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116TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 116-____]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2020

Mr. PRICE, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That the following sums are appropriated, out of any
 4 money in the Treasury not otherwise appropriated, for the
 5 Departments of Transportation, and Housing and Urban
 6 Development, and related agencies for the fiscal year end-
 7 ing September 30, 2021, and for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF TRANSPORTATION

10 OFFICE OF THE SECRETARY

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Secretary,
 13 \$126,174,000, of which not to exceed \$3,360,000 shall be
 14 available for the immediate Office of the Secretary; not
 15 to exceed \$1,200,000 shall be available for the immediate
 16 Office of the Deputy Secretary; not to exceed \$22,210,000
 17 shall be available for the Office of the General Counsel;
 18 not to exceed \$11,797,000 shall be available for the Office
 19 of the Under Secretary of Transportation for Policy; not
 20 to exceed \$16,394,000 shall be available for the Office of
 21 the Assistant Secretary for Budget and Programs; not to
 22 exceed \$3,010,000 shall be available for the Office of the
 23 Assistant Secretary for Governmental Affairs; not to ex-
 24 ceed \$32,239,000 shall be available for the Office of the
 25 Assistant Secretary for Administration; not to exceed

1 \$2,610,000 shall be available for the Office of Public Af-
2 fairs; not to exceed \$2,018,000 shall be available for the
3 Office of the Executive Secretariat; not to exceed
4 \$13,576,000 shall be available for the Office of Intel-
5 ligence, Security, and Emergency Response; and not to ex-
6 ceed \$17,760,000 shall be available for the Office of the
7 Chief Information Officer: *Provided*, That the Secretary
8 of Transportation is authorized to transfer funds appro-
9 priated for any office of the Office of the Secretary to any
10 other office of the Office of the Secretary: *Provided fur-*
11 *ther*, That no appropriation for any office shall be in-
12 creased or decreased by more than 7 percent by all such
13 transfers: *Provided further*, That notice of any change in
14 funding greater than 7 percent shall be submitted for ap-
15 proval to the House and Senate Committees on Appropria-
16 tions: *Provided further*, That not to exceed \$60,000 shall
17 be for allocation within the Department for official recep-
18 tion and representation expenses as the Secretary may de-
19 termine: *Provided further*, That notwithstanding any other
20 provision of law, there may be credited to this appropria-
21 tion up to \$2,500,000 in funds received in user fees: *Pro-*
22 *vided further*, That none of the funds made available by
23 this Act shall be available for the position of Assistant Sec-
24 retary for Public Affairs.

1 RESEARCH AND TECHNOLOGY

2 For necessary expenses related to the Office of the
3 Assistant Secretary for Research and Technology,
4 \$19,800,000, of which \$12,718,000 shall remain available
5 until expended: *Provided*, That of the amounts made avail-
6 able under this heading, \$3,000,000, to remain available
7 until expended, shall be for the Highly Automated Sys-
8 tems Safety Center of Excellence established by section
9 105 of title I of division H of the Further Consolidated
10 Appropriations Act, 2020 (Public Law 116-94): *Provided*
11 *further*, That there may be credited to this appropriation,
12 to be available until expended, funds received from States,
13 counties, municipalities, other public authorities, and pri-
14 vate sources for expenses incurred for training: *Provided*
15 *further*, That any reference in law, regulation, judicial pro-
16 ceedings, or elsewhere to the Research and Innovative
17 Technology Administration shall continue to be deemed to
18 be a reference to the Office of the Assistant Secretary for
19 Research and Technology of the Department of Transpor-
20 tation.

21 NATIONAL INFRASTRUCTURE INVESTMENTS

22 (INCLUDING TRANSFER OF FUNDS)

23 For capital investments in surface transportation in-
24 frastructure, \$1,000,000,000, to remain available until
25 September 30, 2026: *Provided*, That the Secretary of

1 Transportation shall distribute amounts made available
2 under this heading as discretionary grants to be awarded
3 to a State, local, or Tribal government, U.S. territory,
4 transit agency, port authority, metropolitan planning or-
5 ganization, political subdivision of a State or local govern-
6 ment, or a collaboration among such entities on a competi-
7 tive basis for projects that will have a significant local or
8 regional impact: *Provided further*, That projects eligible
9 for amounts made available under this heading shall in-
10 clude highway or bridge projects eligible under title 23,
11 United States Code; public transportation projects eligible
12 under chapter 53 of title 49, United States Code; pas-
13 senger and freight rail transportation projects; port infra-
14 structure investments (including inland port infrastruc-
15 ture and land ports of entry); and projects investing in
16 surface transportation facilities that are located on Tribal
17 land and for which title or maintenance responsibility is
18 vested in the Federal Government: *Provided further*, That
19 of the amounts made available under this heading, the
20 Secretary shall use an amount not less than \$20,000,000
21 for the planning, preparation, or design of projects eligible
22 for amounts made available under this heading, with an
23 emphasis on transit, transit oriented development, and
24 multimodal projects: *Provided further*, That of the
25 amounts made available under this heading, the Secretary

1 shall use an amount not less than \$20,000,000 for the
2 planning, preparation, or design of projects eligible for
3 amounts made available under this heading located in or
4 to directly benefit areas of persistent poverty: *Provided*
5 *further*, That the term “areas of persistent poverty”
6 means any county that has consistently had 20 percent
7 or more of the population living in poverty during the 30-
8 year period preceding the date of enactment of this Act,
9 as measured by the 1990 and 2000 decennial census and
10 the most recent annual Small Area Income and Poverty
11 Estimates as estimated by the Bureau of the Census; any
12 census tract with a poverty rate of at least 20 percent
13 as measured by the 2014-2018 5-year data series available
14 from the American Community Survey of the Bureau of
15 the Census; or any territory or possession of the United
16 States: *Provided further*, That grants awarded under the
17 preceding 3 provisos shall not be subject to a minimum
18 grant size: *Provided further*, That the Secretary may use
19 up to 20 percent of the amounts made available under this
20 heading for the purpose of paying the subsidy and admin-
21 istrative costs of projects eligible for Federal credit assist-
22 ance under chapter 6 of title 23, United States Code, or
23 sections 501 through 504 of the Railroad Revitalization
24 and Regulatory Reform Act of 1976 (Public Law 94–210),
25 if the Secretary finds that such use of funds would ad-

1 vance the purposes of this heading: *Provided further*, That
2 in distributing amounts made available under this head-
3 ing, the Secretary shall take such measures so as to ensure
4 an equitable geographic distribution of funds, an equitable
5 distribution of funds between urban and rural areas, and
6 the investment in a variety of transportation modes, in-
7 cluding public transit, passenger rail, and pedestrian im-
8 provements: *Provided further*, That a grant award under
9 this heading shall be not less than \$5,000,000 and not
10 greater than \$25,000,000: *Provided further*, That not
11 more than 10 percent of the amounts made available
12 under this heading may be awarded to projects in a single
13 State that are not port infrastructure investments (includ-
14 ing inland port infrastructure and land ports of entry):
15 *Provided further*, That the Federal share of the costs for
16 which an amount is provided under this heading shall be,
17 at the option of the recipient, up to 80 percent: *Provided*
18 *further*, That the Secretary shall give priority to projects
19 that require a contribution of Federal funds in order to
20 complete an overall financing package: *Provided further*,
21 That an award under this heading is an urban award if
22 it is to a project located within or on the boundary of an
23 urbanized area, as designated by the Bureau of the Cen-
24 sus, that had a population greater than 250,000 in the
25 2010 decennial census: *Provided further*, That for the pur-

1 pose of determining if an award for planning, preparation,
2 or design is an urban award, the project location is the
3 location of the project being planned, prepared, or de-
4 signed: *Provided further*, That each award under this
5 heading that is not an urban award is a rural award: *Pro-*
6 *vided further*, That of the amounts awarded under this
7 heading, 60 percent shall be awarded as urban awards and
8 40 percent shall be awarded as rural awards: *Provided fur-*
9 *ther*, That for rural awards, the minimum grant size shall
10 be \$1,000,000 and the Secretary may increase the Federal
11 share of costs above 80 percent: *Provided further*, That
12 projects conducted using amounts made available under
13 this heading shall comply with the requirements of sub-
14 chapter IV of chapter 31 of title 40, United States Code:
15 *Provided further*, That the Secretary shall conduct a new
16 competition to select the grants and credit assistance
17 awarded under this heading: *Provided further*, That the
18 Secretary may retain up to \$25,000,000 of the amounts
19 made available under this heading, and may transfer por-
20 tions of such amounts to the Administrators of the Fed-
21 eral Highway Administration, the Federal Transit Admin-
22 istration, the Federal Railroad Administration, and the
23 Maritime Administration to fund the award and oversight
24 of grants and credit assistance made under the national
25 infrastructure investments program: *Provided further*,

1 That the Secretary shall consider and award projects
2 based solely on the selection criteria from the fiscal year
3 2017 Notice of Funding Opportunity: *Provided further*,
4 That, notwithstanding the preceding proviso, the Sec-
5 retary shall not use the Federal share or an applicant's
6 ability to generate non-Federal revenue as a selection cri-
7 teria in awarding projects: *Provided further*, That the Sec-
8 retary shall issue the Notice of Funding Opportunity not
9 later than 60 days after the date of enactment of this Act:
10 *Provided further*, That such Notice of Funding Oppor-
11 tunity shall require application submissions 90 days after
12 the publishing of such Notice: *Provided further*, That of
13 the applications submitted under the preceding 2 provisos,
14 the Secretary shall make grants not later than 270 days
15 after the date of enactment of this Act in such amounts
16 that the Secretary determines.

