I am pleased that we are making progress, and I encourage other Members to come to the floor and share their proposals with us so we can continue to dispense with amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISIS

Mr. CORNYN. Mr. President, yesterday I spoke about the horrific terror attacks in Paris last week and why they were a stark reminder of two things: first, that the threat of ISIS stretches well beyond Syria and Iraq, and, second, that this terror army has grown in power. It has grown in influence and certainly has grown in territory.

Unfortunately, the administration and the Commander in Chief, in particular, have effectively stood by as spectators without developing an effective strategy to degrade and destroy ISIS as the President claims is his goal. Instead, we have seen airstrikes, which are necessary but not sufficient to deal with the threat of ISIS in Syria and in Iraq.

So more than a year ago, I, among others, called on the President to discuss with the Congress his strategy. My thought is that anytime Americans are sent into harm's way—and there

are Americans in harm's way both in Iraq and perhaps throughout the region—there ought to be a clear purpose articulated by the Commander in Chief. It ought to be a joint undertaking between the Congress and the Executive because our men and women in uniform deserve the unqualified support of all Americans, and I think that can best be demonstrated and accomplished by building consensus for this action in Congress.

But what we have seen instead are speeches, interviews, and assurances that have really attempted to hide the fact that the President's so-called strategy against ISIS has been nothing more and nothing less than an abject failure. The picture painted by the administration on the perceived success of this strategy has been overstated at best and disingenuous at worst. Between referring to ISIS, now numbering as many as 30,000 strong, as the "JV team" and just hours before the Paris attacks proclaiming in an interview with ABC that they were "contained," the President has simply not shot straight with the American people.

The American people can take the truth; they just haven't heard it yet about the nature of the threat and about an effective strategy to deal with that threat. As we have learned and as the 9/11 Commission observed, one of the worst things we could do for our own national security is allow safe havens for terrorists to develop in places such as Syria and Iraq, places where they can train, arm, and then they can export their attacks, and given the unique capability of ISIS, they can communicate by social media and over the Internet and radicalize people here in the United States, just as they apparently did with people in France.

Criticism of the President's lack of a strategy is not a partisan issue. It is not limited to members of my political party. On Monday, in an interview on MSNBC, the ranking member on the Senate Intelligence Committee, the senior Senator from California, said: "ISIL is not contained," adding, "I have never been more concerned." That is Senator FEINSTEIN the ranking member—I believe they call them vice chair—of the Intelligence Committee. I couldn't agree with my Democratic colleague from California more. ISIL, ISIS, Daesh—whatever you want to call it—has not been contained. I agree with her. I have never been more concerned about a terrorist threat, particularly since 9/11.

It is very clear that in the wake of the tragic events in Paris, what the administration is doing to combat ISIS is failing. It is not working. In Iraq, ISIS has captured city after city over the last 2 years where Americans have shed their blood, where Americans spent their treasure and took years to bring relative peace preceding President Obama's precipitous withdrawal from Iraq.

I can only imagine how hard it is for some of our veterans who served in

Iraq to hear the laundry list of familiar places that have been taken by ISIS almost overnight. Sadly, of course, this includes cities where the precious lives of American heroes were lost, places such as Mosul, Fallujah, and Ramadi. I can only imagine what an American veteran, having lost a limb or suffered other grievous injury, must feel, the rage they must have after seeing those hard-fought gains squandered. And I can't help but think of the Gold Star Mothers, moms who have lost service men and women in combat and in service to our country. What a terrible squandering of hard-fought-for gains. But that is what laid the predicate and created the vacuum for the threat we see today.

From where we stand today, Iraq is undeniably worse than when President Obama took office. He said he wanted to end the war in Iraq and Afghanistan, only to see, because of bad judgment and bad strategy, the war proliferate and get that much more serious—at least the war being conducted against us, our American interests, and our allies. As I said, the result of that bad policy and bad judgment is not one less war, it is a safe haven for ISIS that has been carved out of Syria and Iraq. The border between those two previously separated countries has been completely erased, as 30,000 fighters continue to plunge the region deeper into chaos.

I was struck by the comments of the Director of the Central Intelligence Agency, who spoke at the Center for Strategic and International Studies on Monday. He said that before the current administration, there were probably about 700 adherents left. That is the origin of this problem today which is known as Al Qaeda—700 or so adherents left. And as I have already alluded to, according to news reports, there are between 20,000 and 31,500 fighters across Iraq and Syria. Those are the numbers of troops ISIS can now muster as a result of our failed policies in Iraq and Syria. So according to the CIA Director's own estimate, that means there has been an increase, just during the seven years of the Obama administration, of between 2,700 and 4,400 percent.

Mr. President, your strategy is not working.

As we all know, this is not just about a fight over there; this is about a fight that is coming here, to a neighborhood, to a city near you. According to the media reports on Monday, the CIA Director also warned that ISIS was likely planning additional attacks. On that same day, a new propaganda video popped up online in which ISIS issued a fresh threat to target Washington, DC.

Perhaps most concerning—and it is all concerning—is a serious threat we face at home from a jihadist who is already living here on U.S. soil. Most of the people who carried out the attacks in France were born and grew up in Belgium. Some of them immigrated, one under a fake Syrian passport, apparently. But we need to be concerned

about homegrown radicalized terrorists, radicalized by ISIS or like-minded groups via the Internet. In Texas, we have seen this firsthand—the so-called homegrown threats that occurred at Fort Hood in 2009 and in Garland, TX, earlier this year.

But in the face of all of this—the President's own CIA Director talking about the huge increase in the threat over the last 7 years of this failed strategy—and given what has happened in Paris, given the threat against the United States and Washington, DC, in this propaganda video, why in the world would any reasonable person say “We don't need to change a thing; we need to stay the course”—which is apparently what the President is saying. No rational person would say “Hey, this is working out just the way I had it planned.” You would reconsider and you would reevaluate in light of the evidence and the experience. That is what a reasonable person would do.

Well, the Washington Post, on November 16—I guess that was 2 days ago—issued an editorial called “President Obama's false choice against the Islamic State.” In the first paragraph, they used a word to describe the President that I thought I understood the meaning of and I think I did, but I looked it up anyway. It is the word “petulant.” This is what they said:

Pressed about his strategy for fighting the Islamic State, a petulant-sounding President Obama insisted Monday, as he has before, that his critics have offered no concrete alternatives for action in Syria and Iraq, other than “putting large numbers of U.S. troops on the ground.”

Well, “petulant”—I did look it up. “Childishly sulky or bad-tempered” is one definition. So apparently the Washington Post wasn't impressed with the President's response either.

They went on to say that the President's claim was faulty in a number of respects. First, nobody has proposed putting large numbers of U.S. troops on the ground—no one. So this is a straw man the President erects just so he can knock it down to try to discredit anybody who doesn't drink the same Kool-Aid he does on this topic.

The Washington Post went on to say that a number of military experts have proposed a number of constructive ideas that would help us make better progress against this enemy, things such as deploying more Special Operations forces, including forward air controllers who can direct munitions, airstrikes, and bombing raids with much more accuracy than without them.

We could also make sure that we have more Americans to advise the Iraqis' moderate Syrian forces and other people with similar interests on battlefield tactics to make them more effective. The President could send in more advisers to Iraqi battalions and more U.S. specialized assets. There is no one in the world who has a technological advantage on the United States when it comes to our military and our

specialized assets, such as drones, for example, among other things.

Then there is the issue of the Kurds. The Peshmerga have been an impressive fighting force. They have been boots-on-the-ground in a large portion of Iraq, and they have been crying out for the sorts of weapons that they need in order to be more effective. The administration has decided: Well, let's send everything through Baghdad. Sadly, most of those weapons don't end up making their way into the hands of the Kurds and the Peshmerga because of political differences between them.

So there is a lot we could do, and the President's straw man that he continually erects so he can just knock it down as he tries to ridicule and criticize anybody who has the temerity to question this failed strategy—it is just not working. It is not working for him, and people increasingly are losing confidence in his judgment.

To eradicate ISIS abroad and neutralize the threat this terror army poses at home, we need a proactive, multifaceted strategy. The President's approach, characterized by ineffectual airstrikes and half measures, has resulted in a tactical stalemate that has kept ISIS's morale high and recruitment steady.

We are blessed with some of the most elite military forces in the world, incredible human beings and great patriots. But not even they can hold on to territory after it is bombed because there simply are not enough of them. That is why, as the Washington Post suggested, it is so important to send in American advisers on tactics and people who will allow the boots on the ground, such as the Kurds, the Peshmerga, to be more effective. They can be the boots on the ground. They are the ones with the most direct interest in the outcome.

It doesn't take an expert military strategist to see that airpower alone will not defeat ISIS. Perhaps the greatest military leader we have had, and certainly in my adult lifetime, GEN David Petraeus, has said that. The President's own military advisers have told him that, but he simply won't listen to them—preferring, it seems to me, to sort of run out the clock on his administration and then have to hand off this terrible mess to his successor. But Heaven help us if in the meantime, as a result of this ineffective strategy and an emboldened ISIS, we see more attacks not over there but over here.

We already have U.S. boots on the ground in Iraq and Syria. I would just remind everyone that there are about 3,500 U.S. troops in Iraq and about 50 U.S. special operators in Syria, as the Obama administration has publicly stated. So if the President is going to put American boots on the ground, why not come up with a strategy, working together with our allies and those with aligned interests, to make them more effective and actually crush ISIS before ISIS hits us here in the homeland?

We know the White House has sought to micromanage the military campaign

and impose unreasonable restrictions on what the troops who are there are allowed to do—so-called caveats. Our warfighters literally have had one arm tied behind their back. This is simply just another recipe for continued failure, and it has to stop, it has to change.

We know that ISIS cannot be dislodged from territory it now holds unless we have effective partners on the ground. That means working closely, as I indicated, with partners such as Iraqi security forces, the Kurdish Peshmerga, the Sunni tribal forces, and supporting them with U.S. airpower and intelligence. To further bolster these ground partners, the President needs to consider embedding American troops as military advisers, as I just said. By employing U.S. troops as joint tactical air controllers, as I mentioned earlier from the Washington Post editorial—that was one of their suggestions—in support of those ground partners, we would make our airstrikes more precise and more lethal.

This is the type of thing that will be needed to clear and to hold territory after recapturing it from ISIS. It doesn't accomplish very much to bomb the living daylight out of some ISIS stronghold and not follow on with troops to hold that territory. We end up doing the same thing over and over again—bombing the same territory, they leave, and then they come back—because there is nothing there to hold that territory.

In the long run, the overall effort to dislodge ISIS from key tribal areas and population centers has to be undergirded by a political framework as well that will sustain the lasting rejection of ISIS's bankrupt ideology. No one is suggesting that military combat alone is going to solve this problem, but in order to bring the people who can—the so-called reconcilables, the people who are willing to try and work toward a long-lasting solution and eradicate the ones who will not—it will take a military strategy and a political framework.

I will just close on this. There has been a lot of concern about refugees. I have heard it in my office and we have all heard it from our constituents back home. Whose heart doesn't break for people who have been run out of their own homeland, who have seen family members murdered by a butcher like Assad in Syria? But this is not a new phenomenon. We have known since the Syrian civil war started, following the Arab Spring in 2011, that hundreds of thousands, indeed millions of Syrians have fled their country, have been dislocated within the country, have moved into refugee camps in Turkey and Jordan, in Lebanon, and now they are going to Europe and some of them are showing up here in the United States.

I would bet, if you ask every single one of them or most of the refugees, would you prefer to live in safety and

security in your own land or do you want to go somewhere else, they would say: I want to stay here. So we need a policy that will actually allow Syrians to stay in Syria and Iraqis to stay in Iraq, but in the absence of any kind of military strategy, no political framework, and no solution from the Commander in Chief, these poor people have nowhere else to go. So we need to create safe zones in Syria.

We can do that. We can create a no-fly zone in cooperation with our partners there in the Middle East. We need to create safe zones in Syria, where tens of thousands of refugees who are now trying to flee Syria could actually live, with our help. This means areas where innocent men, women, and children can be protected from attacks both from the air and from the ground, zones where they don't have to worry about being murdered 24 hours a day by ISIS or by the bloodthirsty regime of Bashar al-Assad.

Congress should not have to tell the Commander in Chief how to conduct a successful military campaign or what a strategy looks like. But you know what. It takes the Washington Post editorial to tell the President that what he is saying is the alternative is just not true and that there are constructive ways we can turn the tide against ISIS and provide more stability and safety to people who prefer to stay home and not flee to distant shores and create consternation here in the United States about whether we are adequately screening these refugees to make sure they are not a threat to us here.

It is my hope the President will consider thoughtful options that are being proposed by Members of Congress. I will bet there are thoughtful options being proposed by the President's own military advisers, but he is just simply not listening to them and stubbornly resisting reconsidering his failed strategy—petulant is what the Washington Post called it. Childishly sulky or bad temper, that is what they called the President's attitude.

The American people have seen some of their own countrymen and countrywomen murdered by ISIS in barbaric and horrific fashion in images transmitted around the globe. They are understandably apprehensive about our security as a nation and our receding leadership role in the world. What is basically happening is, as America retreats, the tyrants, the thugs, the terrorists, the bullies fill that void. In this case, just like before 9/11, that void is filled by bad people who want to not only harm the people nearby but the West—meaning the United States and our allies over here.

So the American people deserve a clear, credible strategy from the President, one that will combat this terror threat before the violence we saw last week in Paris shows up here on our own doorstep. More than ever our Nation needs strong leadership, and I hope the President will finally rise to the challenge.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NIH RESEARCH

Mr. MORAN. Mr. President, as my colleagues know, we are in the process of discussing an appropriations bill—called an omnibus bill. For the first time in a long time we have passed an appropriations bill in the Senate. That is progress. We are working on a second one today as well. As we debate the priorities and spending levels for this final appropriations bill for this year, I want to highlight an opportunity we have to deliver on a promise to provide strong support for the National Institutes of Health and for the lifesaving biomedical research that results in that spending.

I would also mention that we have the opportunity to assist in financial support, in providing resources to advance the efforts of a couple of agencies that are greatly allied with NIH; that being the Food and Drug Administration, the Department of Defense and its medical research as it finds cures and treatments for our military men and women and the consequences of their service, as well as the Centers for Disease Control and Prevention.

What I want to highlight is that if we fulfill a promise in regard to medical and biomedical research, we can position our country to provide steady, predictable growth to NIH, the largest supporter of medical research in the world. This sustained commitment, which has been absent for so long, will benefit our Nation many times over and bring hope to many patients in today's generation and those that follow.

Unfortunately, we have not adequately and we have not always upheld our responsibility in this regard. The purchasing power of the National Institutes of Health has diminished dramatically. If you account for inflation, NIH receives 22 percent less funding than it did in 2003. This has negatively impacted our research capacity.

In the best of times, NIH research proposals were funded one out of three times. So if there were three proposals, one of them was accepted for funding. That ratio has now fallen to one in six, the lowest level in history.

The challenge is ours, and the moment to act is now for our moms, our dads, our family members, our friends, for people we don't even know, and for the fiscal condition of our country. If you care about people, you will be supportive of medical research; and if you care about the fiscal condition of our country, you will be caring about medical research.

I am a member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee on Appropriations, which is responsible for the funding of NIH and



these other agencies. Earlier this year, under the leadership of my colleague and friend from Missouri, the chairman, Senator BLUNT, my Senate appropriations colleagues and I were successful in significantly boosting NIH's budget in the Senate's fiscal year 2016 appropriations bill. We achieved more than a \$2 billion increase in NIH. This is an amount around \$1.95 billion more than the President's request and more than \$880 million above the number contained in the House's version of this legislation. This \$2 billion increase would be the greatest baseline boost to NIH since 2003. It bothers me when I say it is a boost to NIH because what it is a boost to is not a Federal agency but rather a boost to the results, the consequences of that investment in research.