17 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
18 FINANCE BUREAU

19 For necessary expenses of the National Surface
20 Transportation and Innovative Finance Bureau as author-
21 ized by section 116 of title 49, United States Code,
22 \$15,500,000, to remain available until expended: *Pro-*
23 *vided*, That of the amounts made available under this
24 heading, \$10,000,000 shall be for planning grants to as-
25 sist areas of persistent poverty: *Provided further*, That the

1 term “areas of persistent poverty” means any county that
2 has consistently had 20 percent or more of the population
3 living in poverty during the 30-year period preceding the
4 date of enactment of this Act, as measured by the 1990
5 and 2000 decennial census and the most recent annual
6 Small Area Income and Poverty Estimates as estimated
7 by the Bureau of the Census; any census tract with a pov-
8 erty rate of at least 20 percent as measured by the 2014–
9 2018 5-year data series available from the American Com-
10 munity Survey of the Bureau of the Census; or any terri-
11 tory or possession of the United States: *Provided further,*
12 That planning grants under this heading shall be in the
13 form of competitive grants to eligible entities to support
14 pre-construction activities including planning, engineering,
15 design, environmental analysis, feasibility studies, and fi-
16 nance plans for eligible projects: *Provided further,* That
17 eligible entities for planning grants under this heading
18 shall include a State, local, or Tribal government, a U.S.
19 territory, a transit agency, a port authority or commission,
20 a metropolitan planning organization, other political sub-
21 divisions of a State or a local government, or a collabora-
22 tion among such entities: *Provided further,* That eligible
23 projects for planning grants under this heading shall in-
24 clude highway, bridge, and bicycle and pedestrian projects
25 eligible under title 23, United States Code; public trans-

1 portation projects eligible under chapter 53 of title 49,
2 United States Code; passenger and freight rail transpor-
3 tation projects; port infrastructure improvement projects;
4 airport improvement projects; and intermodal projects
5 that are located in or to directly benefit areas of persistent
6 poverty: *Provided further*, That the Secretary of Transpor-
7 tation shall conduct outreach to eligible entities for plan-
8 ning grants under this heading through personal contact,
9 webinars, web materials, or other appropriate methods de-
10 termined by the Secretary, to ensure such eligible entities
11 are aware of the availability of planning grants under this
12 heading and are able to apply for such grants: *Provided*
13 *further*, That the Federal share of the costs for planning
14 grants under this heading shall be, at the option of the
15 eligible entity, not less than 90 percent of the net total
16 project cost: *Provided further*, That the Secretary shall not
17 use the requested amount of the Federal share or an eligi-
18 ble entities' ability to generate non-Federal revenue as a
19 selection criteria in awarding planning grants under this
20 heading: *Provided further*, That a planning grant funded
21 under this heading shall be not less than \$100,000 and
22 not greater than \$500,000: *Provided further*, That for
23 planning grants under this heading priority consideration
24 shall be, without regard to rural or urban areas of per-
25 sistent poverty, based on project justification and dem-

1 onstrated need: *Provided further*, That for planning grants
2 under this heading the Secretary shall consider factors
3 such as improving safety and state of good repair, reduc-
4 ing congestion and vehicle emissions, and increasing
5 connectivity and quality of life when considering dem-
6 onstrated need: *Provided further*, That the Secretary may
7 withhold up to 1 percent of the amounts made available
8 for planning grants under this heading for the costs of
9 award and grant administration.

10 RAILROAD REHABILITATION AND IMPROVEMENT

11 FINANCING PROGRAM

12 For the cost of modifications, as defined by section
13 502 of the Federal Credit Reform Act of 1990, of direct
14 loans issued pursuant to sections 501 through 504 of the
15 Railroad Revitalization and Regulatory Reform Act of
16 1976 (Public Law 94–210), and included in cohort 3, as
17 defined by the Department of Transportation’s memo-
18 randum to the Office of Management and Budget dated
19 November 5, 2018, \$70,000,000, to remain available until
20 expended: *Provided*, That, for a direct loan included in
21 such cohort 3 that has satisfied all obligations attached
22 to such loan, the Secretary shall repay the credit risk pre-
23 miums of such loan, with interest accrued thereon, not
24 later than 60 days after the enactment of this Act or, for
25 a direct loan included in such cohort 3 with obligations

1 that have not yet been satisfied, not later than 60 days
2 after the date on which all obligations attached to such
3 loan have been satisfied: *Provided further*, That the Sec-
4 retary of Transportation is authorized to issue direct loans
5 and loan guarantees pursuant to sections 501 through 504
6 of the Railroad Revitalization and Regulatory Reform Act
7 of 1976 (Public Law 94–210), and such authority shall
8 exist so long as any such direct loan or loan guarantee
9 is outstanding.

10 FINANCIAL MANAGEMENT CAPITAL

11 For necessary expenses for upgrading and enhancing
12 the Department of Transportation’s financial systems and
13 reengineering business processes, \$2,000,000, to remain
14 available until September 30, 2022.

15 CYBER SECURITY INITIATIVES

16 For necessary expenses for cyber security initiatives,
17 including necessary upgrades to network and information
18 technology infrastructure, improvement of identity man-
19 agement and authentication capabilities, securing and pro-
20 tecting data, implementation of Federal cyber security ini-
21 tiatives, and implementation of enhanced security controls
22 on agency computers and mobile devices, \$19,300,000, to
23 remain available until September 30, 2022.

1 OFFICE OF CIVIL RIGHTS

2 For necessary expenses of the Office of Civil Rights,
3 \$9,600,000.

4 TRANSPORTATION PLANNING, RESEARCH, AND
5 DEVELOPMENT

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for conducting transportation
8 planning, research, systems development, development ac-
9 tivities, and making grants, \$10,879,000, to remain avail-
10 able until expended: *Provided*, That of such amount,
11 \$1,000,000 shall be for necessary expenses of the Inter-
12 agency Infrastructure Permitting Improvement Center
13 (IIPIC): *Provided further*, That there may be transferred
14 to this appropriation, to remain available until expended,
15 amounts transferred from other Federal agencies for ex-
16 penses incurred under this heading for IIPIC activities not
17 related to transportation infrastructure: *Provided further*,
18 That the tools and analysis developed by the IIPIC shall
19 be available to other Federal agencies for the permitting
20 and review of major infrastructure projects not related to
21 transportation only to the extent that other Federal agen-
22 cies provide funding to the Department in accordance with
23 the preceding proviso.

1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for operating costs and cap-
4 ital outlays of the Working Capital Fund, not to exceed
5 \$372,016,000, shall be paid from appropriations made
6 available to the Department of Transportation: *Provided*,
7 That such services shall be provided on a competitive basis
8 to entities within the Department of Transportation
9 (DOT): *Provided further*, That the limitation in the pre-
10 ceding proviso on operating expenses shall not apply to
11 non-DOT entities: *Provided further*, That no funds made
12 available by this Act to an agency of the Department shall
13 be transferred to the Working Capital Fund without ma-
14 jority approval of the Working Capital Fund Steering
15 Committee and approval of the Secretary: *Provided fur-*
16 *ther*, That no assessments may be levied against any pro-
17 gram, budget activity, subactivity, or project funded by
18 this Act unless notice of such assessments and the basis
19 therefor are presented to the House and Senate Commit-
20 tees on Appropriations and are approved by such Commit-
21 tees.

22 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
23 OUTREACH

24 For necessary expenses for small and disadvantaged
25 business utilization and outreach activities, \$4,714,000, to

1 remain available until September 30, 2022: *Provided*,
2 That notwithstanding section 332 of title 49, United
3 States Code, such amounts may be used for business op-
4 portunities related to any mode of transportation: *Pro-*
5 *vided further*, That appropriations made available under
6 this heading shall be available for any purpose consistent
7 with prior year appropriations that were made available
8 under the heading “Office of the Secretary—Minority
9 Business Resource Center Program”.

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PAYMENTS TO AIR CARRIERS
(AIRPORT AND AIRWAY TRUST FUND)

12 In addition to funds made available from any other
13 source to carry out the essential air service program under
14 sections 41731 through 41742 of title 49, United States
15 Code, \$162,000,000, to be derived from the Airport and
16 Airway Trust Fund, to remain available until expended:
17 *Provided*, That in determining between or among carriers
18 competing to provide service to a community, the Sec-
19 retary may consider the relative subsidy requirements of
20 the carriers: *Provided further*, That basic essential air
21 service minimum requirements shall not include the 15-
22 passenger capacity requirement under section 41732(b)(3)
23 of title 49, United States Code: *Provided further*, That
24 none of the funds made available in this Act or any other
25 Act shall be used to enter into a new contract with a com-

1 munity located less than 40 miles from the nearest small
2 hub airport before the Secretary has negotiated with the
3 community over a local cost share: *Provided further*, That
4 amounts authorized to be distributed for the essential air
5 service program under section 41742(b) of title 49, United
6 States Code, shall be made available immediately from
7 amounts otherwise provided to the Administrator of the
8 Federal Aviation Administration: *Provided further*, That
9 the Administrator may reimburse such amounts from fees
10 credited to the account established under section 45303
11 of title 49, United States Code.

12 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
13 SECRETARY OF TRANSPORTATION
14 (INCLUDING RESCISSIONS)

15 SEC. 101. None of the funds made available by this
16 Act to the Department of Transportation may be obligated
17 for the Office of the Secretary of Transportation to ap-
18 prove assessments or reimbursable agreements pertaining
19 to funds appropriated to the operating administrations in
20 this Act, except for activities underway on the date of en-
21 actment of this Act, unless such assessments or agree-
22 ments have completed the normal reprogramming process
23 for congressional notification.

24 SEC. 102. The Secretary shall post on the Web site
25 of the Department of Transportation a schedule of all

1 meetings of the Council on Credit and Finance, including
2 the agenda for each meeting, and require the Council on
3 Credit and Finance to record the decisions and actions
4 of each meeting.

5 SEC. 103. In addition to authority provided by section
6 327 of title 49, United States Code, the Department's
7 Working Capital Fund is authorized to provide partial or
8 full payments in advance and accept subsequent reim-
9 bursements from all Federal agencies from available funds
10 for transit benefit distribution services that are necessary
11 to carry out the Federal transit pass transportation fringe
12 benefit program under Executive Order No. 13150 and
13 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
14 *Provided*, That the Department shall maintain a reason-
15 able operating reserve in the Working Capital Fund, to
16 be expended in advance to provide uninterrupted transit
17 benefits to Government employees: *Provided further*, That
18 such reserve shall not exceed 1 month of benefits payable
19 and may be used only for the purpose of providing for
20 the continuation of transit benefits: *Provided further*, That
21 the Working Capital Fund shall be fully reimbursed by
22 each customer agency from available funds for the actual
23 cost of the transit benefit.

24 SEC. 104. Notwithstanding section 3324 of title 31,
25 United States Code, in addition to authority provided by

1 section 327 of title 49, United States Code, the Depart-
2 ment's Working Capital Fund is authorized to provide
3 payments in advance to vendors that are necessary to
4 carry out the Federal transit pass transportation fringe
5 benefit program under Executive Order 13150 and section
6 3049 of SAFETEA-LU (5 U.S.C. 7905 note): *Provided*,
7 That the Department shall include adequate safeguards
8 in the contract with the vendors to ensure timely and high-
9 quality performance under the contract.

10 SEC. 105. Receipts collected in the Department's
11 Working Capital Fund, as authorized by section 327 of
12 title 49, United States Code, for unused van pool benefits,
13 in an amount not to exceed 10 percent of fiscal year 2021
14 collections, shall be available until expended in the Depart-
15 ment's Working Capital Fund to provide contractual serv-
16 ices in support of section 190 of this Act: *Provided*, That
17 obligations in fiscal year 2021 of such collections shall not
18 exceed \$1,000,000.

19 SEC. 106. (a) The remaining unobligated balances,
20 as of September 30, 2020, from amounts made available
21 for the "Department of Transportation—Office of the
22 Secretary—National Infrastructure Investments" in divi-
23 sion K of the Consolidated Appropriations Act, 2017
24 (Public Law 115–31) are hereby permanently rescinded,
25 and an amount of additional new budget authority equiva-

1 lent to the amount rescinded is hereby appropriated on
2 September 30, 2020, to remain available until September
3 30, 2021, and shall be available, without additional com-
4 petition, for completing the funding of awards made pur-
5 suant to the fiscal year 2017 national infrastructure in-
6 vestments program.

7 (b) The remaining unobligated balances, as of Sep-
8 tember 30, 2020, from amounts made available for the
9 “Department of Transportation—Office of the Sec-
10 retary—National Infrastructure Investments” in division
11 L of the Consolidated Appropriations Act, 2018 (Public
12 Law 115-141) are hereby permanently rescinded, and an
13 amount of additional new budget authority equivalent to
14 the amount rescinded is hereby appropriated on Sep-
15 tember 30, 2020, to remain available until September 30,
16 2022, and shall be available, without additional competi-
17 tion, for completing the funding of awards made pursuant
18 to the fiscal year 2018 national infrastructure investments
19 program.

20 (c) The remaining unobligated balances, as of Sep-
21 tember 30, 2021, from amounts made available for the
22 “Department of Transportation—Office of the Sec-
23 retary—National Infrastructure Investments” in division
24 G of the Consolidated Appropriations Act, 2019 (Public
25 Law 116-6) are hereby permanently rescinded, and an

1 amount of additional new budget authority equivalent to
2 the amount rescinded is hereby appropriated on Sep-
3 tember 30, 2021, to remain available until September 30,
4 2023, and shall be available, without additional competi-
5 tion, for completing the funding of awards made pursuant
6 to the fiscal year 2019 national infrastructure investments
7 program.

8 (d) The remaining unobligated balances, as of Sep-
9 tember 30, 2022, from amounts made available for the
10 “Department of Transportation—Office of the Sec-
11 retary—National Infrastructure Investments” in division
12 H of the Further Consolidated Appropriations Act, 2020
13 (Public Law 116-94) are hereby permanently rescinded,
14 and an amount of additional new budget authority equiva-
15 lent to the amount rescinded is hereby appropriated on
16 September 30, 2022, to remain available until September
17 30, 2025, and shall be available, without additional com-
18 petition, for completing the funding of awards made pur-
19 suant to the fiscal year 2020 national infrastructure in-
20 vestments program.

21 FEDERAL AVIATION ADMINISTRATION

22 OPERATIONS

23 For necessary expenses of the Federal Aviation Ad-
24 ministration, not otherwise provided for, including oper-
25 ations and research activities related to commercial space

1 transportation, administrative expenses for research and
2 development, establishment of air navigation facilities, the
3 operation (including leasing) and maintenance of aircraft,
4 subsidizing the cost of aeronautical charts and maps sold
5 to the public, the lease or purchase of passenger motor
6 vehicles for replacement only, \$11,051,500,000, to remain
7 available until September 30, 2022, to be derived from the
8 general fund: *Provided*, That of the amounts made avail-
9 able under this heading—

10 (1) not less than \$1,500,000,000 shall be avail-
11 able for aviation safety activities;

12 (2) not to exceed \$8,231,000,000 shall be avail-
13 able for air traffic organization activities;

14 (3) not to exceed \$27,555,000 shall be available
15 for commercial space transportation activities;

16 (4) not to exceed \$836,000,000 shall be avail-
17 able for finance and management activities;

18 (5) not to exceed \$62,862,000 shall be available
19 for NextGen and operations planning activities;

20 (6) not to exceed \$129,000,000 shall be avail-
21 able for security and hazardous materials safety; and

22 (7) not to exceed \$265,083,000 shall be avail-
23 able for staff offices, of which \$7,500,000 is for the
24 Minority Serving Institutions internship program:

1 *Provided further*, That not to exceed 5 percent of any
2 budget activity, except for aviation safety budget activity,
3 may be transferred to any budget activity under this head-
4 ing: *Provided further*, That no transfer may increase or
5 decrease any appropriation under this heading by more
6 than 5 percent: *Provided further*, That any transfer in ex-
7 cess of 5 percent shall be treated as a reprogramming of
8 funds under section 405 of this Act and shall not be avail-
9 able for obligation or expenditure except in compliance
10 with the procedures set forth in that section: *Provided fur-*
11 *ther*, That not later than 60 days after the submission of
12 the budget request, the Administrator of the Federal Avia-
13 tion Administration shall transmit to Congress an annual
14 update to the report submitted to Congress in December
15 2004 pursuant to section 221 of the Vision 100-Century
16 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
17 *Provided further*, That the amounts made available under
18 this heading shall be reduced by \$100,000 for each day
19 after 60 days after the submission of the budget request
20 that such report has not been transmitted to Congress:
21 *Provided further*, That not later than 60 days after the
22 submission of the budget request, the Administrator shall
23 transmit to Congress a companion report that describes
24 a comprehensive strategy for staffing, hiring, and training
25 flight standards and aircraft certification staff in a format

1 similar to the one utilized for the controller staffing plan,
2 including stated attrition estimates and numerical hiring
3 goals by fiscal year: *Provided further*, That the amounts
4 made available under this heading shall be reduced by
5 \$100,000 for each day after the date that is 60 days after
6 the submission of the budget request that such report has
7 not been submitted to Congress: *Provided further*, That
8 funds may be used to enter into a grant agreement with
9 a nonprofit standard-setting organization to assist in the
10 development of aviation safety standards: *Provided fur-*
11 *ther*, That none of the funds made available by this Act
12 shall be available for new applicants for the second career
13 training program: *Provided further*, That none of the
14 funds in this Act shall be available for the Federal Avia-
15 tion Administration to finalize or implement any regula-
16 tion that would promulgate new aviation user fees not spe-
17 cifically authorized by law after the date of the enactment
18 of this Act: *Provided further*, That there may be credited
19 to this appropriation, as offsetting collections, funds re-
20 ceived from States, counties, municipalities, foreign au-
21 thorities, other public authorities, and private sources for
22 expenses incurred in the provision of agency services, in-
23 cluding receipts for the maintenance and operation of air
24 navigation facilities, and for issuance, renewal or modifica-
25 tion of certificates, including airman, aircraft, and repair

1 station certificates, or for tests related thereto, or for proc-
2 essing major repair or alteration forms: *Provided further*,
3 That of the amounts made available under this heading,
4 not less than \$172,800,000 shall be used to fund direct
5 operations of the current air traffic control towers in the
6 contract tower program, including the contract tower cost
7 share program, and any airport that is currently qualified
8 or that will qualify for the program during the fiscal year:
9 *Provided further*, That none of the funds made available
10 by this Act for aeronautical charting and cartography are
11 available for activities conducted by, or coordinated
12 through, the Working Capital Fund: *Provided further*,
13 That none of the funds appropriated or otherwise made
14 available by this Act or any other Act may be used to
15 eliminate the Contract Weather Observers program at any
16 airport.

17 FACILITIES AND EQUIPMENT

18 For necessary expenses, not otherwise provided for,
19 for acquisition, establishment, technical support services,
20 improvement by contract or purchase, and hire of national
21 airspace systems and experimental facilities and equip-
22 ment, as authorized under part A of subtitle VII of title
23 49, United States Code, including initial acquisition of
24 necessary sites by lease or grant; engineering and service
25 testing, including construction of test facilities and acqui-

1 sition of necessary sites by lease or grant; construction
2 and furnishing of quarters and related accommodations
3 for officers and employees of the Federal Aviation Admin-
4 istration stationed at remote localities where such accom-
5 modations are not available; and the purchase, lease, or
6 transfer of aircraft from funds made available under this
7 heading, including aircraft for aviation regulation and cer-
8 tification; to be derived from the general fund,
9 \$3,045,000,000, of which \$550,000,000 shall remain
10 available until September 30, 2022, and \$2,495,000,000
11 shall remain available until September 30, 2023: *Provided*,
12 That there may be credited to this appropriation funds
13 received from States, counties, municipalities, other public
14 authorities, and private sources, for expenses incurred in
15 the establishment, improvement, and modernization of na-
16 tional airspace systems: *Provided further*, That not later
17 than 60 days after submission of the budget request, the
18 Secretary of Transportation shall transmit to Congress an
19 investment plan for the Federal Aviation Administration
20 which includes funding for each budget line item for fiscal
21 years 2022 through 2026, with total funding for each year
22 of the plan constrained to the funding targets for those
23 years as estimated and approved by the Office of Manage-
24 ment and Budget.

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 For necessary expenses, not otherwise provided for,
3 for research, engineering, and development, as authorized
4 under part A of subtitle VII of title 49, United States
5 Code, including construction of experimental facilities and
6 acquisition of necessary sites by lease or grant,
7 \$192,665,000, to be derived from the general fund and
8 to remain available until September 30, 2023: *Provided*,
9 That there may be credited to this appropriation as offset-
10 ting collections, funds received from States, counties, mu-
11 nicipalities, other public authorities, and private sources,
12 which shall be available for expenses incurred for research,
13 engineering, and development: *Provided further*, That
14 amounts made available under this heading shall be used
15 in accordance with the report accompanying this Act: *Pro-*
16 *vided further*, That not to exceed 10 percent of any fund-
17 ing level specified under this heading in the report accom-
18 panying this Act may be transferred to any other funding
19 level specified under this heading in the report accom-
20 panying this Act: *Provided further*, That no transfer may
21 increase or decrease any funding level by more than 10
22 percent: *Provided further*, That any transfer in excess of
23 10 percent shall be treated as a reprogramming of funds
24 under section 405 of this Act and shall not be available

1 for obligation or expenditure except in compliance with the
2 procedures set forth in that section.