With the recent 2-year budget deal that became law recently, it presents a path by which we are able to deliver a much needed budget increase to NIH and to prioritize important research that saves and improves lives, reduces health care costs, and fuels economic growth. This boost would be a tremendous step in putting NIH back on a sound path of predictable, sustainable growth, demonstrating to our Nation's best and brightest researchers, medical doctors, scientists, and students that Congress supports their work and will make sure they have the resources needed to carry out their important research.

The time to achieve this objective is now. If the United States is to continue providing leadership in medical breakthroughs, to develop cures and treat disease, we must commit significantly to supporting this effort. If we fail to lead, researchers will not be able to rely upon that consistency, we will jeopardize our current progress, stunt our Nation's competitiveness, and lose a generation of young researchers to other careers or to other countries' research.

Whenever Congress crafts appropriations bills we face a challenge. We all face this issue of balancing our priorities with the concern about making certain our Nation's fiscal course is on a better path than it has been. Therefore, it is extremely important for us to find those programs that are worthy of funding, that actually work, that are effective, that serve the American people and demonstrate a significant return to the taxpayer who actually pays the bill. Congress should set spending priorities and focus our resources on initiatives that have proven outcomes.

No initiative I know meets these criteria better than biomedical research conducted at the National Institutes of Health and our other Federal allied agencies. NIH-supported research has raised life expectancy, improved quality of life, lowered overall health care costs, and is that economic engine our country so desperately needs as we try to compete in a global economy.

Today we are living longer and we are living healthier lives thanks to NIH

research. Deaths from heart disease and stroke have dropped 70 percent in the last half century. U.S. cancer death rates are following about 1 percent each year, but as we know, much work remains. Diseases such as cancer, Alzheimer's disease, stroke, and mental illness touch all of us, touch all of our communities, touch all of our States, and dramatically affect our country.

Half of the men and one-third of all women in the United States will develop cancer in their lifetime. One in three Medicare dollars is spent caring for an individual with diabetes. Nearly one in five Medicare dollars is spent on people with Alzheimer's or other dementias. In 2050, it will be one in every three dollars. In other words, the cost of dementia and Alzheimer's grows dramatically over time.

New scientific findings are what yield the breakthroughs that enable us to confront these staggering financial challenges of these diseases and others. Therefore, in order to advance life-saving medical research for patients around the world, balance our Federal budget, control Medicare and Medicaid spending, let's prioritize biomedical research and lead in science and in discovery.

I appreciate the opportunity, as we work to fashion this final appropriations bill before the deadline of December 11, to work with my colleagues across the Senate to make sure that biomedical research, NIH, and its allied agencies receive the necessary financial support that benefits all Americans today and in the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GLOBAL SECURITY CRISIS

Mr. PERDUE. Mr. President, I rise today to speak about our persistent global security crisis, but I also want to connect how our national debt crisis affects that.

Our thoughts and prayers go out to the families of the victims of these tragic events of the last 3 weeks. This week the Senate Foreign Relations Committee hosted the French Ambassador to the United States. In that meeting we shared that our thoughts and prayers are with them and with the people of France. But, more than that, we stand in solidarity with them against these evil forces that manifested themselves in the streets of Paris this past week. The horrific ISIS attacks in Paris—killing more than 130 and injuring more than 350 men, women, and some children—serve as a chilling reminder of the threat we continue to face from international terrorism every day.

Earlier this week, Russia confirmed that it was indeed a terrorist bomb that took down a Russian airliner over the Sinai Peninsula, killing all 224 peo-

ple onboard. Just last night, we saw two aircraft—thank God, under a false alarm—grounded because of fear of a terrorist attack. In addition, ISIS claimed responsibility for twin suicide attacks in Beirut last week, killing 43 more people. This makes three international attacks in three short weeks.

ISIS continues to be a persistent threat to the West and to the security and stability of the Middle East. Unfortunately, as they have already said several times, these attacks only confirm what ISIS has in mind for the future. ISIS has been very clear about their intention to bring their version of terrorism to our own backyard, here in America. Indeed, ISIS even threatened Paris-styled attacks on our Nation's Capital in a recent video this week.

Earlier this week, CIA Director John Brennan said he would not consider the Paris attacks a one-off event. Director Brennan went on to say:

It's clear to me that ISIL has an external agenda, that they are determined to carry out these types of attacks. I would anticipate that this is not the only operation that ISIL has in the pipeline.

In light of the latest attacks by ISIS—beyond Iraq and Syria—I could not disagree more with our President, who says that his policies are indeed containing ISIS. The President and his administration continue to underestimate this threat. He even called them the JV team not too long ago. Despite the fact that ISIS has demonstrated its ability to perpetrate large-scale attacks beyond the borders of its so-called Caliphate, President Obama refuses to change his failed strategy.

Beyond the fault of the President, however, fault lies here in Congress as well. Washington is entirely too often focused on the crisis of the day instead of getting at the true underlying problems and solving them directly. It shouldn't take a tragedy like this for Washington to pay attention. Again, the latest terrorist attacks only underscore that we are facing a global security crisis of increasing magnitude, and this is inextricably linked to our own national debt crisis.

As a matter of fact, the biggest threat to our global security is still our Nation's own Federal debt. This is as true today as it was when Admiral Mullen, Chairman of the Joint Chiefs of Staff, in 2012, said the same thing.

In the past 6 years, Washington has spent \$21.5 trillion running the Federal Government. That is so large, I have a hard time even grasping how significant that is. But what I can understand is this: Of that \$21.5 trillion we spent running the Federal Government, we have actually borrowed \$8 trillion of that \$21.5 trillion. With over \$100 trillion of future unfunded liabilities, on top of the \$18.5 trillion we have already built up, this is about \$1 million for every household in America. Every family in America today shares in this responsibility of about \$1 million per family.

We are so far past the tipping point, it may be at a point of being unmanageable. If interest rates alone were at their 30-year average of 5.5 percent, we would already be paying over \$1 trillion in interest. That is unmanageable. That is twice what we spend on our defense investment, and it is twice what we spend on our discretionary non-defense investment. It is unmanageable, and we are well past that tipping point.

Yet, Washington's own dysfunction and gridlock is keeping us from completing the budget process, as I speak today, and passing appropriations bills in the Senate. I might even argue, we may have seen the last truly voted-upon and approved appropriations in the Senate because of the abuses of the rules that we have seen both sides play in recent years. Shockingly, in the last 40 years, only 4 times has the budget process worked the way it was designed, as it was written into law in 1974.

For example, this year we have tried to get onto the defense appropriations bill. That means we are trying to take the appropriations bill that would fund the defense so we can defend Americans abroad and we can defend our interests here at home against threats like ISIS, and we are being blocked from even getting that bill—which passed with a vast majority of votes in committee—from getting to the floor for a vote. No less than three times have the people on the other side of the aisle blocked it from going to the floor for debate, amendment process, and a vote; and three times the Democrats have voted against allowing us to get the defense appropriations bill on the floor, thus making it a political football. It is something I don't understand, not being of the political process here. We have recent attacks from ISIS, and yet we can't even find consensus here in this body to fund our Defense Department. William Few, the very first Senator from Georgia, in whose seat I serve today, would absolutely be appalled. He would remind us of the United States Constitution. There are only 6 reasons why 13 colonies, of which Georgia was one, came together to form this miracle called the United States. One of those was to "provide for the common defense." And here we are, through dysfunction and partisan politics, not acting appropriately to fund the ability to provide for the common defense.

I hope we can learn from recent events and get serious about tackling this debt problem so we can use that resource to fund our strong foreign policy. We need a strong foreign policy to fight these threats abroad. But to have a strong foreign policy, we have to have a strong military. We proved that in the 1980s, when we brought down the Soviet Union with the strength of our economy and the power of our ideas. We are at risk today because of our own intransigence and national debt. To have a strong military, as we

proved, we have to have a strong economy. That is in jeopardy because of this growing debt crisis.

To confront this global debt crisis, we have to get serious today. We have to break through. We have to get shoulder to shoulder and defend our country, which means we have to do the hard work on the floor of the Senate and pass the funding so we can defend ourselves against these new threats. Now is the time to solve this debt crisis so we can lead as a country again, to deal with this global security crisis, and to provide for the safety of Americans, wherever they are in the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

#### TRANSPORTATION FUNDING

Mr. CARPER. Mr. President, let me start by congratulating our colleagues on the Environment and Public Works Committee on which I serve, as well as the banking, commerce, and finance committees, where I also serve, on the recent appointment of a House-Senate conference to attempt to produce a final product for a multiyear transportation plan for our country.

I am a strong supporter, as are many of my colleagues, of investments in our Nation's roads, highways, bridges, and transit systems. I have been so for 15 years as a Senator, for 8 years before that as a Governor, and for years before that as someone who focused an economic development and job creation within the State of Delaware.

I am pleased on one hand that after too many years of short-term extensions in transportation funding, we are set to make rebuilding and modernizing our country's transportation system a long-term national priority again, and God knows we need to. However, I regret that I still have deep concerns for how Congress has decided to pay for these investments. For decades we have paid for our transportation systems—roads, highways, bridges, and transit systems—through the use of user fees in the form of Federal excise taxes and, in some cases, on gasoline and diesel fuel to support the funding of our Nation's transportation system for over a half century—over 50 years. I believe that approach remains the fairest and most efficient way to fund transportation projects. However, since 2008, we have strayed from a user-pays approach. Instead, we rely on \$75 billion worth of budget gimmicks, unrelated offsets, and debt to prop up our transportation trust fund to pay for transportation investments. Rather than right our course, both the House and Senate transportation proposals

rely on tens of billions of dollars in additional budget gimmicks and unrelated offsets to fund this bill over the next 6 years. That is not the right way to pay for our infrastructure. I think it is the wrong way. It is not unfair, in my view, to ask the businesses and people who use our roads, highways, and bridges to help pay for them. We have done that for 50 years, we know how to do it, it is a reasonably simple system, and I think it is a fair system. We can adjust the earned-income tax credit in order to offset any increase in the user-fee cost that would have an impact on lower income families because this kind of increase in the tax could be seen as not progressive. Having said that, that is not what we are going to do, and what we are going to do instead is do what we have done for the last 7 years and use gimmicks and things that have nothing to do with transportation to ostensibly pay for transportation funding.

All that being said, this is a course that Congress has voted for, and despite my misgivings over the funding, there is still much to commend in both the House and Senate legislation, particularly on the authorization side that comes out of the Environment and Public Works Committee and out of the Transportation Infrastructure Committee in the House.

Among the areas that I believe should be supported and should certainly be preserved in Congress is a robustly funded freight program, competitive grants for major projects, funding to reduce dangerous diesel pollution, and research grants to explore alternatives to user fees—the gas and diesel tax. I hope these provisions are retained in whatever bill emerges from the conference committee. Other provisions, such as caps on investment of freight funding in rail, port, and water transportation projects and cuts to public transit funding in Northeastern States should also be dropped.

Finally, Congress will face the question of how to balance the benefits of long-term investment predictability with the urgent project investment needs around our country. While the long-term predictability is certainly important, we must consider the significant unmet investment needs around our country and the huge economic benefits that transportation investments offer to America's businesses and families.

This legislation would best serve our country by maximizing annual investment levels for all service transportation programs over a shorter authorization period, and instead of having an inadequate amount of money to go to pay for transportation improvements over 6 years, I would hope our conferees would consider maybe using that same amount of money and just spread it over 5 years or even 4 years. We could use every dime of it, and then some, for the transportation needs of our country.

This may be the last talk I give on the Senate floor. I have given a bunch

of speeches on transportation, not so much on the authorization side of it, but mostly about finding a way to pay for it. Writing the transportation authorization legislation—while not easy—is the easy part of the job. The hard part is figuring out how to pay for stuff. For a long time we have used a user-fee approach, such as the gas and diesel tax. We have done that since Dwight Eisenhower was President and when we were building the Interstate Highway System.

We last raised the gas and diesel taxes in 1993, so it has been 22 years. The gas tax today is 18 cents, and after inflation it is worth about a dime. The diesel tax was raised about 22 years ago and is about 23 cents, and today it is worth less than 15 cents.

A couple of days ago, I bought gasoline in Dover, and I think we paid just a tad over \$2 a gallon. Last week I was told there are 30,000 gas stations across America where people filled up and paid less than \$2 a gallon for gasoline.

Senator DURBIN, Senator FEINSTEIN, and I in the Senate, and others in the House, have offered legislation to restore the purchasing power of the gas and diesel tax. We are not looking to increase it by 25 cents, 50 cents or \$1, as some have suggested, but to simply raise it 4 cents a year for 4 years, and at the end of 4 years in 2020, index it to the rate of inflation. If we did that, we would generate something like \$220 billion that would be used for our roads, highways, bridges, and transit systems over the next 10 years.

Instead, we are not going to do that. We are going to take money from the increase in TSA fees, which ostensibly was to be used to protect people when they fly on airplanes, and instead we will use it for roads, highways, and bridges. We are taking the money that should go to bolster the strength of our borders so we can make sure we are able to detect drugs and other things that shouldn't be going across our borders—particularly the border crossings where we have huge amounts of commerce moving in and out of our country into Mexico or into Canada—and instead we are going to take that money and ostensibly put it in roads, highways, and bridges.

I found a new way to avoid paying for roads, highways, bridges, and transit systems, and it is kind of a novel way, by saying to the Federal Reserve that we are going to reduce their reserves by \$60 billion. The Federal Reserve, or central bank, turns out to have a large portfolio of investments, and a lot of the investments they have are actually Treasury security. During the course of the year, the Federal Reserve, from all of their investments, earns a lot of money, and after they deduct their expenses from all the money they earned—through the interest income that they earn—they turn what is left over to Treasury. They actually remit money during the course of the year—not all at once but during the course of the year.

Last year, the Federal Reserve remitted something like a one-half trillion dollars in net interest and income to the Treasury. That is revenue that enables the Treasury to reduce our deficit. The House came up with the idea of just reaching in and taking \$60 billion out of the Federal Reserve and use that for roads, highways, and bridges instead of it being taken and turned over in due course to the Treasury to reduce the deficit.

Some people ask: What is wrong with doing this for transportation? What is wrong with doing this for homeland security? What is wrong with doing this for defense? What is wrong with doing this for agriculture or doing it for anything? I think this sets a terrible precedent and invites future Congresses to do the same thing. Instead of adhering to a policy that has served us well for many years and having those who use our roads, highways, and bridges pay for them, we are resorting to gimmicks and the kind of things we should not deign to do.

Having said that, there is a good deal to like, especially in the authorization language. I applaud those who have worked on this legislation, and I appreciate the chance to help shape and reform some of it, but I wish we had taken a different course with respect to actually paying for this work that needs to be done.

The last thing I will say is this: Our friends at McKinsey consulting firm, an international consulting firm, have an arm of McKinsey consulting called Global Institute. That arm of McKinsey reached out a year or so ago, and they tried to figure out if we were to invest robustly in our roads, highways, bridges, and transit systems, what kind of effect it would have on the unemployment in this country. What kind of effect it would have on the gross domestic product in this country. If we were to truly make the kind of robust investments that are needed—not just the limp-along-level funding, which is woefully inadequate—they calculated that we would add 1.8 million jobs in America.

A lot of the long-term unemployed folks wish they could be hired back again to do construction projects and build roads, highways, bridges, and transit systems. Instead, they are sitting on the sidelines because we don't have the money to pay to hire them to build these projects.

The Global Institute of McKinsey also tells us that robust transportation investments would enable us to grow GDP annually by 1.5 percent. Think about that. We are lucky if we can get GDP up 3 percent per year in this country and so are most developed nations. Simply by making robust investments in our transportation systems—rebuilding America's transportation systems again—we could expect to grow GDP by as much as 1.5 percent per year. The level of funding that is in the legislation before us doesn't come even close to that. I think we missed an opportunity here.

At one of my hearings today, Patty, one of our witnesses, had a funny quote by Yogi Berra, who died earlier this year. She said one of my favorite Yogi Berra quotes: "When you come to the fork in the road, take it." We have come to the fork in the road with respect to transportation funding, and with apologies to Yogi Berra, I think we have taken the wrong fork in that road.

With that, I will call it a day and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISIL

Mr. HEINRICH. Mr. President, the attacks in Paris were an unconscionable act of terrorism. America stands with the people of France and people of Paris, as we support those grieving and those working to deliver justice to the people involved. Make no mistake; the heinous terrorist attacks in Paris were an act of war. ISIL has barbarically killed and tortured innocent civilians, including Americans, not just in Paris but also recently in Beirut and routinely in Iraq. They operate around the globe, are well funded, well armed, and have no intention of stopping until their radical goals are realized. They continue to prey upon the innocent and manipulate the vulnerable. In some areas ISIL operates freely because of the instability created by persistent ethnic, sectarian, and religious conflicts in Iraq and Syria. But this crisis is not limited to Iraq and Syria, and the world's powers and their interests are quickly aligning in the urgent need to wipe the map clean of ISIL and its affiliates.

To be clear, there are smart ways that we can destroy this barbaric terrorist organization without entangling American troops in another endless and bloody ground war in the Middle East. America has a critical role to play in that effort, but it must be part of a larger strategy and coalition, employing a full range of military might, as well as economic and diplomatic power.

We can further engage in this fight in the following ways. First, we must relentlessly target ISIL headquarters in Raqqa and Mosul through air power and destroy ISIL's large oil infrastructure and refineries. Second, we must strangle the flow of foreign fighters on Syria's northern border. Third, we must compel Russia and other governments to reach a political end to the Syrian civil war so that we can unify and focus on fighting the Islamic State. Fourth, we need new measures to crack down on those who finance this terrorism and this extremism. Finally, it is time to drive a much harder bargain with an Iraqi leadership that

still refuses to build a state that is politically inclusive and decentralized.

Defeating ISIL cannot be solely an American solution nor should American ground troops be on the frontlines. It is past time that our Arab allies began focusing their efforts, with our support, on ISIL, militarily and economically. Ultimately, local Arab ground forces are the only lasting solution to defeating ISIL because they will be the ones left to ensure peace and stability once the more immediate military operations are concluded.

Some say that we should deploy 10,000 American troops to Syria. However, we know that this strategy would require significantly more troops and would not permanently eliminate ISIL or kill their ideology. Instead, doing so may well exacerbate the conflict and further ISIL's recruitment efforts. We can say this because we have a historical reference, and that historical reference is not from some distant land or from another century.

For nearly a decade, our brave men and women in uniform were deployed in Iraq and were asked to clear and hold multiple large cities. At the peak, in 2007, nearly 170,000 Americans were deployed on the ground, providing security in communities all across Iraq. Nearly 4,500–4,494 to be exact—gave their lives. More than 32,000 were wounded.

These tragic losses happened in the very same area where ISIL now occupies a major city in Iraq, Mosul, and a major city in Syria across the border, Raqqa. The point of my bringing up the Iraq war is not to relitigate the past but to keep in mind a very important lesson—that even when deploying nearly 200,000 American men and women to stabilize one country, the strategy of clearing and holding large territory is only a bandaid. It is not the permanent solution.

This is especially true when the political leadership in these countries is unwilling to create an inclusive representative government. The calls for sending 10,000 American troops to fight ISIL and to provide security both in Iraq and Syria would mean asking our sons and daughters to remain in these countries fighting year after year for decades into the future.

We know that when American forces are placed in the heart of these regional conflicts, it will only further delay the more lasting solution of having local partners on the ground and our allies in the Persian Gulf taking responsibility for this region, economically and militarily.

#### SYRIAN REFUGEE CRISIS

Lastly, I wish to talk a little bit about the issue of the Syrian refugee crisis.

Every single Syrian refugee must be subject to the highest levels of vetting and scrutiny, including repeated biometric screenings, before ever entering the United States of America. Syria is a war zone, and we have a duty to ensure that our own homeland security is intact.

The real priority, however, should be addressing the real security gaps that currently exist under the Visa Waiver Program—something on which Democrats and Republicans agree. Currently the Visa Waiver Program allows citizens of countries that qualify—38 countries, including 31 from Europe—to travel freely and stay in the United States for up to 90 days. Individuals who have purposefully traveled to Iraq or Syria, who have joined training camps or sympathized with ISIL's cause—that is where the real risk to the homeland lies.

The victims who have suffered at the hands of ISIL are not the problem, and we should instead be working to close the loopholes that allow dangerous individuals with violent intentions to potentially enter our country today.

In the coming days, I will be calling for reforms to our Visa Waiver Program so that we can focus on the real threats to our homeland. There is a difference between terrorists and victims of terrorism. The implicit assumption that Syrian refugees—many of whom have suffered brutally at the hands of ISIL—are a threat because of their country of origin is a rejection of American values and represents giving into our worst ethnic and religious prejudices.

I am grateful that when my own father and my grandparents fled Germany in the years leading up to World War II, this country chose to see them for what they were—enthusiastic American immigrants seeking to escape the dangerous politics gripping their former nation. Had this brand of twisted anti-immigrant logic been applied to them, I can only wonder how very different my life would be today.

Let's remember that the enemy in this current scenario is ISIL, not the refugees who flee from their destruction. We simply will not have the moral standing as a nation to lead this international scenario if we ignore those who have lost everything at the hands of these barbaric terrorists.

ISIL has killed and tortured many innocent civilians and is actively plotting to do more harm. We should all agree that ISIL must be eliminated from this Earth, but let's learn from our past mistakes and set to this work in a way that is both strategic and effective.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TERRORIST ATTACKS AGAINST FRANCE

Mr. FRANKEN. Mr. President, I rise today with a heavy heart to express my condolences to the people of France for the tragedy they have experienced. No words can describe the barbaric and senseless acts of terrorism committed against the innocent victims in Paris, people who are simply going about

their lives, people who are just enjoying a meal with their family or attending a concert with friends. These barbaric acts were an affront to the people of France and to all humanity.

This is a time for solidarity with France and with all victims of terrorism. The world has rightly come together to condemn these barbaric acts. Now we have to work together and redouble our efforts to defeat ISIS and other terrorist groups in Syria and Iraq and elsewhere.

#### SYRIAN REFUGEE CRISIS

As we remember the victims of the attacks in Paris, we cannot forget all those who are fleeing the terror in Syria. The ongoing conflict in that country has created 4 million refugees. These are people who are fleeing Assad's barrel bombs, his brutal assault on them on the ground, and they are fleeing murderous terrorist attacks committed by ISIS and other groups. Of those 4 million refugees, 1.9 million are in Turkey; 650,000 are in Jordan, a country of 6.5 million people; and 1.2 million are in Lebanon, making up a fifth of Lebanon's entire population.

The White House has a very modest plan to bring 10,000 Syrian refugees into the United States over the next year. It is a tiny number compared to what other countries are doing. Even France—the country that just suffered the terrorist attacks—is going to honor its commitment to take 30,000 refugees over the next 2 years. Each one of the 10,000 refugees we are accepting is important because it could be the difference between life and death for those individuals. That is why I was proud to join Senator DURBIN and other Members to urge the White House to do more—because we can and we should do more.

The United States has always been a refuge for the vulnerable, for those who are fleeing political repression or those who are persecuted simply because of their religion. The Syrian refugees the administration is prioritizing for entry are, in fact, the most vulnerable. These are survivors of violence and torture, people with medical conditions, and women and children.

The news site BuzzFeed has published a series of images of children, of young Syrian refugees. I encourage everyone to look at these images because they capture the vulnerability and desperation of the people we are trying to help, children like Ahmed, who is sleeping in this picture I have in the Chamber. As the BuzzFeed story says, Ahmed is a 6-year-old who carries his own bag over the long stretches his family walks by foot. His uncle says: "He is brave and only cries sometimes in the evenings." His uncle has taken care of Ahmed since his father was killed in their hometown in northern Syria.

There are children like Maram. Maram is an 8-year-old, and the story describes how her house was hit by a rocket. A piece of the roof landed right on top of her, and the head trauma

caused her brain hemorrhage. She is no longer in a coma but has a broken jaw and cannot speak.

We can only hope these children won't share the fate of Aylan Kurdi, whose image I can't get out of my mind. He is the drowned 3-year-old boy whose photograph on that beach galvanized the world. He was part of a group of 23 who had set out in two boats to reach the Greek island of Kos, but the vessels capsized. Aylan drowned, as did his 5-year-old brother Galip, and so did the boys' mother, Rehan.

In the aftermath of the gruesome terrorist attacks in Paris, some have taken the view that we should turn our backs on these people, the very people who are fleeing from the terrorists. Some argue that we cannot both help these vulnerable men, women, and children and keep our country safe, but they paint a false choice. We can do both and we should do both.

I wish to take just a minute to describe the stringent and very extensive security screening procedures these individuals go through before they can even enter the country, procedures so extensive that it can take up to 2 years—usually between 1½ years and 2 years—for them to be cleared to come here.

These refugees are subject to the highest levels of security checks of any category of traveler entering the country. Those screenings include the involvement of our security and intelligence agencies, such as the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, and the Department of Defense.

All available biographic and biometric information of these refugees is vetted against law enforcement and intelligence community databases so that the identity of the individual can be confirmed. Every single refugee is interviewed by a trained official from the Department of Homeland Security.

Finally, the screening process accounts for the unique conditions of the Syria crisis and subjects these refugees to additional security screening measures.

We absolutely need to make sure these security measures are as stringent and as thorough as possible, and if there are ways to enhance these screening protocols, we should make sure we are doing that.

Each year the United States accepts tens of thousands of refugees from around the world, and there is no reason why some of those can't be Syrian refugees who are the most vulnerable. We can strike the right balance. We can protect our security and do our part to address the largest refugee crisis since World War II. But rather than showing compassion and standing up for American values, many of my colleagues on the other side of the aisle want to close the door to people who are fleeing the most horrendous forms of persecution. I believe that would be-

tray our core values, and it would send a dangerous message to the world that we judge people based on the country they come from or from their religion, and that would make us less safe by feeding into ISIS's own propaganda that we are at war with Islam.

We are better than this. Remember the closing lines of the poem that is inscribed on the pedestal of the Statue of Liberty, the gift from France to the United States that is a symbol of freedom and of generous welcome to foreigners. The poem, "The New Colossus," was written by Emma Lazarus, who was involved in charitable work for refugees and deeply moved by the plight of Russian Jews—like my grandfather—who had fled to the United States. These are the closing lines of her poem:

Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost to me,  
I lift my lamp beside the golden door!

There should always be a place in this country for men, women, and children who are fleeing horror—the same kind of horror that befell so many innocent people in Paris last week. This is not the time to score political points; this is the time when we come together and show leadership. This is the time—this is now the time—when we uphold the values of the United States of America.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I yield to the Senator from Kentucky for the purposes of describing an amendment that he has filed.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, make no mistake, we have been attacked in the past by refugees or by people posing as refugees. The two Boston bombers were here as refugees. They didn't take very kindly to what we gave them—education, food, clothing—and they chose to attack our country. In Bowling Green, KY, we had two Iraqi refugees who came through the refugee program, posing as refugees, and then promptly decided to buy Stinger missiles. Fortunately, they bought them from an FBI agent, and we caught them. But when we caught them, we discovered their fingerprints were already on bomb fragments in Iraq in our database, yet we had no clue and admitted them anyway.

I think we have an insufficient process for knowing who is here legally and illegally. We have 11 million people in our country illegally, and 40 percent of them have overstayed their visa. Do we know who they are? Do we know where they are? If we extrapolate those statistics to those who are visiting our country from the Middle East, do we know where the 150,000 students are who say they are going to school in our

country from the Middle East? I don't think we do.

I don't think we should continue adding people to the rolls of those coming from the Middle East until we absolutely know who is in our country and what their intentions are. So my bill says this—my amendment says this: We are not going to bring them here and put them on government assistance.

When the poem beneath the Statue of Liberty said give me your tired, give me your poor, it didn't say come to our country and we will put you on welfare. In those days you came for opportunity. Many Christian churches have supported refugees. My church has supported refugees coming here. That is charity. But when you put them on welfare, that is not charity.

We borrow \$1 million a minute. We don't have enough money to do this; it is a threat to our national security. My amendment would end the housing assistance for refugees in order to send a message to the President: The people have spoken. We are unhappy with your program. If you will not listen to the American people, we will take the money from the purse.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in opposition to the Senator's amendment. All of us recognize that our first obligation as Americans is to ensure the security and well-being to the extent we can of our citizens. That is our first priority.

There are many flaws in the system for admitting people to this country. Those flaws go beyond the problem of people sneaking into our country illegally or overstaying their visas. They extend to the process we use under the Visa Waiver Program. Indeed, one of our colleagues Senator COATS has introduced a thoughtful bill to have us take a better look at that program and whether it is a way for citizens who have been radicalized to come from Western European countries into our country and to do us harm.

There are many ways we can improve the process. I am working with Senator CANTWELL on a bill having to do with biometrics to make sure we have more information. I look at the Senator's amendment, and he lists 34 countries that would be affected by his prohibition—34 countries. They include countries such as Turkey. Turkey is a NATO ally. Turkey is absolutely vital in the war against ISIS. It includes our strong ally Jordan. If Jordan and Turkey and Lebanon, countries that have already taken in 4 million refugees who are fleeing from Syria, are destabilized, what does that mean for the stability of that entire region?

Mr. President, last month I went on an official trip with several of my colleagues to get a better understanding of the migrant crisis that is engulfing Europe. We traveled to the two countries that are the entry points for

many of the refugees fleeing the conflict in Syria and who also are coming from Afghanistan and Iraq and some countries in Africa as well, such as Libya. So we went to Italy, and we went to Greece.

At that time, in the middle of last month, 710,000 individuals had come in through Greece and to Italy to go on to other countries in Western Europe and in Scandinavia. We talked to the officials there, and I was not happy with the responses I received from Greek, Italian, and U.N. officials about their screening of refugees. Even though it is evident that the vast majority of refugees were people who were fearing for their lives and seeking safety, I was worried that ISIS fighters would embed themselves in this flood of refugees.

What the Greeks and the Italians, with help from the U.N. High Commissioner for Refugees, were doing was fingerprinting people, taking their photographs and then essentially sending them on their way. And I asked: Are we comparing these fingerprints, these photos, this other information with our—the American—watch list for terrorists? Are we matching them up against our no-fly list, our TIDE database, which is the larger terrorist watch list? The answer was no, and that needs to change.

I also traveled to a shelter in Athens that was run by Doctors of the World, an organization with which I was previously unfamiliar, and there I met a very young mother with her adorable little girl. They were from Eritrea, and they had been part of the flood of refugees. They pose no harm to our country or to any of the countries in which they might ultimately settle, yet they might need a little bit of assistance, a little bit of help, because the mother was so young and her daughter only about age 2.

I also met two young girls from Afghanistan who both said to me: Please don't take our pictures and put them on Facebook, because we fear for our relatives back in Afghanistan.

Look what has happened in Afghanistan, as the Taliban has regained strength and now is once again oppressing women and girls, denying them an education, forcing them into early marriages.

Another country on this list is Nigeria—certainly a country we have to be very careful about because this is the country where ISIS has a stronghold and where Boko Haram is located. But it is also the country where hundreds of girls were kidnapped for trying to get an education.

In other words, we can't just list 34 countries, some of which are essential to work with us in the war against terrorism, against ISIS, such as Jordan and Turkey. We can't just list all these countries and say they are off limits.

We can't just automatically say no to an Iraqi interpreter who has worked with our special forces and now is in danger of losing his life and having his family slaughtered because he helped

to save Americans' lives in Iraq. Are we saying we will not let a single person from 34 countries into our country no matter how many American lives they have saved, no matter whether they pose a threat to us?

Now, I want to make very clear that I do not think our process for screening people to come into this country is good enough. It is not. If it were good enough, we would not have people who could cause us harm in this country. But, you know, perhaps we should be focusing on those Americans—yes, even Americans—who have become radicalized and have traveled to Syria and Iraq and been trained to plot attacks here in this country: lone-wolf attacks, such as Major Hasan at Fort Hood, an American citizen who was radicalized online by an extremist Islamic cleric.