3 GRANTS-IN-AID FOR AIRPORTS
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (LIMITATION ON OBLIGATIONS)
6 (AIRPORT AND AIRWAY TRUST FUND)
7 (INCLUDING TRANSFER OF FUNDS)

8 For liquidation of obligations incurred for grants-in-
9 aid for airport planning and development, and noise com-
10 patibility planning and programs as authorized under sub-
11 chapter I of chapter 471 and subchapter I of chapter 475
12 of title 49, United States Code, and under other law au-
13 thorizing such obligations; for procurement, installation,
14 and commissioning of runway incursion prevention devices
15 and systems at airports of such title; for grants authorized
16 under section 41743 of title 49, United States Code; and
17 for inspection activities and administration of airport safe-
18 ty programs, including those related to airport operating
19 certificates under section 44706 of title 49, United States
20 Code, \$3,350,000,000, to be derived from the Airport and
21 Airway Trust Fund and to remain available until ex-
22 pended: *Provided*, That none of the amounts made avail-
23 able under this heading shall be available for the planning
24 or execution of programs the obligations for which are in
25 excess of \$3,350,000,000, in fiscal year 2021, notwith-

1 standing section 47117(g) of title 49, United States Code:
2 *Provided further*, That none of the amounts made available
3 under this heading shall be available for the replacement
4 of baggage conveyor systems, reconfiguration of terminal
5 baggage areas, or other airport improvements that are
6 necessary to install bulk explosive detection systems: *Pro-*
7 *vided further*, That notwithstanding section 47109(a) of
8 title 49, United States Code, the Government's share of
9 allowable project costs under paragraph (2) of such sec-
10 tion for subgrants or paragraph (3) of such section shall
11 be 95 percent for a project at other than a large or me-
12 dium hub airport that is a successive phase of a multi-
13 phased construction project for which the project sponsor
14 received a grant in fiscal year 2011 for the construction
15 project: *Provided further*, That notwithstanding any other
16 provision of law, of amounts limited under this heading,
17 not more than \$119,402,000 shall be available for admin-
18 istration, not less than \$15,000,000 shall be available for
19 the Airport Cooperative Research Program, not less than
20 \$40,666,000 shall be available for Airport Technology Re-
21 search, and \$10,000,000, to remain available until ex-
22 pended, shall be available and transferred to "Office of
23 the Secretary, Salaries and Expenses" to carry out the
24 Small Community Air Service Development Program: *Pro-*
25 *vided further*, That in addition to airports eligible under

1 section 41743 of title 49, United States Code, such pro-
2 gram may include the participation of an airport that
3 serves a community or consortium that is not larger than
4 a small hub airport, according to FAA hub classifications
5 effective at the time the Office of the Secretary issues a
6 request for proposals.

7 GRANTS-IN-AID FOR AIRPORTS

8 For an additional amount for “Grants-In-Aid for Air-
9 ports”, to enable the Secretary of Transportation to make
10 grants for projects as authorized by subchapter 1 of chap-
11 ter 471 and subchapter 1 of chapter 475 of title 49,
12 United States Code, \$500,000,000, to remain available
13 through September 30, 2023: *Provided*, That amounts
14 made available under this heading shall be derived from
15 the general fund, and such amounts shall not be subject
16 to apportionment formulas, special apportionment cat-
17 egories, or minimum percentages under chapter 471 of
18 title 49, United States Code: *Provided further*, That the
19 Secretary shall distribute amounts made available under
20 this heading as discretionary grants to airports: *Provided*
21 *further*, That the amounts made available under this head-
22 ing shall not be subject to any limitation on obligations
23 for the Grants-in-Aid for Airports program set forth in
24 any Act: *Provided further*, That the Administrator of the
25 Federal Aviation Administration may retain up to 0.5 per-

1 cent of the amounts made available under this heading
2 to fund the award and oversight by the Administrator of
3 grants described under this heading.

4 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

5 ADMINISTRATION

6 SEC. 110. None of the funds made available by this
7 Act may be used to compensate in excess of 600 technical
8 staff-years under the federally funded research and devel-
9 opment center contract between the Federal Aviation Ad-
10 ministration and the Center for Advanced Aviation Sys-
11 tems Development during fiscal year 2021.

12 SEC. 111. None of the funds made available by this
13 Act shall be used to pursue or adopt guidelines or regula-
14 tions requiring airport sponsors to provide to the Federal
15 Aviation Administration without cost building construc-
16 tion, maintenance, utilities and expenses, or space in air-
17 port sponsor-owned buildings for services relating to air
18 traffic control, air navigation, or weather reporting: *Pro-*
19 *vided*, That the prohibition on the use of funds in this
20 section does not apply to negotiations between the agency
21 and airport sponsors to achieve agreement on “below-mar-
22 ket” rates for these items or to grant assurances that re-
23 quire airport sponsors to provide land without cost to the
24 Federal Aviation Administration for air traffic control fa-
25 cilities.

1 SEC. 112. The Administrator of the Federal Aviation
2 Administration may reimburse amounts made available to
3 satisfy section 41742(a)(1) of title 49, United States
4 Code, from fees credited under section 45303 of title 49,
5 United States Code, and any amount remaining in such
6 account at the close of any fiscal year may be made avail-
7 able to satisfy section 41742(a)(1) of title 49, United
8 States Code, for the subsequent fiscal year.

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

14 SEC. 114. None of the funds made available by this
15 Act shall be available for paying premium pay under sub-
16 section 5546(a) of title 5, United States Code, to any Fed-
17 eral Aviation Administration employee unless such em-
18 ployee actually performed work during the time cor-
19 responding to such premium pay.

20 SEC. 115. None of the funds made available by this
21 Act may be obligated or expended for an employee of the
22 Federal Aviation Administration to purchase a store gift
23 card or gift certificate through use of a Government-issued
24 credit card.

1 SEC. 116. None of the funds made available by this
2 Act may be obligated or expended for retention bonuses
3 for an employee of the Federal Aviation Administration
4 without the prior written approval of the Assistant Sec-
5 retary for Administration of the Department of Transpor-
6 tation.

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

19 SEC. 118. None of the funds made available by this
20 Act shall be available for salaries and expenses of more
21 than 9 political and Presidential appointees in the Federal
22 Aviation Administration.

23 SEC. 119. None of the funds made available by this
24 Act may be used to increase fees pursuant to section
25 44721 of title 49, United States Code, until the Federal

1 Aviation Administration provides to the House and Senate
2 Committees on Appropriations a report that justifies all
3 fees related to aeronautical navigation products and ex-
4 plains how such fees are consistent with Executive Order
5 13642.

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

12 SEC. 119B. None of the funds made available by or
13 limited by this Act may be used to change weight restric-
14 tions or prior permission rules at Teterboro airport in
15 Teterboro, New Jersey.

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

1 SEC. 119D. None of the funds made available by this
2 Act may be used to open, close, redesignate as a lesser
3 office, or reorganize a regional office, the aeronautical cen-
4 ter, or the technical center unless the Administrator sub-
5 mits a request for the reprogramming of funds under sec-
6 tion 405 of this Act.

7 FEDERAL HIGHWAY ADMINISTRATION
8 LIMITATION ON ADMINISTRATIVE EXPENSES
9 (HIGHWAY TRUST FUND)
10 (INCLUDING TRANSFER OF FUNDS)

11 Not to exceed \$478,897,049, together with advances
12 and reimbursements received by the Federal Highway Ad-
13 ministration, shall be obligated for necessary expenses for
14 administration and operation of the Federal Highway Ad-
15 ministration: *Provided*, That up to \$3,248,000 shall be
16 transferred to the Appalachian Regional Commission in
17 accordance with section 104(a) of title 23, United States
18 Code.

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

22 Funds available for the implementation or execution
23 of Federal-aid highway and highway safety construction
24 programs authorized under titles 23 and 49, United States
25 Code, and the provisions of the Fixing America's Surface

1 Transportation Act (Public Law 114-94), or any successor
2 surface transportation reauthorization Act authorizing ap-
3 propriations for fiscal year 2021, shall not exceed total
4 obligations of \$61,130,000,000 for fiscal year 2021: *Pro-*
5 *vided*, That the Secretary may collect and spend fees, as
6 authorized by title 23, United States Code, to cover the
7 costs of services of expert firms, including counsel, in the
8 field of municipal and project finance to assist in the un-
9 derwriting and servicing of Federal credit instruments and
10 all or a portion of the costs to the Federal Government
11 of servicing such credit instruments: *Provided further*,
12 That such fees are available until expended to pay for such
13 costs: *Provided further*, That such fees are in addition to
14 administrative expenses that are also available for such
15 purpose, and are not subject to any obligation limitation
16 or the limitation on administrative expenses under section
17 608 of title 23, United States Code: *Provided further*, That
18 for amounts subject to the obligation limitation under this
19 heading during fiscal year 2021, the Federal share of ac-
20 tivities undertaken pursuant to chapters 1 or 2 of title
21 23, United States Code shall be, at the option of the State,
22 District of Columbia, territory, Puerto Rico, or Indian
23 Tribe, as applicable, up to 100 percent: *Provided further*,
24 That the preceding proviso does not apply to programs

1 authorized under sections 115 and 117 of title 23, United
2 States Code.

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (HIGHWAY TRUST FUND)

5 For the payment of obligations incurred in carrying
6 out Federal-aid highway and highway safety construction
7 programs authorized under title 23, United States Code,
8 \$61,869,000,000 derived from the Highway Trust Fund
9 (other than the Mass Transit Account), to remain avail-
10 able until expended.

11 HIGHWAY INFRASTRUCTURE PROGRAMS

12 There is hereby appropriated to the Secretary of
13 Transportation \$1,000,000,000: *Provided*, That the funds
14 made available under this heading shall be derived from
15 the general fund, shall be in addition to any funds pro-
16 vided for fiscal year 2021 in this Act or any other Act
17 for: (1) “Federal-aid Highways” under chapter 1 of title
18 23, United States Code; or (2) the Appalachian Develop-
19 ment Highway System as authorized under section
20 1069(y) of the Intermodal Surface Transportation Effi-
21 ciency Act (Public Law 102–240), and shall not affect the
22 distribution or amount of funds provided in any other Act:
23 *Provided further*, That section 1101(b) of the FAST Act
24 (Public Law 114-94) shall apply to funds made available
25 under this heading: *Provided further*, That unless other-

1 wise specified, amounts made available under this heading
2 shall be available until September 30, 2024: *Provided fur-*
3 *ther*, That of the funds made available under this head-
4 ing—

5 (1) \$632,220,000 shall be for activities under
6 section 133(b) of title 23, United States Code, and
7 to provide necessary charging infrastructure along
8 corridor-ready or corridor-pending alternative fuel
9 corridors designated pursuant to section 151 of title
10 23, United States Code;

11 (2) \$100,000,000 shall be for necessary ex-
12 penses for construction of the Appalachian Develop-
13 ment Highway System as authorized under section
14 1069(y) of the Intermodal Transportation Efficiency
15 Act of 1991 (Public Law 102–240);

16 (3) \$3,150,000 shall be for activities eligible
17 under the Puerto Rico Highway Program as de-
18 scribed in section 165(b)(2)(C) of title 23, United
19 States Code;

20 (4) \$630,000 shall be for activities eligible
21 under the Territorial Highway Program, as de-
22 scribed in section 165(e)(6) of title 23, United
23 States Code;

1 (5) \$150,000,000 shall be for the nationally
2 significant Federal lands and tribal projects program
3 under section 1123 of the FAST Act;

4 (6) \$50,000,000 shall be for competitive grants
5 for activities described in section 130(a) of title 23,
6 United States Code;

7 (7) \$30,000,000 shall be for the Tribal Trans-
8 portation program as authorized under section 202
9 of title 23, United States Code;

10 (8) \$15,000,000 shall be for grants for Ad-
11 vanced Digital Construction Management Systems
12 as authorized in section 6003 of the FAST Act;

13 (9) \$12,000,000 shall be for the Regional Infra-
14 structure Accelerator Demonstration Program au-
15 thorized under section 1441 of the FAST Act;

16 (10) \$5,000,000 shall be for a National Road
17 Network Pilot Program for the Federal Highway
18 Administration to create a national level, geo-spatial
19 dataset that uses data already collected under the
20 Highway Performance Monitoring System; and

21 (11) \$2,000,000 shall be for research that leads
22 to decreases in highway and pedestrian fatalities
23 among Tribal populations:

24 *Provided further,* That for the purposes of funds made
25 available under paragraph (1) of the fourth proviso, the

1 term “State” means any of the 50 States or the District
2 of Columbia: *Provided further*, That the funds made avail-
3 able under paragraph (1) shall be sub-allocated in the
4 manner described in section 133(d) of title 23, United
5 States Code, except that the set-aside described in section
6 133(h) of such title shall not apply to funds made avail-
7 able under this heading: *Provided further*, That the funds
8 made available under paragraph (1) shall be administered
9 as if apportioned under chapter 1 of such title and shall
10 be apportioned to the States in the same ratio as the obli-
11 gation limitation for fiscal year 2021 is distributed among
12 the States in section 120(a)(5) of this Act: *Provided fur-*
13 *ther*, That for amounts made available under paragraphs
14 (1), (2), (3), (4), (6), and (7), the Federal share of the
15 costs shall be, at the option of the recipient, up to 100
16 percent: *Provided further*, That except as provided in the
17 following proviso, the funds made available under this
18 heading for activities eligible under the Puerto Rico High-
19 way Program and activities eligible under the Territorial
20 Highway Program shall be administered as if allocated
21 under sections 165(b) and 165(c), respectively, of title 23,
22 United States Code: *Provided further*, That the funds
23 made available under this heading for activities eligible
24 under the Puerto Rico Highway Program shall not be sub-
25 ject to the requirements of sections 165(b)(2)(A) or

1 165(b)(2)(B) of such title: *Provided further*, That the
2 funds made available for the Tribal Transportation Pro-
3 gram shall be sub-allocated in the manner described in
4 section 202(b)(3)(A)(i)(IV) of such title, except that the
5 set-asides described in subparagraph (C) of section
6 202(b)(3) of such title and subsections (a)(6), (c), (d), and
7 (e) of section 202 of such title shall not apply to funds
8 made available under this heading: *Provided further*, That
9 the funds made available under this heading, in paragraph
10 (6) of the fourth proviso, shall be available for projects
11 eligible under section 130(a) of such title, for commuter
12 authorities, as defined in section 24102(2) of title 49,
13 United States Code, that experienced at least one accident
14 investigated by the National Transportation Safety Board
15 between January 1, 2008 and December 31, 2018 and for
16 which the National Transportation Safety Board issued
17 an accident report: *Provided further*, That for the purposes
18 of funds made available under this heading for construc-
19 tion of the Appalachian Development Highway System
20 (ADHS), the term “Appalachian State” means a State
21 that contains one or more counties (including any political
22 subdivision located within the area) in the Appalachian re-
23 gion as defined in section 14102(a) of title 40, United
24 States Code: *Provided further*, That funds made available
25 under this heading for construction of the ADHS shall re-

1 main available until expended: *Provided further*, That a
2 project carried out with funds made available under this
3 heading for construction of the ADHS shall be carried out
4 in the same manner as a project under section 14501 of
5 title 40, United States Code: *Provided further*, That sub-
6 ject to the following proviso, funds made available under
7 this heading for construction of the ADHS shall be appor-
8 tioned to Appalachian States according to the percentages
9 derived from the 2012 Appalachian Development Highway
10 System Cost to Complete Estimate adopted in Appa-
11 lachian Regional Commission Resolution Number 736,
12 and confirmed as each Appalachian State's relative share
13 of the estimated remaining need to complete the ADHS,
14 adjusted to exclude corridors that such States have no cur-
15 rent plans to complete, as reported in the 2013 Appa-
16 lachian Development Highway System Completion Report,
17 unless such States have modified and assigned a higher
18 priority for completion of an ADHS corridor, as reported
19 in the 2020 ADHS Future Outlook: *Provided further*,
20 That the Secretary shall adjust apportionments made
21 under the preceding proviso so that no Appalachian State
22 shall be apportioned an amount in excess of 25 percent
23 of the amount made available for construction of the Ap-
24 palachian Development Highway System under this head-
25 ing: *Provided further*, That the Secretary shall consult

1 with the Appalachian Regional Commission in making ad-
2 justments under the preceding two provisos.

3 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

4 ADMINISTRATION

5 SEC. 120. (a) For fiscal year 2021, the Secretary of
6 Transportation shall—

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

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

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

14 (C) amounts authorized as special one-year
15 funding under any successor surface transpor-
16 tation reauthorization Act authorizing appro-
17 priations for fiscal year 2021;

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

21 (A) made available from the Highway
22 Trust Fund (other than the Mass Transit Ac-
23 count) for Federal-aid highway and highway
24 safety construction programs for previous fiscal
25 years the funds for which are allocated by the

1 Secretary (or apportioned by the Secretary
2 under sections 202 or 204 of title 23, United
3 States Code); and

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

6 (3) determine the proportion that—

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

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

23 (4) distribute the obligation limitation for Fed-
24 eral-aid highways, less the aggregate amounts not
25 distributed under paragraphs (1) and (2), for each

1 of the programs (other than programs to which
2 paragraph (1) applies) that are allocated by the Sec-
3 retary under the Fixing America's Surface Trans-
4 portation Act and title 23, United States Code, or
5 apportioned by the Secretary under sections 202 or
6 204 of that title, by multiplying—

7 (A) the proportion determined under para-
8 graph (3); by

9 (B) the amounts authorized to be appro-
10 priated for each such program for such fiscal
11 year; and

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

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

5 (B) the total of the amounts authorized to
6 be appropriated for the programs that are ap-
7 portioned under title 23, United States Code, to
8 all States for such fiscal year.

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

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

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

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

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

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

1 (6) sections 1103 through 1108 of the Inter-
2 modal Surface Transportation Efficiency Act of
3 1991 (105 Stat. 2027);

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

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

10 (9) Federal-aid highway programs for which ob-
11 ligation authority was made available under the
12 Transportation Equity Act for the 21st Century
13 (112 Stat. 107) or subsequent Acts for multiple
14 years or to remain available until expended, but only
15 to the extent that the obligation authority has not
16 lapsed or been used;

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

21 (11) section 1603 of SAFETEA-LU (23
22 U.S.C. 118 note; 119 Stat. 1248), to the extent that
23 funds obligated in accordance with that section were
24 not subject to a limitation on obligations at the time

1 at which the funds were initially made available for
2 obligation; and

3 (12) section 119 of title 23, United States Code
4 (but, for each of fiscal years 2013 through 2021,
5 only in an amount equal to \$639,000,000).

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

9 (1) revise a distribution of the obligation limita-
10 tion made available under subsection (a), (except for
11 the obligation limitation made available under sec-
12 tion (a)(1)(C)), if an amount distributed cannot be
13 obligated during that fiscal year; and

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

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

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), the obligation limitation for Federal-aid

1 highways shall apply to contract authority for trans-
2 portation research programs carried out under—

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

5 (B) title VI of the Fixing America's Sur-
6 face Transportation Act.

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

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

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

15 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
16 FUNDS.—

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

23 (A) are authorized to be appropriated for
24 such fiscal year for Federal-aid highway pro-
25 grams; and

1 (B) the Secretary determines will not be
2 allocated to the States (or will not be appor-
3 tioned to the States under section 204 of title
4 23, United States Code), and will not be avail-
5 able for obligation, for such fiscal year because
6 of the imposition of any obligation limitation for
7 such fiscal year.

8 (2) RATIO.—Funds shall be distributed under
9 paragraph (1) in the same proportion as the dis-
10 tribution of obligation authority under subsection
11 (a)(5).