We can't apply a one-size-fits-all to 34 countries that include a NATO ally and other allies that have been helpful in the war against terrorism or countries that include individuals who have helped the cause, who have saved American lives or who pose no threats to us, such as those two young Afghan girls I met at the shelter or the very young mother with her very young little girl.

We do need to tighten our process. We need to do more. You know, I would think that Members of this body who voted just months ago to weaken our ability, even under court orders, to provide surveillance of those who we suspect would do us harm would think again about what they have done in this time when the threats coming at us have never been greater. But this is a meat ax approach. It is too broad, and it does not really address the problem that we face today. We do need to address that problem. Perhaps we need a pause to redo our processes. But this is not the answer.

Finally, as I read this language, the way it is written, it may apply to refugees who already have been legally admitted to this country. Do we want to do that? We need to think about this. We need to get this right, and Senator PAUL's amendment is far too broad and is not the right answer to what is a real problem.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I associate myself with the comments of Senator COLLINS, who described the amendment extremely well. I, too, rise in opposition to the proposed amendment for all the reasons she listed. She was quite vivid and quite concrete in numerous examples: individuals in Afghanistan who have assisted us who are in jeopardy if they don't get an opportunity to come to the United States and people in Jordan who fight with us each day. Who can fail to recall the horrific scene of the young Jordanian pilot who was burned by ISIS? That was a Jordanian patriot fighting with the United States of America against the common enemy, ISIL. Unfortunately, he is de-

ceased. But to tell his family members and his fellow countrymen that they can't come here as they qualify through rigorous procedures as a refugee and are granted asylum—all these reasons have been so well spoken by Senator COLLINS. So I won't go on, but I want to make clear that I, too, oppose the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CRUDE OIL EXPORT BAN

Mr. HOEVEN. Mr. President, I rise today to make the case for lifting the 40-year-old ban on exporting crude oil. Lifting the ban is a smart move and it is long overdue. It will benefit not only my home State of North Dakota but also our Nation and our allies. That is why I am proposing to include legislation lifting the ban in the new highway bill that Congress is on track to pass this month.

The highway bill is must-pass legislation, and the benefits of allowing crude oil exports are multiple. Taken together, they make a powerful case for allowing our producers to market their product on the world markets. Doing so would enhance domestic production, increase the global supply of crude oil, grow our economy, create good-paying jobs for our people, and make our Nation more secure. So let's look at these benefits one by one.

First and foremost, crude oil exports will benefit American consumers. The price of oil is based on supply and demand—the more oil on the market, the lower the price. The volatility and the global price of crude oil are felt right down to the consumer level. More global supply means lower prices for gasoline and other fuels and more money in consumers' pockets. Those facts are backed up by studies at both the U.S. Energy Information Administration and the nonpartisan Brookings Institution.

This spring, EIA Administrator Adam Sieminski confirmed these findings in testimony before the Energy and Natural Resources Committee, on which I serve, as does the Presiding Officer. In September, the EIA released a new report that reaffirms the benefits to consumers and businesses that would result from lifting the decades-old crude oil export ban.

Second, in addition to benefiting consumers, crude oil exports will benefit the American economy. Crude oil exports will increase revenues and boost overall economic growth. It will help increase wages, create jobs, and improve our balance of trade.

The one area of our economy that currently enjoys a favorable balance of trade is agriculture. That is because our farmers and ranchers successfully market their products around the globe.

Our crude oil producers should be allowed to do the same. Local economies



also benefit. Service industries, retail, and other businesses in communities centered on oil development would see more economic activity and growth if this antiquated ban is lifted.

Crude oil exports will also benefit the U.S. energy industry. The EIA's latest study concluded that lifting the ban will reduce the discount for light sweet crude oil produced in States such as my State of North Dakota, as well as Texas and other States, and encourage more investment in domestic energy production.

The drop in the price of oil this year has slowed domestic production, but we continue to produce oil. Today my State of North Dakota produces about 1.16 million barrels of oil a day, only down slightly from our peak of more than 1.2 million barrels of oil a day. The reason is that our producers are resilient and innovative. They are developing new technologies and new techniques to become more cost effective and efficient all the time. The American energy industry is here to stay.

The energy sector, moreover, provides high-paying jobs for our people. We know that from experience in North Dakota, which has had the fastest growing rate of per capita personal income in the country among all the States in recent years.

On a national level, crude oil exports will help to bring our energy policy into the 21st century. The crude oil export ban is an economic strategy implemented in the 1970s, and the world has changed dramatically since then. Back then, conventional wisdom was that there was a finite quantity of oil in the world and we pretty much knew where it was. Nobody envisioned the kind of energy revolution we are seeing in States such as North Dakota, Texas, Colorado, and many others. Consequently, the model has shifted from scarcity to abundance, and we need to have a comprehensive approach to energy that reflects the new reality. That means we need additional investments in technology, transportation, and energy infrastructure, such as pipelines, rail, roads, and other industry needs. By leveraging our natural resources and American innovation, the United States is in a position to demonstrate real global energy leadership.

Last but not least, crude oil exports will strengthen national security. U.S. crude oil will provide strategic geopolitical benefits, not only for us but also for our friends around the globe. It will provide our allies with alternative sources of oil and free them from their reliance on energy from Russia, Venezuela, Iran, and other unstable parts of the world.

As a further security advantage, adding more supply would add a buffer against volatile events in the Middle East and elsewhere in the world. We finally have an opportunity to curb the disproportionate influence OPEC has had on the world oil market for 5 decades, and we need to do it. The Presi-

dent's deal with Iran lifts sanctions against Iranian oil, bringing 1 million barrels a day of their product on to global markets. Clearly, it is inconsistent for us to maintain a ban on U.S. oil exports while the President lifts a ban on Iranian exports, sending jobs, revenues, and economic growth to places such as Iran while blocking the same benefits for American citizens.

The ban on crude oil exports has long outlived its usefulness, and repealing it is long overdue. For consumers, jobs, the economy, and national security, we need to come together and lift the ban. We can do that by including legislation lifting the crude oil ban in the bipartisan highway bill set to pass Congress this month.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

Mr. BOOKER. Mr. President, 14 years ago on November 17, 2001, families across New Jersey were still struggling with the grief of empty seats at dinner tables and closets full of clothes never to be worn again. It was 14 years ago that the news headlines were reflecting on one of the greatest tragedies our country had ever witnessed, which were the attacks on 9/11 of the World Trade Center, at the Pentagon, and in Pennsylvania.

Today, the trauma for that is no longer as raw as it once was, yet we are still affected forever, and much still tries the soul of our Nation. While the Sun still rises, the seasons still change, the wounds of that day may never heal. There are so many families across New Jersey who are still struggling with the aftermath of this terror, with the illnesses of loved ones who survived and who served as first responders in the 9/11 attacks.

While the debris has long been cleared and new towers now stand at the World Trade Center site, many of the thousands of brave first responders who sacrificed their safety for the good of our country are still battling very serious health issues. The exposure to debris, to dust, to other hazardous materials and chemicals on September 11 and the weeks and months that followed have caused countless chronic medical problems for tens of thousands of Americans, including many New Jerseyans. They and their families are still burdened every single day with the physical, emotional, and financial costs of the attacks on 9/11.

For too long in the wake of the attacks, there were significant gaps in the access and quality of care for survivors. One such survivor, James Zadroga, an NYPD officer and former

Ocean County, NJ, resident, struggled with accessing care to treat his severe and chronic respiratory problems after serving as first responder in the wake of September 11, where we believe he acquired those serious health problems. James passed away just over 4 years after the attacks at the age of 34.

Thanks to the advocacy of the Zadroga family and the State and Federal lawmakers—people like Senator Lautenberg and Senator MENENDEZ—a bill was passed into law to provide health care, treatment, and compensation for survivors like James Zadroga who are dealing with the aftermath and effects of the 9/11 attacks. Because of the James Zadroga 9/11 Health and Compensation Act of 2010, over 70,000 first responders and survivors are now enrolled in the World Trade Center Health Program and receiving quality care.

Over 5,000 survivors and first responders still require medical treatment because of their exposure and/or their service as first responders and because of the Zadroga act, they have had access. Because Congress failed to act, the World Trade Center Health Program expired in September 2015, and without congressional action, funding for the program will run out by next year. Additionally, funding for the September 11th Victim Compensation Fund will likely expire around the same time next year as well.

Earlier this month, the editorial board of one New Jersey newspaper, the Star-Ledger, had this to say about this body's failure to act:

The bill has overwhelming support from both parties. They understand this is an American problem, with victims from all 50 states, and they know this legislative solution is not radical. We take care of workers with dangerous jobs . . . especially heroes who risked their lives to help humanity while most of us watched from home, paralyzed by grief.

We have not just a patriotic responsibility but a moral obligation to ensure that the Americans who sacrificed so much for the good of our country in the wake of September 11, 2001, are treated with the respect and care they deserve. They are our heroes. They are our champions. They stood up and worked when many ran.

It is incumbent upon this Congress to follow the lead of Senator GILLIBRAND and heed the calls coming from our constituents to pass the James Zadroga 9/11 Health and Compensation Reauthorization Act. I am proud to stand with Senator GILLIBRAND and our colleagues in the Senate and in the House, advocates, and first responders who are urgently calling for the passage of this necessary legislation that reflects our values and our ideals.

I wish to close with the words of a courageous Newark Fire Department captain who responded to the 9/11 attacks at great personal risk and had the following to share with my office about the renewal of the Zadroga act:

As a member of New Jersey Task Force I, I responded on 9/11. This volunteer State Police team, participated in numerous search

and rescue operations on that day. The thousands of firefighters that worked that day, developed medical issues thereafter, including myself. I have had three surgeries for thyroid cancer. I also developed the 9/11 cough, and have developed side effects from radiation treatment. . . . We are not looking to get rich. We just want to be able to continue serving as firefighters, without worrying about our health because of 9/11.

Those in this Chamber who somehow, remarkably, oppose this bill need to hear this man's words and my own as well. We cannot fail to act. By what we do here now, we not only take care of those heroes from 9/11 but we send a message to all Americans about how we stand up for those who stood for us, who fought for us. When the most perilous times came to be, they were there for us. This country is a nation that takes care of its heroes.

What we do here with this legislation will forever highlight this ideal and celebrate its truth or it will cast a dark shadow over it. I hope today and in the coming days that we move this legislation forward and be the light upon the great men and women who are so patriotically dedicated to our Nation.

Mr. President, before I yield the floor, I would like to also talk briefly about the Transportation appropriations bill this Chamber is considering.

I truly appreciate the hard work that Senator REED and Senator COLLINS have done to get this bill to a place that makes critical investments in transportation and housing and, in particular, for some of our most vulnerable citizens. Their work has been tireless, and I am happy to see much of the progress they are making.

However, this appropriations bill as it currently stands includes some provisions that would weaken highway safety. At a time when 4,000 people are losing their lives annually on American highways and 100,000 are injured due to large truck crashes, it is paramount that Congress do more to improve safety, not remove evidence-based safety policies.

New Jersey alone has some 38,000 miles of public roads that connect people of our State and get them where they need to be. It drives much of the commerce and economy of our State every day. New Jersey is strategically placed, which makes it a very important path through the State and for goods up and down the east coast as well. These roads also see a tremendous amount of truck traffic at all times of the day and night. If you have ever driven on the New Jersey Turnpike, you know what I mean.

I am concerned that we saw an increase in truck accidents from 2009 to 2012, an increase in crash injuries by 40 percent, and truck crash fatalities during this time have increased 16 percent. This is data. These are numbers. But they are also human lives; they are fellow Americans who have had their lives shattered by horrific accidents.

Truckdriver fatigue is a leading cause of these major truck accidents.

These drivers who work extremely long days delivering the goods we depend upon deserve basic protections allowing them to get sufficient rest to do their job.

I filed an amendment on the hours of service rules, which were put in place to prevent truckdriver fatigue and ensure that the rules put in place after years of study and robust stakeholder feedback would still be enforceable. Some people believe we should suspend these rules, these commonsense policies, by calling for even more study. My amendment ensures the rules will remain enforceable while further study is conducted so that we don't see more lives put at risk as a result of these delay tactics. What we should be doing is ensuring that safety is first. If it proves not necessary, then pull back.

There are other provisions in this bill that I believe could jeopardize highway safety as well. I am pleased, though, that earlier today we were able to work together and pass an amendment to further study a proposal to allow heavier trucks, longer trucks on the road. Heavier trucks could cause greater damage and destruction to human life and property when these accidents occur. I am grateful to my colleagues for working together on this.

A final example of a commonsense provision we in Congress should address as we work to improve highway safety is the minimum level of insurance required by truckdrivers. When truck crashes do occur and the insurance doesn't cover the cost of these accidents, taxpayers are left to front the bill. We should look to the decades-old minimum levels of insurance and assess whether those minimum insurance standards need to be raised so that families torn apart by truck crashes aren't then thrust into debt because of medical bills.

I have met with some of these families. I have sat with them and heard their stories about how low levels of minimum insurance have left them in dire straits. As taxpayers, we should not be left without the funding to rebuild damaged roads and bridges in the aftermath of such significant crashes. It is time to modernize a minimum level of insurance for truckdrivers so that we are all better equipped in the aftermath of an accident.

Again, I have sat with far too many survivors and their family members. I have seen, talked, and engaged with them, hearing the truth of their stories. We cannot sit silently while truck accidents are increasing in our country and allow commonsense safety to be rolled back in these spending bills. Where there are meaningful and practical solutions to pressing highway safety challenges, these are discussions we need to have. This is a fight worth having, and I look forward to continuing to work with my colleagues to improve the safety on our Nation's highways. We have the capability, we have the know-how, and we have the science to help us to begin to reduce

these tragic accidents and fatalities on our highways.

I believe we should show greater urgency in protecting human life and protecting Americans as they ride along our roads.

I thank the Presiding Officer, and I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Maine.

**MS. COLLINS.** Mr. President, very shortly we are going to be adjourning for a very important briefing, but first I feel I should just briefly respond to my friend from New Jersey on a few of the points he raised. I recognize that he is not a member of the Appropriations Committee, and I doubt he was hanging on my every word when I described what was in the bill earlier today, but the fact is we have some very important truck safety provisions that are in the bill. For example, we require the Department to issue long-delayed regulations that deal with requiring speed governors that limit the speed at which trucks can travel. That rulemaking has been delayed an astonishing 22 times. We require the Department to proceed to issue those rules within 60 days of the enactment of this bill. That is a very important provision.

If my colleague is worried about truckdrivers exceeding the speed limit and causing an accident, he should be applauding this bill, which says to the Department, in no uncertain terms: Stop delaying. It is past time to issue this regulation.

Another very important safety provision that is in this bill has to do with requiring electronic logs. This is an important safety provision because it will prevent those few bad actors in the trucking industry from falsifying their paper logs. We will know for certain how long they were behind the wheel and on the road, and we will know whether they are complying with the hours of service provisions. Those are just two of the very important provisions my friend from New Jersey may not be aware of given that he does not serve on the committee and may not have heard my speech this morning.

The Senator from New Jersey also mentioned other issues, such as the insurance requirements. I want to make it very clear to my colleagues that our bill does not prohibit the Department from proceeding with a rulemaking that might increase the minimum insurance requirement, but what it says, in a very logical way, is it should assess the impact—the impact on the insurance market, the impact on the truckdrivers, and the impact on the insurance industry. The fact is that approximately only 1 percent of crashes that occur exceed what is now the minimum insurance requirement. I still think it is worth looking at because it has been many years since this issue has been reviewed. We don't block the rulemaking. We just make sure there is a report that assesses what the impact is before the Department imposes what

could be a huge and unnecessary financial burden.

I did feel it was important to clarify those three points. There is much else I could say about this issue, but I recognize that undoubtedly the Presiding Officer and others are eager to get to the briefing.

# RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 5:05 p.m., recessed subject to the call of the Chair and reassembled at 6:25 p.m. when called to order by the Presiding Officer (Mr. PERDUE).

# TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER (Mr. PERDUE). The majority leader.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Collins substitute amendment No. 2812.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 2812, the substitute amendment to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve Daines, John Hoeven, Cory Gardner, Dan Sullivan, Joni Ernst, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi.

## CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk for the underlying bill, H.R. 2577.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve

Daines, John Hoeven, Cory Gardner, Dan Sullivan, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi, Joni Ernst.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to speak about an amendment I plan on offering tomorrow to the Transportation bill we are working on right now on the Senate floor. It is a common-sense amendment. It is an amendment about safety. It is an amendment about protecting our citizens. It is an amendment about cutting through redtape. It is an amendment about what the vast majority of Americans want us to do in the Senate, which is to start to get things done in this body. It is a simple amendment.

This is what my amendment does. It would allow States and communities throughout this country of ours the ability to expedite the Federal permitting process, the regulatory process on the construction and rebuilding of bridges. It is pretty simple. It doesn't get much more simple than that.

Everybody needs infrastructure. Every community in America needs bridges. It would only apply to bridges—critical pieces of infrastructure—bridges that are built in the same place, the same size, bridges that in the United States are falling apart.

We have talked about this on the Senate floor for the last several months. Our Nation's infrastructure is crumbling. The American Society of Civil Engineers gives America's infrastructure a D-plus. We are failing. For our infrastructure, in the classroom, we are the D-plus students.

This is, of course, bad for our Nation's economy. There is nothing more central to a country that wants to grow its economy, that wants to compete globally, than sound infrastructure for transportation. In a country of our size facing economic challenges, America's infrastructure can either drive growth and opportunity or it can slow down growth and opportunity and undermine it. Right now, that is what we are doing. We are slowing it down. We are undermining it. It is worse than that. It is worse than just undermining our own economic opportunity. The state of our infrastructure is actually dangerous for our citizens.

I agree that we must have stable funding for infrastructure. That is why I have been a strong supporter of the DRIVE Act and this bill, in terms of a 6-year highway bill, under the DRIVE Act. But we also need to focus on something else that is driving up the cost of our Nation's infrastructure: redtape that is stopping critical projects in America from moving forward. Like so

many construction projects in this country, the environmental review process our bridges face is deathly slow and cumbersome and enormously expensive. We live in a redtape nation, particularly when it comes to infrastructure. We can't build the way we used to in this country.

Consider just a few statistics. The average time for environmental reviews for a major transportation project in the United States in 2011 was 8 years. That is up from 3½ years just 10 years earlier. The average environmental impact statement when NEPA was written was 22 pages. Now the average environmental impact statement is over 1,000 pages.

Let me give one example that came up in the Commerce Committee. We were talking about airport infrastructure—again, critical to the country. Seattle had built a new runway. When I asked the witness who was in charge of that runway how long it took to build, he said 3 years. That is a pretty long time, but it is a big runway, kind of complicated. Then I asked how long it took to get the Federal permits and regulatory permission from the Federal Government to build that new runway. The answer: 15 years. Fifteen years. The entire room gasped.

No American wants this. We need to do a lot more to get back to common-sense permitting and regulatory reform for America's infrastructure.

So we are starting on critical pieces of infrastructure that everybody can agree with. That is what this amendment does. It focuses solely on bridges. Our bridges are an increasingly important issue. One in 10 of our Nation's bridges—roughly 607,000 bridges in the United States—is structurally insufficient. Let me repeat that in a different way. In the United States, there are more than 600,000 bridges in need of repair. The average age of our bridges is 42 years old. So we need to repair them. We need to rebuild them. But what we don't need is the Federal Government taking 6 to 7 or 8 to 9 years to give us permission to rebuild bridges. There is not one American who thinks that would be a good idea. Yet, if we keep the law the same, that is exactly what is going to happen.

Communities need to rebuild bridges, and it is going to take several years to get permission from agencies in this town to allow them to do it. To do what? To build on the same land, to just build a bridge. We need to change that.

Thousands of communities across the country are simply keeping their fingers crossed when Americans cross structurally deficient bridges 215 million times a day. Let me repeat that. In this great country, Americans cross structurally deficient bridges 215 million times a day. So we need to fix them. They are being crossed by our trucks, carrying our Nation's commerce, our children in schoolbuses, parents trying to get home in time for dinner. These are people we should be protecting.

That is what my amendment does. It says that we are going to work to fix this infrastructure with the bill that we are working on, that my colleague from Maine is leading on with the DRIVE Act. But we are also going to be smart. We are not going to require Americans to take half a decade to get permission from the Federal Government to rebuild a bridge.

These bridges sustain our economy, they connect our communities, they connect us, they keep us safe, and we need to expedite the ability to fix our infrastructure in this country, starting with our bridges. That is all this amendment does. It is simple. It is common sense. I hope that if I can bring this to the floor, we will get a unanimous vote in favor of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me commend my colleague from Alaska for raising this important issue.

First, it is important to understand that his amendment only applies to structurally deficient bridges. These are bridges that are deteriorating and that need extensive renovation or replacement. And it is important that we address the problem of structurally deficient bridges before they become unsafe to use. That is the risk, and that is what my colleague from Alaska is attempting to address with his amendment. He is proposing that if we are replacing a structurally deficient bridge in exactly the same place, that we do not need to start all over again with an environmental impact statement that may delay the replacement of this structurally deficient bridge for literally years, not to mention the enormous cost that is undertaken when with an environmental impact statement and all the attendant studies are done. He is correct that the amount of time to do this kind of analysis, as well as the length of these studies, has grown enormously in recent years, and that, too, is a problem when we are dealing with a structurally deficient bridge.

I believe this is a commonsense amendment. I would not want to waive environmental impact studies if the bridge were going to be built in a new location. Then we would need to do that kind of careful environmental analysis and review to make sure the environmental impact is well under-

stood. But that is not what Senator SULLIVAN is proposing. He is proposing that for this one category of bridges, we would not have to do the environmental impact statement if it is being rebuilt in exactly the same place. I think this makes sense. I think this is the kind of common sense that my colleague from Alaska has brought to Washington, and I commend him for his amendment.

I do know there are some concerns, I believe, on the other side of the aisle, and I appreciate the Senator from Alaska working with us. But I, for one, believe his amendment does make sense. It is narrowly tailored, and I believe it should be adopted by this body.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to thank my colleague from Maine for her comments. I very much appreciate her support. We will work with the others if they have questions.

I have worked on a number of issues now in my first year in the Senate with my colleague from Rhode Island, and I certainly want to make sure he is comfortable with this commonsense amendment. But I guarantee my colleagues, whether it is in Maine or Alaska or Rhode Island, if our citizens look—it doesn't matter; Democrat or Republican—at an amendment like this, I think the vast majority of them would say: Of course. Of course that is what we should be doing—protecting our citizens, building infrastructure, protecting the environment, but not making things take forever. That is what we are trying to do.

So I appreciate the kind words of the Senator from Maine about the amendment, and I am hoping we can move forward on this tomorrow.

Thank you. I yield the floor.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be

in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. Today the Senate agreed to consider H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016, as reported by the Committee on Appropriations. The bill includes a provision related to the Department of Housing and Urban Development's administrative costs for disaster relief activities that results in \$1 million in outlays. This provision is designated as an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of this designation makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for 2016 by \$1 million in outlays. I am also increasing the 2016 allocations to the Appropriations Committee by \$1 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

	\$ in millions	2016
Current Spending Aggregates:		
Budget Authority .....		3,033,488
Outlays .....		3,091,973
Adjustments:		
Budget Authority .....		0
Outlays .....		1
Revised Spending Aggregates:		
Budget Authority .....		3,033,488
Outlays .....		3,091,974

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$ in millions	2016
Current Allocation:		
Revised Security Discretionary Budget Authority .....		523,091
Revised Nonsecurity Category Discretionary Budget Authority* .....		494,191
General Purpose Outlays* .....		1,157,344
Adjustments:		
Revised Security Discretionary Budget Authority .....		0
Revised Nonsecurity Category Discretionary Budget Authority .....		0
General Purpose Outlays .....		1
Revised Allocation:		
Revised Security Discretionary Budget Authority .....		523,091
Revised Nonsecurity Category Discretionary Budget Authority .....		494,191
General Purpose Outlays .....		1,157,345

Memorandum: Above Adjustments by Designation	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority .....	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority .....	0	0	0	0
General Purpose Outlays .....	0	0	1	1

### PROVIDING NEW SANCTIONS TOOLS TO TARGET HEZBOLLAH

Mr. BROWN. Mr. President, we acted on a measure I cosponsored to provide new authorities to the President to extend the wide array of existing U.S. sanctions on Hezbollah to any international banks determined by the Treasury Department to facilitate its activities. I commend my colleagues Senators SHAHEEN and RUBIO for introducing an earlier form of this measure and for pressing to ensure Senate action on it.

The bill also requires that a range of new policymaking information be provided to Congress from the administration on Hezbollah's malign activities, including its narcotics trafficking and other criminal activity and its terrorism-related and propaganda activity throughout the Middle East.

Especially in the wake of the Iran nuclear agreement, which I supported and which is now being implemented, it is critical that we continue to do everything we can to shut down Iran's terrorist proxies like Hezbollah, and to impose powerful financial and other sanctions on those who enable its operational or financial networks.

Hezbollah clearly has the potential to continue to threaten Israel, and this must continue to be an important focus of our efforts to confront it directly and to confront those who would finance and support its efforts wherever they may be.

In addition, with regional and international spillover effects of the civil war in Syria, we must also keep in mind the damage being done by Hezbollah's extensive support of the dictatorial Assad government.

The Assad government's violent suppression of the Syrian people's courageous campaign in early 2011 to secure their universal rights resulted in the murder of countless innocent Syrians. The violent crackdown of peaceful protesters and the denial of their legitimate democratic aspirations directly led to fledgling armed opposition groups throughout Syria. Since then, Hezbollah has provided training, logistics, and direct personnel to the Government of Syria's ruthless and criminal efforts to violently crush the opposition, driving many into the arms of extremist groups like ISIL and the Nusra Front.

For years, Iran has provided Hezbollah with training, weapons, and explosives as well as political, diplomatic, monetary, and organizational aid. However, Hezbollah has been enterprising in supplementing its revenue stream through criminal activities like drug trafficking, money laundering, and counterfeiting among others.

The Iran nuclear agreement was necessarily focused exclusively on pre-

venting Iran from obtaining a nuclear weapon. That is because a nuclear-armed Iran would pose an exponentially greater danger to the security of the United States, our ally Israel, and the entire world. In my view, the agreement was the only viable option to prevent such a disastrous scenario.

But now we must do more to confront Hezbollah, as part of our broader efforts to strengthen regional security and antiterrorism efforts in the Middle East. Our goal here is simple: to shut down Hezbollah's funding networks which support its terrorist, narco-trafficking, and other criminal activities.

This bill gives the administration new tools to more aggressively pursue foreign banks that finance Hezbollah and requires key reporting to Congress on whether current efforts by other countries to combat Hezbollah's activities are adequate so that we might reassess our policy on an ongoing basis. In addition, it requires the administration to provide regular briefings for Congress on Hezbollah's narco-trafficking activities and other criminal activities, including prospects for explicit designation under the Foreign Narcotics Kingpin Designation Act or as a transnational criminal organization.

The bill imposes tough, targeted new sanctions measures on Hezbollah and its financiers, while minimizing unintended consequences against innocent third-party banks or countries that have worked hard to combat Hezbollah's reach. I am confident, for example, after consulting with State Department and Treasury officials, that the bill will be implemented to avoid overcompliance by U.S., European, and other financial institutions that could otherwise inadvertently damage Lebanon's banking sector, a key bulwark of its economy. That is especially important as Lebanon's economy is already under pressure, burdened with the highest number of refugees per capita in the world.

I commend this bipartisan legislation to my colleagues. I thank Senators SHAHEEN and RUBIO and Chairman SHELBY for working with me to ensure its passage.

### REMEMBERING LA'DARIOUS WYLIE

Mr. SCOTT. Mr. President, I would like to recognize the life and remarkable heroism of La'Darious Wylie, an 11-year-old boy from Chester, SC, who showed his love for his younger sister by saving her life.

On October 27, La'Darious was standing at a schoolbus stop in Chester when he realized a car was heading toward his sister, Sha'Vonta McCrorey. His love for his sister led him to immediately jump in front of the moving car

and push his sister out of the way. At that moment, La'Darious saved his sister's life.

La'Darious sacrificed his life in order to save his sister's. This truly touched my heart and moved people across our Nation. La'Darious was brave and selfless during a dangerous situation, and his heroic act says a lot about who he was, even at such a young age: fearless, compassionate, and a leader.

I had an opportunity to speak with La'Darious's mother, Liz McCrorey, and my heart aches for her, La'Darious's sister Sha'Vonta, and his brother Carlos Wylie. My prayers are with them. I ask that everyone will keep them in their thoughts as they continue to heal and grieve.

I am positive La'Darious is in a better place. He was a true hero, and his family should be proud of that.

Today I ask that we honor and celebrate his life. His courage and ultimate sacrifice should never be forgotten.

God bless.

### ADDITIONAL STATEMENTS

#### TRIBUTE TO JIM HARRIGER

• Mr. BLUNT. Mr. President, I wish to honor today the 22 years of service of Jim Harriger as the executive director of Springfield Victory Mission. Since starting his work at the mission, Jim has faithfully dedicated his life to addressing the needs of the most vulnerable members of the Springfield community.

Jim is truly an icon of the philanthropic community in my hometown of Springfield, MO. From the beginning, he has said he felt called by God to serve Springfield in this way. He exemplifies what it means to put faith into action.

At the beginning of his service in 1993, the mission consisted of just two small buildings on Commercial Street. Under Jim's effective leadership, the mission grew to include some of its most well-known programs including the culinary arts school; Victory Trade School; and a student-run restaurant, Cook's Kettle.

The mission has been a place of help and hope for lives affected by poverty and addiction. In the mission's service to those in need, Jim has promoted the idea that we should see a person's God-given potential, rather than defining them by their circumstances.

Lives have been changed, the hungry have been fed, the homeless have gained shelter, and the hopeless have found hope. The work of Victory Mission will continue, and both the mission and Springfield are better because of the work of Jim Harriger.

Jim is set to officially retire on January 31, 2016. There is no doubt that

Jim will continue his exceptional work in the next chapter of his life. I join countless individuals in the Springfield community in expressing my gratitude for his many years of faithful service.●

#### TRIBUTE TO GREGG AND PEGGY NIBERT

● Mr. SCOTT. Mr. President, I would like to acknowledge Gregg and Peggy Nibert of Clinton, SC, for their dedication and willingness to provide children without families a loving and supportive home.

Mr. and Mrs. Nibert have opened up their hearts and homes through their exceptional service for children in the foster care system. Since entering the foster care program, Gregg and Peggy Nibert have fostered over 38 young children. The couple's very first child was a victim of shaken baby syndrome and blunt force trauma, and after 2 years in their care, the Niberts successfully advocated the child's adoption, resulting in placement with an amazing family.

Dedicating their lives to loving each child that has been placed in their home and extending their support toward fighting for political reform, the Niberts have been working toward providing foster care children with a voice and more rights within the legal system. The Niberts have been working on behalf of foster care children for years and have shown that love and care for others can change lives.

Gregg and Peggy Nibert are an outstanding example of foster parents who have a burning passion and desire not just to provide a home for these children but to love unconditionally and fight relentlessly for them as well. I applaud Gregg and Peggy Nibert for their continued commitment and compassion toward helping foster care children.●

#### MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 511. An act to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

H.R. 1694. An act to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The message also announced that the House insists upon its amendment to the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child

achieves, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. KLINE, Ms. FOXX, Messrs. ROE of Tennessee, THOMPSON of Pennsylvania, GUTHRIE, ROKITA, MESSER, GROTHMAN, RUSSELL, CURBELO of Florida, SCOTT of Virginia, Mrs. DAVIS of California, Ms. FUDGE, Mr. POLIS, Ms. WILSON of Florida, Ms. BONAMICI, and Ms. CLARK of Massachusetts.