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

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

1 SEC. 122. Not less than 15 days prior to waiving,
2 under his or her statutory authority, any Buy America re-
3 quirement for Federal-aid highways projects, the Sec-
4 retary of Transportation shall make an informal public no-
5 tice and comment opportunity on the intent to issue such
6 waiver and the reasons therefor: *Provided*, That the Sec-
7 retary shall provide an annual report to the House and
8 Senate Committees on Appropriations on any waivers
9 granted under the Buy America requirements.

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

1 antee, or line of credit; and the amount of credit assist-
2 ance.

3 SEC. 124. None of the funds made available in this
4 Act may be used to make a grant for a project under sec-
5 tion 117 of title 23, United States Code, unless the Sec-
6 retary, at least 60 days before making a grant under that
7 section, provides written notification to the House and
8 Senate Committees on Appropriations of the proposed
9 grant, including an evaluation and justification for the
10 project and the amount of the proposed grant award: *Pro-*
11 *vided*, That the written notification required in the pre-
12 ceding proviso shall be made not later than 180 days after
13 the date of enactment of this Act.

14 SEC. 125. (a) A State or territory, as defined in sec-
15 tion 165 of title 23, United States Code, may use for any
16 project eligible under section 133(b) of title 23, United
17 States Code, or section 165 of title 23, United States
18 Code, and located within the boundary of the State or ter-
19 ritory any earmarked amount, and any associated obliga-
20 tion limitation: *Provided*, That the Department of Trans-
21 portation for the State or territory for which the ear-
22 marked amount was originally designated or directed noti-
23 fies the Secretary of Transportation of its intent to use
24 its authority under this section and submits a quarterly
25 report to the Secretary identifying the projects to which

1 the funding would be applied. Notwithstanding the origi-
2 nal period of availability of funds to be obligated under
3 this section, such funds and associated obligation limita-
4 tion shall remain available for obligation for a period of
5 3 fiscal years after the fiscal year in which the Secretary
6 of Transportation is notified. The Federal share of the
7 cost of a project carried out with funds made available
8 under this section shall be the same as associated with
9 the earmark.

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

12 (1) congressionally directed spending, as de-
13 fined in rule XLIV of the Standing Rules of the
14 Senate, identified in a prior law, report, or joint ex-
15 planatory statement, which was authorized to be ap-
16 propriated or appropriated more than 10 fiscal years
17 prior to the current fiscal year, and administered by
18 the Federal Highway Administration; or

19 (2) a congressional earmark, as defined in rule
20 XXI of the Rules of the House of Representatives,
21 identified in a prior law, report, or joint explanatory
22 statement, which was authorized to be appropriated
23 or appropriated more than 10 fiscal years prior to
24 the current fiscal year, and administered by the Fed-
25 eral Highway Administration.

1 (c) The authority under subsection (a) may be exer-
2 cised only for those projects or activities that have obli-
3 gated less than 10 percent of the amount made available
4 for obligation as of October 1 of the current fiscal year,
5 and shall be applied to projects within the same general
6 geographic area within 5 miles for which the funding was
7 designated, except that a State or territory may apply
8 such authority to unexpended balances of funds from
9 projects or activities the State or territory certifies have
10 been closed and for which payments have been made under
11 a final voucher.

12 (d) The Secretary shall submit consolidated reports
13 of the information provided by the States and territories
14 each quarter to the House and Senate Committees on Ap-
15 propriations.

16 SEC. 126. Until final guidance is published, the Ad-
17 ministrator of the Federal Highway Administration shall
18 adjudicate requests for Buy America waivers under the
19 rules and regulations that were in effect prior to April 17,
20 2017. The Administrator shall process such requests not
21 later than 90 days after receipt of the request or such
22 waivers will be granted automatically.

23 SEC. 127. Amounts for which a limitation on obliga-
24 tions that otherwise would have expired at the end of fiscal

1 year 2020 that has been extended through the end of fiscal
2 year 2021 shall not be subject to 120(a)(2) of this Act.

3 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
4 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in the implemen-
9 tation, execution, and administration of motor carrier
10 safety operations and programs pursuant to section 31110
11 of title 49, United States Code, as amended by the Fixing
12 America’s Surface Transportation Act or any successor
13 surface transportation reauthorization Act authorizing ap-
14 propriations for fiscal year 2021, \$379,500,000, to be de-
15 rived from the Highway Trust Fund (other than the Mass
16 Transit Account), together with advances and reimburse-
17 ments received by the Federal Motor Carrier Safety Ad-
18 ministration, the sum of which shall remain available until
19 expended: *Provided*, That funds available for implementa-
20 tion, execution, or administration of motor carrier safety
21 operations and programs authorized under title 49, United
22 States Code, shall not exceed total obligations of
23 \$379,500,000 for “Motor Carrier Safety Operations and
24 Programs” for fiscal year 2021, of which not less than
25 \$85,000,000, to remain available for obligation until Sep-

1 tember 30, 2023, is for the development, modernization,
2 and enhancement of information technology and informa-
3 tion management systems and for the continuing oper-
4 ation of and maintenance of such systems: *Provided fur-*
5 *ther*, That not less than \$13,073,000, to remain available
6 for obligation until September 30, 2023, is for the re-
7 search and technology program, of which not less than
8 \$3,300,000 shall be available to begin the Large Truck
9 Crash Causal Factors study: *Provided further*, That
10 \$20,000,000 for carrying out activities under this heading,
11 including the modernization and maintenance of border fa-
12 cilities, is to remain available for obligation until Sep-
13 tember 30, 2025.

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

18 For payment of obligations incurred in carrying out
19 sections 31102, 31103, 31104, and 31313 of title 49,
20 United States Code, as amended by the Fixing America's
21 Surface Transportation Act or any successor surface
22 transportation reauthorization Act authorizing appropria-
23 tions for fiscal year 2021, \$501,200,000 to be derived
24 from the Highway Trust Fund (other than the Mass Tran-
25 sit Account) to remain available until expended: *Provided*,

1 That funds available for the implementation or execution
2 of motor carrier safety programs shall not exceed total ob-
3 ligations of \$501,200,000 in fiscal year 2021 for “Motor
4 Carrier Safety Grants”: *Provided further*, That of the
5 sums appropriated under this heading—

6 (1) \$389,212,000 shall be available for the
7 motor carrier safety assistance program;

8 (2) \$56,880,000 shall be available for the com-
9 mercial driver’s license program implementation pro-
10 gram;

11 (3) \$59,108,000 shall be available for the high
12 priority activities program; and

13 (4) \$1,000,000 shall be made available for com-
14 mercial motor vehicle operators grants.

15 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

16 CARRIER SAFETY ADMINISTRATION

17 SEC. 130. The Federal Motor Carrier Safety Admin-
18 istration shall send notice of section 385.308 of title 49,
19 Code of Federal Regulations, violations by certified mail,
20 registered mail, or another manner of delivery, which
21 records the receipt of the notice by the persons responsible
22 for the violations.

23 SEC. 131. The Federal Motor Carrier Safety Admin-
24 istration shall update annual inspection regulations under
25 Appendix G to subchapter B of chapter III of title 49,

1 Code of Federal Regulations, as recommended by GAO–
2 19–264.

3 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
4 OPERATIONS AND RESEARCH

5 For expenses necessary to discharge the functions of
6 the Secretary, with respect to traffic and highway safety
7 authorized under chapter 301 and part C of subtitle VI
8 of title 49, United States Code, \$214,073,440, of which
9 \$40,000,000 shall remain available through September
10 30, 2022.

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

15 For payment of obligations incurred in carrying out
16 the provisions of section 403 of title 23, United States
17 Code, including behavioral research on Automated Driving
18 Systems and Advanced Driver Assistance Systems and im-
19 proving consumer responses to safety recalls, section 4011
20 of the Fixing America’s Surface Transportation Act (Pub-
21 lic Law 114-94) or any successor surface transportation
22 reauthorization Act authorizing appropriations for fiscal
23 year 2021, and chapter 303 of title 49, United States
24 Code, \$170,612,000 to be derived from the Highway
25 Trust Fund (other than the Mass Transit Account) and

1 to remain available until expended: *Provided*, That none
2 of the funds made available by this Act shall be available
3 for the planning or execution of programs the total obliga-
4 tions for which, in fiscal year 2021, are in excess of
5 \$170,612,000: *Provided further*, That of the funds appro-
6 priated under this heading—

7 (1) \$165,112,000 shall be for programs author-
8 ized under section 403 of title 23, United States
9 Code, including behavioral research on Automated
10 Driving Systems and Advanced Driver Assistance
11 Systems and improving consumer responses to safety
12 recalls, and section 4011 of the Fixing America’s
13 Surface Transportation Act (Public Law 114-94);
14 and

15 (2) \$5,500,000 shall be for the National Driver
16 Register authorized under chapter 303 of title 49,
17 United States Code:

18 *Provided further*, That of the \$170,612,000 obligation lim-
19 itation for operations and research, \$20,000,000 shall re-
20 main available until September 30, 2022, and \$3,000,000,
21 for impaired driving detection, shall remain available until
22 expended, and shall be in addition to the amount of any
23 limitation imposed on obligations for future years: *Pro-*
24 *vided further*, That amounts for behavioral research on
25 Automated Driving Systems and Advanced Driver Assist-

1 ance Systems and improving consumer responses to safety
2 recalls are in addition to any other funds provided for
3 those purposes for fiscal year 2021 in this Act.

4 HIGHWAY TRAFFIC SAFETY GRANTS
5 (LIQUIDATION OF CONTRACT AUTHORIZATION)
6 (LIMITATION ON OBLIGATIONS)
7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 provisions of sections 402, 404, and 405 of title 23,
10 United States Code, and section 4001(a)(6) of the Fixing
11 America’s Surface Transportation Act, to remain available
12 until expended, \$855,488,000, to be derived from the
13 Highway Trust Fund (other than the Mass Transit Ac-
14 count): *Provided*, That none of the funds made available
15 by this Act shall be available for the planning or execution
16 of programs for which the total obligations in fiscal year
17 2021 are in excess of \$855,488,000 for programs author-
18 ized under sections 402, 404, and 405 of title 23, United
19 States Code, and section 4001(a)(6) of the Fixing Amer-
20 ica’s Surface Transportation Act: *Provided further*, That
21 of the sums appropriated under this heading—

22 (1) \$384,800,000 shall be for “Highway Safety
23 Programs” under section 402 of title 23, United
24 States Code;

1 (2) \$390,900,000 shall be for “National Pri-
2 ority Safety Programs” under section 405 of title
3 23, United States Code;

4 (3) \$49,702,000 shall be for the “High Visi-
5 bility Enforcement Program” under section 404 of
6 title 23, United States Code; and

7 (4) \$30,086,000 shall be for “Administrative
8 Expenses” under section 4001(a)(6) of the Fixing
9 America’s Surface Transportation Act:

10 *Provided further*, That for amounts subject to the obliga-
11 tion limitation under this heading during fiscal year 2021,
12 the Federal share of activities undertaken pursuant to
13 chapter 4 of title 23, United States Code, shall be, at the
14 option of the recipient, up to 100 percent: *Provided fur-*
15 *ther*, That none of the funds made available by this Act
16 shall be used for construction, rehabilitation, or remod-
17 eling costs, or for office furnishings and fixtures for State,
18 local, or private buildings or structures: *Provided further*,
19 That not to exceed \$500,000 of the funds made available
20 for ‘National Priority Safety Programs’ under section 405
21 of title 23, United States Code, for ‘Impaired Driving
22 Countermeasures’ (as described in subsection (d) of that
23 section) shall be available for technical assistance to the
24 States: *Provided further*, That with respect to the ‘Trans-
25 fers’ provision under section 405(a)(8) of title 23, United

1 States Code, any amounts transferred to increase the
2 amounts made available under section 402 shall include
3 the obligation authority for such amounts: *Provided fur-*
4 *ther*, That the Administrator shall notify the House and
5 Senate Committees on Appropriations of any exercise of
6 the authority granted under the preceding proviso or
7 under section 405(a)(8) of title 23, United States Code,
8 not later than 5 days after exercising such authority.

9 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

10 TRAFFIC SAFETY ADMINISTRATION

11 SEC. 140. An additional \$130,000 shall be made
12 available to the National Highway Traffic Safety Adminis-
13 tration, out of the amount limited for section 402 of title
14 23, United States Code, to pay for travel and related ex-
15 penses for State management reviews and to pay for core
16 competency development training and related expenses for
17 highway safety staff.

18 SEC. 141. The limitations on obligations for the pro-
19 grams of the National Highway Traffic Safety Adminis-
20 tration set in this Act shall not apply to obligations for
21 which obligation authority was made available in previous
22 public laws but only to the extent that the obligation au-
23 thority has not lapsed or been used.

24 SEC. 142. In addition to the amounts made available
25 under the heading, “Operations and Research (Liquida-

1 tion of Contract Authorization) (Limitation on Obliga-
2 tions) (Highway Trust Fund)” for carrying out the provi-
3 sions of section 403 of title 23, United States Code,
4 \$17,000,000, to remain available until September 30,
5 2022, shall be made available to the National Highway
6 Traffic Safety Administration from the general fund: *Pro-*
7 *vided*, That of the sums provided under this provision—

8 (1) not to exceed \$7,000,000 shall be available
9 to provide funding for grants, pilot program activi-
10 ties, and innovative solutions to reduce impaired-
11 driving fatalities in collaboration with eligible enti-
12 ties under section 403 of title 23, United States
13 Code; and

14 (2) not to exceed \$10,000,000 shall be available
15 to continue a high visibility enforcement paid-media
16 campaign regarding highway-rail grade crossing
17 safety in collaboration with the Federal Railroad Ad-
18 ministration.

19 SEC. 143. None of the funds in this Act or any other
20 Act shall be used to enforce the requirements of section
21 405(a)(9) of title 23, United States Code.

1 FEDERAL RAILROAD ADMINISTRATION

2 SAFETY AND OPERATIONS

3 For necessary expenses of the Federal Railroad Ad-
4 ministration, not otherwise provided for, \$236,134,000, of
5 which \$30,000,000 shall remain available until expended.

6 RAILROAD RESEARCH AND DEVELOPMENT

7 For necessary expenses for railroad research and de-
8 velopment, \$41,000,000, to remain available until ex-
9 pended.

10 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

11 REPAIR

12 For necessary expenses related to Federal-State part-
13 nership for state of good repair grants as authorized by
14 section 24911 of title 49, United States Code,
15 \$200,000,000, to remain available until expended: *Pro-*
16 *vided*, That the Secretary may withhold up to 2 percent
17 of the amounts made available under this heading for the
18 costs of award and project management oversight of
19 grants carried out under section 24911 of title 49, United
20 States Code: *Provided further*, That expenses incidental to
21 the acquisition or construction (including designing, engi-
22 neering, location surveying, mapping, environmental stud-
23 ies, and acquiring rights-of-way) of a capital project as
24 defined under section 24911(a)(2) of title 49, United
25 States Code, are eligible for funding independently or in

1 conjunction with proposed funding for construction: *Pro-*
2 *vided further*, That section 24911(d)(1)(C) of title 49,
3 United States Code, shall not apply to amounts made
4 available under this heading: *Provided further*, That sec-
5 tion 24911(d)(1)(C) of title 49, United States Code, shall
6 not apply to amounts made available under this heading
7 in previous fiscal years if such funds are announced in
8 a Notice of Funding Opportunity that includes funds
9 made available under this heading: *Provided further*, That
10 the Secretary shall issue the Notice of Funding Oppor-
11 tunity for amounts made available under this heading not
12 later than 60 days after the date of enactment of this Act:
13 *Provided further*, That the Secretary shall announce the
14 selection of projects to receive awards for amounts made
15 available under this heading not later than 240 days after
16 the date of enactment of this Act.

17 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

18 IMPROVEMENTS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses related to consolidated rail
21 infrastructure and safety improvements grants, as author-
22 ized by section 22907 of title 49, United States Code,
23 \$500,000,000, to remain available until expended: *Pro-*
24 *vided*, That of the amounts made available under this
25 heading—

1 (1) Not less than \$60,000,000 shall be for
2 projects eligible under section 22907(c)(5) of title
3 49, United States Code;

4 (2) Not less than \$90,000,000 shall be for
5 projects eligible under section 22907(c)(2) of title
6 49, United States Code, that support the develop-
7 ment of new intercity passenger rail service routes
8 including alignments for existing routes: *Provided*,
9 That the Secretary shall give preference for pre-con-
10 struction elements including preliminary engineering
11 and final design of such projects; and

12 (3) Not less than \$25,000,000 shall be for cap-
13 ital projects and engineering solutions targeting tres-
14 passing: *Provided*, That the Secretary shall give
15 preference for such projects that are located in coun-
16 ties with the most pedestrian trespasser casualties as
17 identified in the Federal Railroad Administration's
18 National Strategy to Prevent Trespassing on Rail-
19 road Property:

20 *Provided further*, That section 22905(f) of title 49, United
21 States Code, shall not apply to projects for the implemen-
22 tation of positive train control systems otherwise eligible
23 under section 22907(c)(1) of title 49, United States Code:
24 *Provided further*, That amounts made available under this
25 heading for projects selected for commuter rail passenger

1 transportation may be transferred by the Secretary, after
2 selection, to the appropriate agencies to be administered
3 in accordance with chapter 53 of title 49, United States
4 Code: *Provided further*, That the Secretary shall not limit
5 eligible projects from consideration for funding for plan-
6 ning, engineering, environmental, construction, and design
7 elements of the same project in the same application: *Pro-*
8 *vided further*, That for amounts made available under this
9 heading eligible recipients under section 22907(b) of title
10 49, United States Code, shall include any non-profit asso-
11 ciation representing Class II railroads or Class III rail-
12 roads (as such terms are defined in section 20102 of title
13 49, United States Code) or rail carriers that provide inter-
14 city rail passenger transportation (as defined in section
15 24102 of title 49, United States Code) and any holding
16 company of a Class II railroad or Class III railroad (as
17 such terms are defined in section 20102 of title 49, United
18 States Code): *Provided further*, That section
19 22907(e)(1)(A) of title 49, United States Code, shall not
20 apply to amounts made available under this heading: *Pro-*
21 *vided further*, That section 22907(e)(1)(A) of title 49,
22 United States Code, shall not apply to amounts made
23 available under this heading in previous fiscal years if such
24 funds are announced in a Notice of Funding Opportunity
25 that includes funds made available under this heading:

1 tions Act of 2008 (Public Law 110–244) (23 U.S.C. 322
2 note), \$5,000,000, to remain available until expended.

3 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 activities associated with the Northeast Corridor as au-
8 thorized by section 11101(a) of the Fixing America’s Sur-
9 face Transportation Act (division A of Public Law 114–
10 94), \$750,000,000, to remain available until expended:
11 *Provided*, That the Secretary may retain up to one half
12 of 1 percent of the amounts made available under both
13 this heading and the “National Network Grants to the Na-
14 tional Railroad Passenger Corporation” heading to fund
15 the costs of project management and oversight of activities
16 authorized by section 11101(c) of the Fixing America’s
17 Surface Transportation Act (division A of Public Law
18 114–94): *Provided further*, That in addition to the project
19 management oversight funds authorized under section
20 11101(c) of such Act, the Secretary may retain up to an
21 additional \$5,000,000 of the amounts made available
22 under this heading to fund expenses associated with the
23 Northeast Corridor Commission established under section
24 24905 of title 49, United States Code: *Provided further*,
25 That of the amounts made available under this heading,

1 not less than \$200,000,000 shall be made available to ad-
2 vance capital projects, including rehabilitation and up-
3 grade of railroad infrastructure, that increase reliability
4 or expand passenger rail capacity on the Amtrak-owned
5 portion of the Northeast Corridor (as defined in section
6 24102(8) of title 49, United States Code) on which more
7 than 380 trains traveled per day in fiscal year 2019: *Pro-*
8 *vided further*, That of the amounts made available under
9 this heading and the “National Network Grants to the Na-
10 tional Railroad Passenger Corporation” heading, not less
11 than \$75,000,000 shall be made available to bring Am-
12 trak-served facilities and stations into compliance with the
13 Americans with Disabilities Act of 1990 (42 U.S.C. 2101
14 et seq.).