The message further announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes:

From the Committee on Armed Services, for consideration of section 1111 of the House amendment, and modifications committed to conference: Messrs. THORNBERRY, ROGERS of Alabama, and Ms. LORETTA Sanchez of California.

From the Committee on Energy and Commerce, for consideration of sections 1109, 1201, 1202, 3003, division B, sections 31101, 31201, and division F of the House amendment and sections 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, sections 51101 and 51201 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, MULLIN, and PALLONE.

From the Committee on Financial Services, for consideration of section 32202 and division G of the House amendment and sections 52203 and 52205 of the Senate amendment, and modifications committed to conference: Messrs. HENSARLING, NEUGEBAUER, and Ms. MAXINE WATERS of California.

From the Committee on the Judiciary, for consideration of sections 1313, 24406, and 43001 of the House amendment and sections 32502 and 35437 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, MARINO, and Ms. LOFGREN.

From the Committee on Natural Resources, for consideration of sections 1114-16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310-13, 1316, 1317, 10001, and 10002 of the House amendment and sections 11024-27, 11101-13, 11116-18, 15006, 31103-05, and 73103 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Pennsylvania, LAHOOD, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and sections 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference: Messrs. MICA, HURD of Texas, and CONNOLLY.

From the Committee on Science, Space, and Technology, for consideration of sections 3008, 3015, 4003, and title VI of the House amendment and

sections 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, sections 35105 and 72003 of the Senate amendment, and modifications committed to conference: Mr. SMITH of Texas, Mrs. COMSTOCK, and Ms. EDWARDS.

From the Committee on Ways and Means, for consideration of sections 31101, 31201, and 31203 of the House amendment, and sections 51101, 51201, 51203, 52101, 52103-05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference: Messrs. BRADY of Texas, REICHERT, and LEVIN.

#### ENROLLED BILLS SIGNED

At 5:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 799. An act to address problems related to prenatal opioid use.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1694. An act to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Environment and Public Works.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2288. A bill to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-106. A resolution adopted by the House of Representatives of the State of Ohio requesting the United States Congress to renew funding for Save the Dream Ohio to help homeowners in the state of Ohio avoid foreclosure; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE RESOLUTION NUMBER 107

Whereas, The national housing crisis that began in 2007 led to unprecedented home price declines and sustained and higher unemployment in certain parts of the country, including Ohio; and



Whereas, Families in these areas, including Ohio, struggled to make their monthly mortgage payments and to get out from under deeply underwater mortgages; and

Whereas, In 2008, Save the Dream Ohio was created as a multi-agency foreclosure prevention outreach initiative involving partners from state government, nonprofit housing counseling agencies, and legal aid organizations to address this crisis; and

Whereas, In 2010, the Ohio Housing Finance Agency received \$570.4 million from the United States Department of the Treasury's Hardest Hit Fund to administer Ohio's foreclosure prevention program through Save the Dream Ohio; and

Whereas, Save the Dream Ohio has worked with 32 United States Department of Housing and Urban Development-approved nonprofit counseling agencies and over 350 mortgage servicers nationwide to provide assistance to over 24,000 homeowners at risk of foreclosure; and

Whereas, An additional \$60 million was designated for the Neighborhood Initiative Program to stabilize property values and prevent future foreclosures by removing and greening vacant and blighted properties; and

Whereas, Save the Dream Ohio had to stop accepting applications in August 2014, and payments on behalf of homeowners are expected to end in late 2016; United States Department of the Treasury guidelines specify that funds must be dispersed by December 31, 2017; and

Whereas, The Ohio Housing Finance Agency continues to administer the Save the Dream Ohio hotline to connect homeowners with HUD-approved housing counseling agencies and other resources: Now, therefore, be it

*Resolved*, That we, the members of the House of Representatives of the 131st General Assembly of the State of Ohio request the Congress of the United States to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; and be it further

*Resolved*, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives and the President Pro Tempore and Secretary of the United States Senate.

#### REPORTS OF COMMITTEES ON NOVEMBER 17, 2015

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 515. A bill to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. Res. 310. A resolution condemning the ongoing sexual violence against women and children from Yazidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2184. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution for Fiscal Year 2016" (Rept. No. 114-167).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

\*Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

\*Coast Guard nomination of Rear Adm. Kurt B. Hinrichs, to be Rear Admiral.

\*Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years.

\*Coast Guard nomination of Capt. Andrew S. McKinley, to be Rear Admiral (Lower Half).

\*Coast Guard nominations beginning with Captain Matthew T. Bell and ending with Captain Anthony J. Vogt, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2015.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

\*Coast Guard nominations beginning with Ladonn A. Allen and ending with Jeffrey V. Yarosh, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

\*Coast Guard nominations beginning with Sharif A. Abdrabbo and ending with Wilbur A. Velarde, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020.

\*Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CASSIDY):

S. 2297. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRUZ, Mr. PERDUE, and Mr. PAUL):

S. 2298. A bill to specify the state of mind required for conviction for criminal offenses that lack an expressly identified state of mind, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 2299. A bill to amend the Tariff Act of 1930 to improve enforcement of the trade laws of the United States, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON:

S. 2300. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 2301. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ:

S. 2302. A bill to temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 2303. A bill to exempt the Department of Defense and other national security agencies from sequestration; to the Committee on the Budget.

By Mr. TESTER (for himself and Mr. SCHATZ):

S. 2304. A bill to provide for tribal demonstration projects for the integration of early childhood development, education, including Native language and culture, and related services, for evaluation of those demonstration projects, and for other purposes; to the Committee on Indian Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr. WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT):

S. Res. 315. A resolution expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

By Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN):

S. Res. 316. A resolution supporting the goals and ideals of American Education Week; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. Res. 317. A resolution commemorating the 20th anniversary of the opening of the American Visionary Art Museum; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 318. A resolution to authorize depository testimony and representation in *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 237

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 237, a bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes.

S. 330

At the request of Mr. HELLER, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1719

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1886

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1886, a bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes.

S. 1893

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 1998

At the request of Mr. HEINRICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1998, a bill to improve college affordability.

S. 2000

At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2000, a bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through

contracts or sharing agreements, and for other purposes.

S. 2071

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2071, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 2104

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2104, a bill to amend title XVIII of the Social Security Act to provide relief to Medicare Advantage plans with a significant number of dually eligible or low-income subsidy beneficiaries and to prevent the termination of two star plans.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2206

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2206, a bill to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2206, *supra*.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2279

At the request of Mr. MERKLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2279, a bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the

recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

S. 2295

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2295, a bill to extend the termination date for the authority to collect certain record and make permanent the authority for roving surveillance and to treat individual terrorist as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 2811

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. WYDEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 2811 proposed to H.R. 2297, an act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2296

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Workforce Health Improvement Program Act of 2015".

#### SEC. 2. EMPLOYER-PROVIDED OFF-PREMISES ATHLETIC AND FITNESS FACILITY SERVICES.

(a) TREATMENT AS FRINGE BENEFIT.—Subparagraph (A) of section 132(j)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

"(A) IN GENERAL.—Gross income shall not include—

"(i) the value of any on-premises athletic facility provided by an employer to the employees of the employer, and

"(ii) so much of the fees, dues, or other membership expenses paid by an employer on behalf of the employees of the employer for membership in or use of an athletic or fitness facility described in subparagraph (C) as does not exceed \$900 per year per employee on behalf of whom such amounts are paid.".

(b) ATHLETIC OR FITNESS FACILITIES.—Paragraph (4) of section 132(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(C) ATHLETIC OR FITNESS FACILITY.—For purposes of subparagraph (A)(ii), an athletic or fitness facility described in this subparagraph is a facility—

"(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or serves as the site of such a program of a State or local government,

"(ii) which is not a private club owned and operated by its members,

"(iii) which does not offer golf, hunting, sailing, or riding facilities,

"(iv) the health or fitness component of which is not incidental to its overall function and purpose, and

"(v) which is fully compliant with applicable Federal and State anti-discrimination laws.".

(c) EXCLUSION APPLIES TO HIGHLY COMPENSATED EMPLOYEES ONLY IF NO DISCRIMINATION.—Paragraph (1) of section 132(j) of the Internal Revenue Code of 1986 is amended—

(1) by striking "Paragraphs (1) and (2) of subsection (a)" and inserting "Subsections (a)(1), (a)(2), and (j)(4)", and

(2) by striking "EXCLUSIONS UNDER SUBSECTION (A)(1) AND (2)" in the heading and inserting "CERTAIN EXCLUSIONS".

(d) EMPLOYER DEDUCTION.—

(1) IN GENERAL.—Paragraph (3) of section 274(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: "The preceding sentence shall not apply to amounts to which section 132(j)(4)(A)(ii) applies.".

(2) CONFORMING AMENDMENT.—The last sentence of paragraph (4) of section 274(e) of such Code is amended by striking "subsection (a)(3)" and inserting "the first sentence of subsection (a)(3)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 315—EXPRESSING SUPPORT FOR THE GOALS OF BOTH NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr.

WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas there are millions of unparented children in the world, including 415,129 children in the foster care system in the United States, approximately 108,000 of whom are waiting for families to adopt them;

Whereas 62 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas for many foster children, the wait for a loving family in which the children are nurtured, comforted, and protected seems endless;

Whereas, in 2014, over 22,000 youth "aged out" of foster care by reaching adulthood without being placed in a permanent home;

Whereas every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that although "Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past 5 years";

Whereas while 4 in 10 people of the United States have considered adoption, a majority of the people of the United States have misconceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 50 percent of the people of the United States believe that children enter the foster care system because of juvenile delinquency when, in reality, the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 39 percent of the people of the United States believe that foster care adoption is expensive when, in reality, there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas family reunification, kinship care, and domestic and inter-county adoption promote permanency and stability to a far greater degree than long-term institutionalization and long-term, often disrupted, foster care;

Whereas both National Adoption Day and National Adoption Month occur in the month of November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, nearly 54,500 children have joined permanent families during National Adoption Day;

Whereas, in 2014, nearly 400 events were held in the United States finalizing the adoptions of approximately 4,500 children from foster care;

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month; and

Whereas National Adoption Day is on November 21, 2015; Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of both National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

#### SENATE RESOLUTION 316—SUPPORTING THE GOALS AND IDEALS OF AMERICAN EDUCATION WEEK

Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 316

Whereas November 16 through November 20, 2015 marks the 94th annual observance of American Education Week;

Whereas public schools are the backbone of the democracy of the United States, providing young people with the tools they need to maintain the precious values of freedom, civility, and equality;

Whereas, by equipping young people in the United States with both practical skills and broader intellectual abilities, public schools give young people hope for, and access to, a productive future;

Whereas people working in the field of public education, including teachers, higher education faculty and staff, paraeducators, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, and librarians, work tirelessly to serve children and communities throughout the United States with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of American Education Week; and

(2) encourages the people of the United States to observe American Education Week by reflecting on the positive impact of all those who work together to educate children.

#### SENATE RESOLUTION 317—COMMEMORATING THE 20TH ANNIVERSARY OF THE OPENING OF THE AMERICAN VISIONARY ART MUSEUM

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 317

Whereas the American Visionary Art Museum in Baltimore, Maryland, opened on November 24, 1995;

Whereas, in 1992, Congress designated the American Visionary Art Museum as the national repository and education center for visionary art;

Whereas the American Visionary Art Museum—

(1) is the first museum in North America that is wholly dedicated to assembling a comprehensive national collection of visionary art;

(2) perseveres due largely to the leadership of its founder, Rebecca Alban Hoffberger, who built the idea of assembling a comprehensive national collection of visionary art into an institution;

(3) encourages art as a means of expression for at-risk youth and other individuals who are often overlooked;

(4) seeks to end the stigma associated with disability by illuminating the power to overcome the adversity associated with disability through creativity;

(5) educates, inspires, and entertains over 125,000 visitors each year; and

(6) continues to fulfill its mission to increase awareness of uncommon art that is created out of extraordinary circumstances; and

Whereas it is in the best interest of the national welfare and each United States citizen—

(1) to preserve visionary art; and

(2) to celebrate visionary art as a unique art form: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 20th anniversary of the opening of the American Visionary Art Museum; and

(2) reaffirms that visionary art is a rare and valuable national treasure to which individuals in the United States should devote attention, support, and resources to ensure it is collected, preserved, and understood.

#### SENATE RESOLUTION 318—TO AUTHORIZE DEPOSITION TESTIMONY AND REPRESENTATION IN CARE ONE MANAGEMENT LLC, ET AL. V. UNITED HEALTHCARE WORKERS EAST, SEIU 1199, ET AL.

Mr. MCCONNELL (for himself and Mr. REID of Nevada) submitted the following resolution; which was considered and agreed to:

S. RES. 318

Whereas, in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, No. 2:12-cv-06371, pending in the United States District Court for the District of New Jersey, testimony has been sought from Rachel Pryor, a former employee in the office of Senator Richard Blumenthal, relating to her official responsibilities;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Rachel Pryor, former employee in the Office of Senator Richard Blumenthal, is authorized to testify in a deposition in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Ms. Pryor in connection with the testimony authorized in section one of this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2812. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 2813. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*.

SA 2814. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2815. Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*.

SA 2816. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2817. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*.

SA 2818. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2819. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2820. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2821. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2822. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2823. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2824. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2825. Mr. ENZI (for himself, Mr. BARASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 2826. Mr. BLUMENTHAL submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2827. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2828. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2829. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2830. Mr. FLAKE (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2831. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2833. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2834. Mr. FLAKE (for himself and Mr. McCain) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2835. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2836. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2837. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2838. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2839. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2840. Mr. LEE (for himself and Mr. Cotton) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2841. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2842. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2843. Mr. PAUL submitted an amendment intended to be proposed to amendment

SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2844. Mr. CORNYN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2846. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2847. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2848. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2849. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2850. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2851. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2852. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2853. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2854. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2812.** Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

#### TITLE I

#### DEPARTMENT OF TRANSPORTATION

#### OFFICE OF THE SECRETARY

#### SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$110,738,000, of which not to exceed \$2,734,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,109,000 shall be available for the Office of the General Counsel; not to exceed \$10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,029,000 shall be available for the Office of Public Affairs; not to exceed \$1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed \$1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$16,880,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112-141: *Provided further*, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by \$100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

#### RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,000,000, of which \$8,218,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses

incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

#### NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$600,000,000, to remain available through September 30, 2019: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than \$10,000,000 and not greater than \$100,000,000: *Provided further*, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed \$25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration,

and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

#### FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2017.

#### CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, \$8,000,000, to remain available through September 30, 2017.

#### OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,678,000.

#### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$6,000,000.

#### INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, \$4,000,000, to remain available until expended: *Provided*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

#### WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,039,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis

therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

#### MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$336,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, \$597,000.

#### MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$3,084,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

#### PAYMENTS TO AIR CARRIERS

##### (AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

#### ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: *Provided*, That



the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

FEDERAL AVIATION ADMINISTRATION  
OPERATIONS  
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$9,897,818,000 of which \$8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,505,293,000 shall be available for air traffic organization activities; not to exceed \$1,258,411,000 shall be available for aviation safety activities; not to exceed \$17,425,000 shall be available for commercial space transportation activities; not to exceed \$748,969,000 shall be available for finance and management activities; not to exceed \$60,089,000 shall be available for NextGen and operations planning activities; not to exceed \$100,880,000 shall be available for security and hazardous materials safety; and not to exceed \$206,751,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such

report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$154,400,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT  
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,855,000,000, of which \$470,049,000 shall remain available until September 30, 2016, and \$2,384,951,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT  
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and de-

velopment, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(AIRPORT AND AIRWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)  
(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$107,100,000 shall be obligated for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,000,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section

48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL  
AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

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

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

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal

Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

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

FEDERAL HIGHWAY ADMINISTRATION  
LIMITATION ON ADMINISTRATIVE EXPENSES  
(HIGHWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

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

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112-141 shall not exceed total obligations of \$40,256,000,000 for fiscal year 2016: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, \$40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL  
HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

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

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

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

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

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

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

(3) determine the proportion that—

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

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

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

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

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

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

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

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

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

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

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

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

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

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

(A) remain available for a period of 4 fiscal years; and

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

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141), the amount of \$22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: *Provided*, That this provision shall not apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109-59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112-141): *Provided further*, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: *Provided further*, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes

under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

“(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

“(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

“(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

“(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

“(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.”.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 3112(c)(5) of title 49, United States Code, is amended—

(1) by striking “Nebraska may” and inserting “Nebraska and Kansas may”; and

(2) by striking “the State of Nebraska” and inserting “the relevant state”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

“(C) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—”;

(2) by striking “; and” at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting “; and”.

#### FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

#### MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

#### (LIQUIDATION OF CONTRACT AUTHORIZATION)

#### (LIMITATION ON OBLIGATIONS)

#### (HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, \$259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$259,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2016, of which \$9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which \$34,545,000, to remain available for obligation until September 30, 2018, is for information management: *Provided further*, That \$1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141.

#### MOTOR CARRIER SAFETY GRANTS

#### (LIQUIDATION OF CONTRACT AUTHORIZATION)

#### (LIMITATION ON OBLIGATIONS)

#### (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, \$313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds avail-

able for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$313,000,000 in fiscal year 2016 for “Motor Carrier Safety Grants”; of which \$218,000,000 shall be available for the motor carrier safety assistance program, \$30,000,000 shall be available for commercial driver’s license program improvement grants, \$32,000,000 shall be available for border enforcement grants, \$5,000,000 shall be available for performance and registration information system management grants, \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and \$3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, \$32,000,000 shall be available for audits of new entrant motor carriers.

#### ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

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

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107–87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner’s permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner’s permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading “Motor Carrier Safety Operations and Programs” may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier’s Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113–235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113–235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Ap-

propriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking “or”;

(2) in subsection (15) by striking “.” and inserting “; or”; and

(3) by inserting at the end, “(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.”.

SEC. 137. (a) Section 3111(b)(1)(A) of title 49, United States Code, is amended by striking “or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,” and inserting “or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,”.

(b) Section 3111(f) of title 49, United States Code, the term “chief executive officer of a State” shall include “chief executive officer of a State Department of Transportation”.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semitrailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

#### NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

#### OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$130,500,000, of which \$20,000,000 shall remain available through September 30, 2017.

#### OPERATIONS AND RESEARCH

#### (LIQUIDATION OF CONTRACT AUTHORIZATION)

#### (LIMITATION ON OBLIGATIONS)

#### (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$118,500,000, of which \$113,500,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the \$118,500,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER  
PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, \$575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which \$235,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; \$272,000,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; \$29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109-59, as amended by Public Law 112-141; \$25,500,000 shall be for "Administrative Expenses" under section 31101(a)(6) of Public Law 112-141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: *Provided further*, That \$10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: *Provided further*, That \$4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: *Provided further*, That the additional \$14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109-59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL  
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION  
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$199,000,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT  
FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, \$50,000,000, of which not to exceed \$25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed \$15,000,000 shall be made available to carry out 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL  
RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$288,500,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the

annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112-55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE  
NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$1,101,500,000, to remain available until expended, of which not to exceed \$160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to \$200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to \$50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2016: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110-432, of which up to \$500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110-432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not

approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110-432, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110-432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

#### ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—“Rail Line Relocation and Improvement Program”, \$2,241,385; and “Railroad Research and Development”, \$1,960,000: *Provided*, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended: *Provided further*, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: *Provided further*, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$5,000,000 of the unobligated bal-

ances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110-432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and \$11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—“Grants to the National Railroad Passenger Corporation”, \$267,019; “Next Generation High-Speed Rail”, \$4,944,504; and “Safety and Operations”, \$6,710,477: *Provided*, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: *Provided further*, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

#### FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$107,000,000, of which not less than \$5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than \$1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

#### TRANSIT FORMULA GRANTS

##### (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, \$9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, shall not exceed total obligations of \$8,595,000,000 in fiscal year 2016.

#### TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, \$32,500,000, to remain available until expended: *Provided*, That \$30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and \$2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

#### TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), \$3,153,000, to remain available until expended: *Provided*,

That \$2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and \$500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

#### CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,896,000,000, to remain available until expended: *Provided*, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

#### GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110-432 (112 Stat. 4968).

#### ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION (INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading “Fixed Guideway Capital Investment” of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance



with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

- (1) in the areas of Arctic research;
- (2) to map the Arctic;
- (3) to collect and analyze data in the Arctic;
- (4) to support activities that further Arctic exploration, research, or development; or
- (5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP-21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, \$10,000,000 is hereby rescinded.

#### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

#### OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

#### MARITIME ADMINISTRATION MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$210,000,000, to remain available until expended.

#### OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$170,000,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which \$1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy,

and of which \$2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): *Provided*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: *Provided further*, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

#### ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$5,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

#### SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$4,000,000, to remain available until expended.

#### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$8,135,000, of which \$5,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed \$3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

#### ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

#### PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

##### OPERATIONAL EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$22,500,000: *Provided*, That \$1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code: *Provided further*, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

##### HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: *Provided*, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

##### PIPELINE SAFETY (PIPELINE SAFETY FUND)

##### (OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$146,623,000, of which \$19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which \$127,123,000 shall be derived from the Pipeline Safety Fund, of which \$66,309,000 shall remain available until September 30, 2018: *Provided*, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

##### EMERGENCY PREPAREDNESS GRANTS (EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), \$188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of

crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

#### ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

#### OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$87,472,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

#### SURFACE TRANSPORTATION BOARD SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$32,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than \$31,125,000.

#### GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation

shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

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

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act:

*Provided*, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

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

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the “Department of Transportation Appropriations Act, 2016”.

#### TITLE II

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### MANAGEMENT AND ADMINISTRATION EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$14,500,000: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

##### ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$568,244,000, of which not to exceed \$44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed \$96,000,000 shall be available for the Office of the General Counsel; not to exceed \$208,604,000 shall be available for the Office of Administration; not to exceed \$61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed \$50,000,000 shall be available for the Office of Field Policy and Management; not to exceed \$17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed \$3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed \$4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed \$82,802,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities

that support the housing mission area: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

##### PROGRAM OFFICE SALARIES AND EXPENSES PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$207,000,000.

##### COMMUNITY PLANNING AND DEVELOPMENT

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

##### HOUSING

For necessary salaries and expenses of the Office of Housing, \$382,000,000.

##### POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$23,100,000.

##### FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,500,000.

##### OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$6,800,000.

##### PUBLIC AND INDIAN HOUSING

##### TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies’ contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agen-

cy’s authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies’ calendar year 2016 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2016 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced

vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110-329;

(3) \$1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental

assistance authorized under section 8, including related development activities;

(4) \$107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) \$20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

#### HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987

are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

#### PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") \$1,742,870,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to \$3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed \$23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: *Provided further*, That of the amount made available under the previous proviso, not less than \$6,000,000 shall be for safety and security measures: *Provided further*, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents:

*Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

#### PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain available until September 30, 2017.

#### CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$65,000,000, to remain available until September 30, 2018: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than \$40,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection

Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than \$5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

#### FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2017: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

#### INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to remain available until September 30, 2020: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: *Provided further*, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,452,007: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading,

\$60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

#### INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$7,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,111,111,000, to remain available until expended: *Provided further*, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

#### COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: *Provided further*, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: *Provided further*, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of

the Housing and Community Development Act of 1974, as amended (the “Act” herein) (42 U.S.C. 5301 et seq.), \$3,000,000,000, to remain available until September 30, 2018: *Provided*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

#### COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

#### HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$900,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the “Full-Year Continuing Appropriations Act, 2013”, shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled “Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards” which became effective on such date: *Provided further*, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: *Provided further*, That the Department shall notify

grantees of their formula allocation within 60 days of enactment of this Act.

#### SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2018: *Provided*, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: *Provided further*, That \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local non-profits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional \$5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113-291.

#### HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,235,000,000, to remain available until September 30, 2018: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than \$1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That up to \$2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway Homeless Youth Act (42 U.S.C. 5714-25), notwithstanding section 204 of this title: *Provided further*, That up to \$33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to \$5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection,

analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: *Provided further*, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private non-profit organizations: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

#### HOUSING PROGRAMS

##### PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, \$10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$400,000,000 previously appropriated under this heading that became available October



1, 2015), and \$400,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed \$215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

#### HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental as-

sistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$420,000,000 to remain available until September 30, 2019: *Provided*, That of the amount provided under this heading, up to \$77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$137,000,000, to remain available until September 30, 2019: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso

shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

#### HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2017, including up to \$4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

#### RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$30,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

#### MANUFACTURED HOUSING STANDARDS

##### PROGRAM

#### PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000, to remain available until expended, of which \$10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the

Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION  
MUTUAL MORTGAGE INSURANCE PROGRAM  
ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2017: *Provided further*, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2016, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(1), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE  
ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES  
LOAN GUARANTEE PROGRAM ACCOUNT

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

POLICY DEVELOPMENT AND RESEARCH  
RESEARCH AND TECHNOLOGY  
(INCLUDING TRANSFER OF FUNDS)

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

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

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided*, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: *Provided further*, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2017, of which \$38,600,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND  
HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$110,000,000, to remain available until September 30, 2017, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and dem-

onstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, \$45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$250,000,000, shall remain available until September 30, 2017: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

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

GENERAL PROVISIONS—DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up

to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available under this title may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter “metropolitan division”) of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allo-

cated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

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

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

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

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

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

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

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

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

(d) For purposes of this section—

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

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

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

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

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

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

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

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

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

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

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

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

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

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

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

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

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

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental

assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder

unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations for "Program Office Salaries and Expenses", "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account", and "Office of Inspector General" within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: *Provided*, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: *Provided further*, That no appropriation for any account funded under the general heading "Program Office Salaries and Expenses" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a "program of the Department of

Housing and Urban Development" under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

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

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

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

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

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

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

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environ-

mental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

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

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

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

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

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2016."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2016.".

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to \$5,000,000 may be transferred to and merged with amounts made available in the "Information Technology Fund" account under this title.

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

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

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: “Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).”.

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

SEC. 235. The language under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55) is amended:

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

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

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

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

(1) inserting at the end of subsection (j)—“(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(n).”; and

(2) inserting at the end of subsection (m)—“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency’s Capital Fund into a replacement reserve subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

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

“(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

“(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

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

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

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

(1) inserting “(A)” immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: “; and”; and

(3) inserting the following new paragraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.”.

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

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

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines that unified adminis-

tration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency’s fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

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

“(6) REVIEWS OF FAMILY INCOME.—

“(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

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

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

“(B) FIXED-INCOME FAMILIES.—

“(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family’s income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family’s income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family’s income not less than once every 3 years.

“(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

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

“(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an



agreement entered into under section 212(b) of Public Law 93-66;

“(II) Social Security payments;

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

“(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

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

“(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.”.

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

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

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

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

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(1) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

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

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

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

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not pre-

viously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

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

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

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

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

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

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

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

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

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

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

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

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public

housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

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

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

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

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

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

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

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

SEC. 244. (a) AUTHORITY.—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

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

(c) PHASED AND PROPORTIONAL TRANSFERS.—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) CONDITIONS.—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State,

and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

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

SEC. 245. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "General and Special Risk Program Account", and for the cost of guaranteed notes and other obligations under the heading "Native American Housing Block Grants", \$12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings "Rural Housing and Economic Development", and "Homeownership and Opportunity for People Everywhere Grants" are hereby rescinded.

SEC. 246. Funds made available in this title under the heading "Homeless Assistance Grants" may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

SEC. 247. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be trans-

ferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: *Provided*, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 248. None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2016".

### TITLE III RELATED AGENCIES

#### ACCESS BOARD

#### SALARIES AND EXPENSES

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

#### FEDERAL MARITIME COMMISSION

#### SALARIES AND EXPENSES

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

#### NATIONAL RAILROAD PASSENGER CORPORATION

#### OFFICE OF INSPECTOR GENERAL

#### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,999,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern

such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

#### NATIONAL TRANSPORTATION SAFETY BOARD

#### SALARIES AND EXPENSES

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

#### NEIGHBORHOOD REINVESTMENT CORPORATION

#### PAYMENT TO THE NEIGHBORHOOD

#### REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

#### UNITED STATES INTERAGENCY COUNCIL ON

#### HOMELESSNESS

#### OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking "level V" and inserting "level IV".

### TITLE IV

#### GENERAL PROVISIONS—THIS ACT

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.

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.

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.

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

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

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

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

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

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

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

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and ex-

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

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

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

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

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

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

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

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections

41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016”.

**SA 2813.** Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 55, line 22, strike “2015” and insert “2016”.

**SA 2814.** Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) In this section:

(1) ENTERPRISE.—The term “enterprise” has the meaning given the term in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502).

(2) GUARANTEE FEE.—The term “guarantee fee”—

(A) means a fee in connection with any guarantee of the timely payment of principal and interest on securities, notes, and other obligations based on or backed by mortgages on residential real properties designed principally for occupancy of from 1 to 4 families; and

(B) includes—

(i) the guaranty fee charged by the Federal National Mortgage Association with respect to mortgage-backed securities; and

(ii) the management and guarantee fee charged by the Federal Home Loan Mortgage

Corporation with respect to participation certificates.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(4) SENIOR PREFERRED STOCK PURCHASE AGREEMENT.—The term “Senior Preferred Stock Purchase Agreement” means—

(A) the Amended and Restated Senior Preferred Stock Purchase Agreement, dated September 26, 2008, as such Agreement has been amended on May 6, 2009, December 24, 2009, and August 17, 2012, respectively, and as such Agreement may be further amended and restated, entered into between the Department of the Treasury and each enterprise, as applicable; and

(B) any provision of any certificate in connection with such Agreement creating or designating the terms, powers, preferences, privileges, limitations, or any other conditions of the Variable Liquidation Preference Senior Preferred Stock of an enterprise issued or sold pursuant to such Agreement.

(b)(1) In the Senate and the House of Representatives, for purposes of determining budgetary impacts to evaluate points of order under the Congressional Budget Act of 1974, any previous budget resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increase, or extend the increase of, any guarantee fee of an enterprise shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

(2) The prohibition in paragraph (1) shall not apply to any legislation that—

(A) includes a specific instruction to the Secretary on the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement; and

(B) provides for an increase, or extension of an increase, of any guarantee fee of an enterprise to be used for the purpose of financing reforms to the secondary mortgage market.

(c)(1) Notwithstanding any other provision of law or any provision of the Senior Preferred Stock Purchase Agreement, the Secretary may not sell, transfer, relinquish, liquidate, divest, or otherwise dispose of any outstanding shares of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement, until such time as Congress has passed and the President has signed into law legislation that includes a specific instruction to the Secretary regarding the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of the senior preferred stock so acquired.

(2) Nothing in this subsection shall be construed to alter, supersede, or interfere with the final ruling of a court of competent jurisdiction with respect to any provision of the Senior Preferred Stock Purchase Agreement.

**SA 2815.** Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Beginning on page 45, strike line 16 and all that follows through line 9 on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-

semitrailer-trailer combination under section 3111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112-141), that such change would not have a net negative impact on public safety.

**SA 2816.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

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

(2) murder under section 1111 of title 18, United States Code, an offense under chapter 110 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) sexual assault or domestic violence, as those terms are defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

(B) child abuse, as defined in section 212 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.).

**SA 2817.** Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) In this section—

(1) the term “Compact” means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat 1324);

(2) the term “Federal Director” means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term “Transit Authority” means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111-62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

**SA 2818.** Mr. BOOKER submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 6, strike “only if” and insert “until”.

**SA 2819.** Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I, add the following:

SEC. \_\_\_\_ Notwithstanding any other provision of law, any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

**SA 2820.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

SEC. 119D. It is the sense of Congress that the National Oceanic and Atmospheric Administration and the Federal Aviation Administration should continue evaluating the benefits of all-digital cylindrical technology and other technologies to be incorporated into the multi-function phased array radar and consider providing appropriate funding for demonstrations of such technologies.

**SA 2821.** Mr. JOHNSON submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. 416. CLEARING TRAINS FROM GRADE CROSSINGS.**

(a) **SHORT TITLE.**—This section may be cited as the “Moving Obstructed Trains In-between Openings Now Act” or the “MOTION Act”.

(b) **GRADE CROSSING EXCEPTION.**—

(1) **AMENDMENT.**—Chapter 211 of title 49, United States Code, is amended by adding at the end the following:

**“§ 21110. Grade crossing exception.**

“Employees may be allowed to remain or go on duty for a period in excess of the limitations established under this chapter to the extent necessary to clear a blockage of vehicular traffic at a grade crossing.”.

(2) **CLERICAL AMENDMENT.**—The table of sections for chapter 211 of such title is amended by adding at the end the following: “21110. Grade crossing exception.”.

**SA 2822.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. \_\_\_\_.** Section 127 of title 23, United States Code (as amended by section 125), is amended by adding at the end the following:

“(o) **LOGGING VEHICLES IN WISCONSIN.**—No limit or other prohibition under this section, except the limit described in this subsection, shall apply to a vehicle with a gross weight of 98,000 pounds or less if the vehicle is—

“(1) transporting raw or unfinished forest product; and

“(2) operating on Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.”.

**SA 2823.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. \_\_\_\_.** Notwithstanding any other provision of law, any funds apportioned to a State for the national highway performance program under section 119 of title 23, United States Code, may be used for the replacement, rehabilitation, preservation, and protection of bridges on Federal-aid highways not on the National Highway System.

**SA 2824.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms.

COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 230.

**SA 2825.** Mr. ENZI (for himself, Mr. BARRASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

**SEC. 119D.** For fiscal year 2016, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2016 under that section; and

(2) 10,000 or more passenger boardings during calendar year 2012.

**SA 2826.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 44, strike line 13 and all that follows through page 45, line 5.

**SA 2827.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

**SEC. \_\_\_\_.** None of the funds made available under this title may be used for the Wave Streetcar project in Fort Lauderdale, Florida.

**SA 2828.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

**SEC. \_\_\_\_.** None of the funds made available under this title may be used for the Seattle Sound Transit University Link light rail project.

**SA 2829.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

**SEC. \_\_\_\_.** None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

**SA 2830.** Mr. FLAKE (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 4 and 5, insert the following:

**SEC. 199D. UNUSED EARMARKS.**

(a) **SHORT TITLE.**—This section may be cited as the “Jurassic Pork Act”.

(b) **DEFINITIONS.**—In this section—

(1) the term “agency” has the meaning given the term “Executive agency” under section 105 of title 5, United States Code;

(2) the term “earmark” means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term “unused DOT earmark” means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) **RESCISSION OF UNUSED DOT EARMARKS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded and shall be transferred to the Highway Trust Fund.

(2) **EXCEPTION.**—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of amounts from the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(3) **APPLICABILITY.**—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter to amounts made available for any fiscal year beginning before, on, or after the date of enactment of this Act.

(d) **AGENCY-WIDE IDENTIFICATION AND REPORT.**—

(1) AGENCY IDENTIFICATION.—Each agency shall identify and submit to the Director of the Office of Management and Budget an annual report—

(A) that identifies each earmark for a project of the agency that is ineligible for funding; and

(B) that discusses each project of the agency for which—

(i) amounts are made available under an earmark; and

(ii) as of the end of a fiscal year, unobligated balances remain available.

(2) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report regarding earmarks (including any earmark that is ineligible for funding) that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c) at the end of the fiscal year during which the report is submitted.

(3) APPLICABILITY.—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter.

**SA 2831.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. (a) In this section, the terms “families” and “public housing” have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(b) None of the funds made available under this Act or any other provision of law may be used to provide public housing or tenant-based or project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to families with annual gross incomes for two consecutive years of more than \$100,000.

**SA 2832.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. (a) In this section, the term “covered agency” means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than \$1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

**SA 2833.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. (a) The Secretary of Housing and Urban Development shall prepare a report, and post such report on the public website of the Department of Housing and Urban Development (in this section referred to as the “Department”), regarding the number of homes owned by the Department and the cost to taxpayers of acquiring, maintaining, and selling such homes.

(b) The report required under this section shall include—

(1) the number of residential homes that the Department owned during the years 2010 through 2015;

(2) an itemized breakdown of the total annual financial impact, including losses and gains from selling homes and maintenance and acquisition of homes, of home ownership by the Department since 2010;

(3) a detailed explanation of the reasons for the ownership by the Department of the homes;

(4) a list of the 10 urban areas in which the Department owns the most homes and the rate of homelessness in each of those areas; and

(5) a list of the 10 States in which the Department owns the most homes and the rate of homelessness in each of those States.

**SA 2834.** Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) AIRSPACE MANAGEMENT ADVISORY COMMITTEE.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Administrator shall establish an advisory committee to review and provide comments on proposals described in subparagraph (B) before any such proposal is made available for public comment and before any such proposal is implemented.

“(B) PROPOSALS DESCRIBED.—A proposal described in this subparagraph is a proposed change in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affects airport operations, airport capacity, the environment, or communities in the vicinity of airports.

“(C) MEMBERSHIP.—The membership of the advisory committee established under subparagraph (A) shall include representatives of air carriers, airports of various sizes and types, and State aviation officials.

“(D) DUTIES.—Not later than 100 days after the establishment of the advisory committee under subparagraph (A), the advisory committee shall—

“(i) conduct a review of the practices and procedures of the Federal Aviation Administration for developing proposals described in subparagraph (B), including—

“(I) an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

“(aa) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

“(bb) between the Federal Aviation Administration and affected entities, including airports, communities, and State and local governments;

“(ii) recommend revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in subparagraph (B) and the potential effects of such proposals;

“(iii) conduct a review of the management by the Federal Aviation Administration of database systems used to evaluate data relating to obstructions to air navigation or navigational facilities under part 77 of title 14, Code of Federal Regulations; and

“(iv) make recommendations to ensure that such data is publicly accessible and



streamlined to ensure developers, airport operators, and other interested parties may obtain relevant information concerning potential obstructions when working to preserve and create a safe and efficient navigable airspace.”.

**SA 2835.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. The Secretary of Housing and Urban Development may not make a payment to any person or entity with respect to a property assisted or insured under a program of the Department of Housing and Urban Development (in this section referred to as the “Department”) that—

(1) on the day before the date of enactment of this Act, is designated by the Department as “troubled” for “life-threatening deficiencies” or “poor” physical conditions on the Online Property Integrated Information System; and

(2) has been designated by the Department as “troubled” for “life-threatening conditions” or “poor” physical condition on the Online Property Integrated Information System not less than once during the 5-year period ending on the day before the date of enactment of this Act.

**SA 2836.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. A recipient of grant amounts from the Department of Housing and Urban Development may not use such amounts to pay any amount due on a loan provided to the recipient by the Department of Housing and Urban Development.

**SA 2837.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. None of the funds made available under this Act may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

**SA 2838.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

tation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 109, line 8, strike “\$900,000,000” and insert “\$66,000,000”.

**SA 2839.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to implement, administer, or enforce any wage requirement under subchapter IV of chapter 31 of title 40, United States Code, except with respect to any contract that is in existence on or prior to the date that is 30 days after the date of enactment of this Act or made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

**SA 2840.** Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) PROHIBITION ON USE OF FEDERAL FUNDS FOR HUD RULE.—Notwithstanding any other provision of law, no Federal funds may be used to implement, administer, or enforce the final rule of the Department of Housing and Urban Development entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)).

(b) PROHIBITION ON USE OF FEDERAL FUNDS FOR FEDERAL DATABASE.—Notwithstanding any other provision of law, no Federal funds may be used to design, build, maintain, utilize, or provide access to a Federal database of geospatial information on community racial disparities or disparities in access to affordable housing.

**SA 2841.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. Of the amount appropriated by this Act for the Federal Aviation Administration for research, engineering, and development, \$1,000,000 shall be available for the implementation of the unmanned aircraft operator certification provisions of subpart C of part 107 of title 14, Code of Federal Regulations, as proposed in the notice of proposed rulemaking relating to operation and certi-

cation of small unmanned aircraft systems published in the Federal Register on February 23, 2015 (80 Fed. Reg. 9544), or other unmanned aircraft operator certification provisions comparable to such provisions.

**SA 2842.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. (a) Of the amounts appropriated under this Act for the Federal Aviation Administration, \$2,000,000 shall be available to the Administrator of the Federal Aviation Administration to develop a comprehensive strategy for the integration of unmanned aircraft systems (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note)) into the national airspace system.

(b) In developing the strategy required by subsection (a), the Administrator shall—

(1) effectively leverage the capabilities of the test ranges for unmanned aircraft systems designated by the Federal Aviation Administration under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) in integrating unmanned aircraft systems into the national airspace system; and

(2) consult with interested industry groups, the Administrator of the National Aeronautics and Space Administration, the Secretary of Homeland Security, the Secretary of Defense, the heads of other appropriate Federal agencies, and the operators of the test ranges described in paragraph (1).

(c) The strategy required by subsection (a) shall be submitted to Congress not later than 180 days after the date of the enactment of this Act.

**SA 2843.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, between lines 2 and 3, insert the following:

SEC. 416. None of the amounts appropriated or otherwise made available under this Act may be used to provide or administer assistance to aliens admitted, on or after November 13, 2015, as refugees or asylees under section 1157 or 1158 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) who were nationals of any of the following countries or territories:

- (1) Afghanistan.
- (2) Algeria.
- (3) Bahrain.
- (4) Bangladesh.
- (5) Egypt.
- (6) Eritrea.
- (7) Indonesia.
- (8) Iran.
- (9) Iraq.
- (10) Jordan.
- (11) Kazakhstan.
- (12) Kuwait.
- (13) Kyrgyzstan.

- (14) Lebanon.
- (15) Libya.
- (16) Mali.
- (17) Morocco.
- (18) Nigeria.
- (19) North Korea.
- (20) Oman.
- (21) Pakistan.
- (22) Qatar.
- (23) Russia.
- (24) Saudi Arabia.
- (25) Somalia.
- (26) Sudan.
- (27) Syria.
- (28) Tajikistan.
- (29) Tunisia.
- (30) Turkey.
- (31) United Arab Emirates.
- (32) Uzbekistan.
- (33) Yemen.
- (34) Palestinian Territories.

**SA 2844.** Mr. CORNYN (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:  
**SEC. \_\_\_\_.** Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) for purposes of determining eligibility for the Contract Tower Program under section 47124(b) of title 49, United States Code, conduct a benefit-to-cost ratio determination using existing cost-benefit methodologies for any airport sponsor that requested such a determination before such date of enactment; and

(2) determine that such an airport sponsor is eligible for the Contract Tower Program if the benefit-to-cost ratio meets the requirements for that ratio under such section 47124(b).

**SA 2845.** Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. 416. COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.**

Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking “An officer” and inserting “Except as specified in this subchapter or any other provision of law, an officer”; and

(2) by adding at the end the following:

“(c)(1) In this subsection—  
 “(A) the term ‘covered lapse in appropriations’ means a lapse in appropriations that begins on or after October 1, 2015; and

“(B) the term ‘excepted employee’ means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

“(2) Each Federal employee furloughed as a result of a covered lapse in appropriations

shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee’s standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

“(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.”.

**SA 2846.** Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 9 and 10, insert the following:

**SEC. 138.** Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking “the price of for-hire motor vehicle transportation by a tow truck, if such transportation is” and inserting “the regulation of tow truck operations”.

**SA 2847.** Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. \_\_\_\_.** The Secretary of Housing and Urban Development may use community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) to fund public-private economic development projects between State and local entities and private entities to revitalize neighborhoods in distressed urban and rural communities—

(1) where more than 25 percent of the properties contain vacant and blighted structures, as provided by local code or other administrative records; and

(2) the blighted condition of such properties will be removed through rehabilitation, demolition, or other means.

**SA 2848.** Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, line 23, insert “or under the Section Eight Management Assessment Program (SEMAP), if the public housing agency only administers vouchers under section 8 of

the United States Housing Act of 1937 (42 U.S.C. 1437f)” after “(PHAS)”.

**SA 2849.** Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. 416. PROGRAM INCOME.**

For purposes of any program, project, or activity carried out using amounts made available under this Act, the program income for a non-Federal entity shall be determined in accordance with the definition of the term “program income” under section 200.80 of title 2, Code of Federal Regulations.

**SA 2850.** Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

**SEC. 416. NOTICE OF WAIVER REQUESTS.**

(a) **IN GENERAL.**—An agency that receives funds under this Act and that requests a waiver of any requirement or guidance under part 200 of title 2, Code of Federal Regulations, (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards) shall submit notice to—

(1) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) **CONTENTS.**—The notice submitted by an agency under subsection (a) shall—

(1) specifically identify each provision of part 200 of title 2, Code of Federal Regulations, for which the agency is seeking a waiver;

(2) provide a justification for the requested waiver; and

(3) include any materials provided to the Office of Management and Budget in support of the application for a waiver.

**SA 2851.** Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_.** None of the funds made available under this title for the public housing Operating Fund established under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) may be used by a public

housing agency to pay asset management fees.

**SA 2852.** Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, beginning on line 17, strike "outstanding;" and all that follows through line 21, and insert "outstanding."

**SA 2853.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, amounts made available under this Act may be used by the Surface Transportation Board to take action with respect to the construction of a high-speed rail project in California.

**SA 2854.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, amounts made available under this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, including by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 18, 2015, at 11 a.m., in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during

the session of the Senate on November 18, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Examining the International Climate Negotiations."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., to conduct a classified briefing entitled "The Aftermath of Paris: America's Role."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 18, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "National Adoption Month: Stories of Success and Meeting the Challenges of International Adoptions."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON VETERANS' AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on November 18, 2015, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON SEAPOWERS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on November 18, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of all nominations on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

##### NOMINATIONS PLACED ON THE SECRETARY'S DESK

##### FOREIGN SERVICE

PN573-4 FOREIGN SERVICE nominations (20) beginning Bradley Duane Arsenault, and ending Jamshed Zuberi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 10, 2015.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### AUTHORIZING USE OF EMANCIPATION HALL

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 93, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 93) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 93) was agreed to.

#### SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Ms. COLLINS. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further

consideration of S. Res. 282 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 282) supporting the goals and ideals of American Diabetes Month.

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 8, 2015, under "Submitted Resolutions.")

#### AUTHORIZING DEPOSITION TESTIMONY AND REPRESENTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 318, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 318) to authorize deposition testimony and representation in *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, this resolution concerns testimony by a former Senate employee in an ongoing civil action pending in New Jersey Fed-

eral district court. The case arises out of a labor dispute between a company that owns and manages five assisted-living facilities and the union that represents the employees at those facilities.

Previously, Senator BLUMENTHAL's office has provided information in this matter, with Senate authorization. In response to a further request from Plaintiffs, Senator BLUMENTHAL is making available a former employee for a limited, additional deposition.

This resolution authorizes that former employee to testify in a deposition, and also authorizes the Senate Legal Counsel to represent the former employee in this matter.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 318) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURE READ THE FIRST TIME—H.R. 3762

Ms. COLLINS. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Ms. COLLINS. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

#### ORDERS FOR THURSDAY, NOVEMBER 19, 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, November 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leaders remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that at 11 a.m., the Senate then resume consideration of H.R. 2577.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, November 19, 2015, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate November 18, 2015:

##### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BRADLEY DUANE ARSENAULT AND ENDING WITH JAMSHED ZUBERI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 10, 2015.