15 NATIONAL NETWORK GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 To enable the Secretary of Transportation to make
18 grants to the National Railroad Passenger Corporation for
19 activities associated with the National Network as author-
20 ized by section 11101(b) of the Fixing America’s Surface
21 Transportation Act (division A of Public Law 114–94),
22 \$1,300,000,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may retain up to an additional
24 \$2,000,000 of the amounts made available under this
25 heading to fund expenses associated with the State-Sup-

1 ported Route Committee established under section 24712
2 of title 49, United States Code: *Provided further*, That
3 none of the funds provided under this heading shall be
4 used by Amtrak to give notice under subsection (a) or (b)
5 of section 24706 of title 49, United States Code, with re-
6 spect to long-distance routes (as defined in section 24102
7 of title 49, United States Code) on which Amtrak is the
8 sole operator on a host railroad's line and a positive train
9 control system is not required by law or regulation, or,
10 except in an emergency or during maintenance or con-
11 struction outages impacting such routes, to otherwise dis-
12 continue, reduce the frequency of, suspend, or substan-
13 tially alter the route of rail service on any portion of such
14 route operated in fiscal year 2018, including implementa-
15 tion of service permitted by section 24305(a)(3)(A) of title
16 49, United States Code, in lieu of rail service.

17 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

18 ADMINISTRATION

19 (INCLUDING RESCISSIONS)

20 SEC. 150. None of the funds made available to the
21 National Railroad Passenger Corporation may be used to
22 fund any overtime costs in excess of \$35,000 for any indi-
23 vidual employee: *Provided*, That the President of Amtrak
24 may waive the cap set in the preceding proviso for specific
25 employees when the President of Amtrak determines such

1 a cap poses a risk to the safety and operational efficiency
2 of the system: *Provided further*, That the President of Am-
3 trak shall report to the House and Senate Committees on
4 Appropriations no later than 60 days after the date of en-
5 actment of this Act, a summary of all overtime payments
6 incurred by Amtrak for 2020 and the 3 prior calendar
7 years: *Provided further*, That such summary shall include
8 the total number of employees that received waivers and
9 the total overtime payments Amtrak paid to employees re-
10 ceiving waivers for each month for 2020 and for the 3
11 prior calendar years.

12 SEC. 151. None of the funds made available to the
13 National Railroad Passenger Corporation under the head-
14 ings “Northeast Corridor Grants to the National Railroad
15 Passenger Corporation” and “National Network Grants to
16 the National Railroad Passenger Corporation” may be
17 used to reduce the total number of Amtrak Police Depart-
18 ment uniformed officers patrolling on board passenger
19 trains or at stations, facilities or rights-of-way below the
20 staffing level on May 1, 2019.

21 SEC. 152. None of the funds made available by this
22 Act may be used by the National Railroad Passenger Cor-
23 poration in contravention of the Worker Adjustment and
24 Retraining Notification Act (29 U.S.C. 2101 et seq.).

1 SEC. 153. The matter under the heading “Depart-
2 ment of Transportation—Federal Railroad Administra-
3 tion—Consolidated Rail Infrastructure and Safety Im-
4 provements”—

5 (a) in division G of the Consolidated Appropriations
6 Act, 2019 (Public Law 116-6) is amended by striking “4
7 years” and inserting “6 years” in the fourth proviso; and

8 (b) in division H of the Further Consolidated Appro-
9 priations Act, 2020 (Public Law 116-94) is amended by
10 striking “4 years” and inserting “6 years” in the fourth
11 proviso.

12 SEC. 154. Of the unobligated balances of funds re-
13 maining from—

14 (a) “Capital and Debt Service Grants to the National
15 Railroad Passenger Corporation” accounts totaling
16 \$10,414,449.82 appropriated by the following public laws
17 are hereby permanently rescinded:

18 (1) Public Law 112-10 a total of \$289,234.48,

19 (2) Public Law 112-55 a total of
20 \$4,760,000.00,

21 (3) Public Law 113-76 a total of \$792,502.52,

22 (4) Public Law 113-235 a total of
23 \$1,698,806.61, and

24 (5) Public Law 114-113 a total of
25 \$2,873,906.21;

1 (b) “Railroad Safety Technology Program” account
2 totaling \$613,252.29 appropriated by Public Law 111-117
3 is hereby permanently rescinded;

4 (c) “Capital Assistance to States - Intercity Pas-
5 senger Rail Service” account totaling \$9,867,630.69 ap-
6 propriated by Public Law 111-8 is hereby permanently re-
7 scinded;

8 (d) “Rail Line Relocation and Improvement Pro-
9 gram” accounts totaling \$12,650,365.14 appropriated by
10 the following public laws are hereby permanently re-
11 scinded:

12 (1) Public Law 110-161 a total of \$923,214.63,

13 (2) Public Law 111-8 a total of \$5,558,233.95,

14 (3) Public Law 111-117 a total of
15 \$3,763,767.95, and

16 (4) Public Law 112-10 a total of
17 \$2,405,148.61; and;

18 (e) “Next Generation High-Speed Rail” accounts to-
19 taling \$3,019,483.21 appropriated by the following public
20 laws are hereby permanently rescinded:

21 (1) Public Law 104-50 a total of \$610,807.00,

22 (2) Public Law 104-205 a total of \$5,963.71,

23 (3) Public Law 105-66 a total of
24 \$1,218,742.47,

25 (4) Public Law 105-277 a total of \$17,097.00,

1 (5) Public Law 106-69 a total of
2 \$1,005,969.00,

3 (6) Public Law 108-7 a total of \$43,951.57,

4 (7) Public Law 108-199 a total of \$24,263.48,

5 and

6 (8) Public Law 108-447 a total of \$92,688.98.

7 FEDERAL TRANSIT ADMINISTRATION

8 ADMINISTRATIVE EXPENSES

9 For necessary administrative expenses of the Federal
10 Transit Administration's programs authorized by chapter
11 53 of title 49, United States Code, \$121,052,000, of which
12 \$15,000,000 shall remain available until September 30,
13 2022, and up to \$1,000,000 shall be available to carry
14 out the provisions of section 5326 of such title: *Provided*,
15 That upon submission to the Congress of the fiscal year
16 2022 President's budget, the Secretary of Transportation
17 shall transmit to Congress the annual report on Capital
18 Investment Grants, including proposed allocations for fis-
19 cal year 2022.

20 TRANSIT FORMULA GRANTS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 For payment of obligations incurred in the Federal
25 Public Transportation Assistance Program in this ac-

1 count, and for payment of obligations incurred in carrying
2 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
3 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
4 5340, as amended by the Fixing America's Surface Trans-
5 portation Act, section 20005(b) of Public Law 112-141,
6 and section 3006(b) of the Fixing America's Surface
7 Transportation Act, or any successor surface transpor-
8 tation reauthorization Act authorizing appropriations for
9 fiscal year 2021, \$16,595,000,000, to be derived from the
10 Mass Transit Account of the Highway Trust Fund and
11 to remain available until expended: *Provided*, That funds
12 available for the implementation or execution of programs
13 authorized under 49 U.S.C. 5305, 5307, 5310, 5311,
14 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
15 5340, as amended by the Fixing America's Surface Trans-
16 portation Act, section 20005(b) of Public Law 112-141,
17 and section 3006(b) of the Fixing America's Surface
18 Transportation Act, or any successor surface transpor-
19 tation reauthorization Act authorizing appropriations for
20 fiscal year 2021, shall not exceed total obligations of
21 \$15,945,200,000 in fiscal year 2021: *Provided further*,
22 That the Federal share of the cost of activities carried
23 out under 49 U.S.C. section 5312 shall not exceed 80 per-
24 cent, except that if there is substantial public interest or
25 benefit, the Secretary may approve a greater Federal

1 share: *Provided further*, That until September 30, 2021,
2 for amounts subject to the obligation limitation under this
3 heading during fiscal year 2021, the Federal share of costs
4 for any grant made for activities undertaken pursuant to
5 chapter 53 of title 49, United States Code, shall be, at
6 the option of the recipient, up to 100 percent but solely
7 for funds that have not been obligated to a grant prior
8 to September 30, 2020: *Provided further*, That the pre-
9 ceding proviso shall not apply to grants made pursuant
10 to a competitive application process in fiscal year 2021
11 or any prior fiscal year: *Provided further*, That not includ-
12 ing any amounts provided under the heading “Transit In-
13 frastructure Grants” in title XII of division B of the
14 CARES Act (Public Law 116-136), an urbanized area or
15 State may obligate not more than 50 percent of its unobli-
16 gated balances authorized under sections 5305, 5307,
17 5310, 5311, 5329(e)(6), 5335, 5337, 5339, and 5340 of
18 title 49, United States Code, section 20005(b) of Public
19 Law 112–141, and section 3006(b) of the Fixing Amer-
20 ica’s Surface Transportation Act, or any successor surface
21 transportation reauthorization Act authorizing appropria-
22 tions for fiscal year 2021, as of September 30, 2020,
23 under this proviso.

1 TRANSIT INFRASTRUCTURE GRANTS

2 For an additional amount for buses and bus facilities
3 grants under section 5339 of title 49, United States Code,
4 low or no emission grants under section 5339(c) of such
5 title, the passenger ferry grant program as authorized
6 under section 5307(h) of such title, and the demonstration
7 and deployment of innovative mobility solutions as author-
8 ized under section 5312 of such title, \$510,000,000, to
9 remain available until expended: *Provided*, That of the
10 amounts made available under this heading—

11 (1) \$374,000,000 shall be available for the
12 buses and bus facilities competitive grants as au-
13 thorized under section 5339(b) of title 49, United
14 States Code: *Provided*, That activities that increase
15 green space surrounding a bus transportation hub
16 structure are eligible for a grant under this para-
17 graph: *Provided further*, That the minimum grant
18 award shall be not less than \$1,000,000;

19 (2) \$125,000,000 shall be available for the low
20 or no emission grants as authorized under section
21 5339(c) of title 49, United States Code: *Provided*,
22 That the minimum grant award shall be not less
23 than \$1,250,000;

24 (3) \$10,000,000 shall be available for the pas-
25 senger ferry grant program as authorized under sec-

1 tion 5307(h) of title 49, United States Code: *Pro-*
2 *vided*, That the funds provided under this heading
3 shall only be available for low or zero-emission fer-
4 ries or ferries using electric battery or fuel cell com-
5 ponents and the infrastructure to support such fer-
6 ries; and

7 (4) \$1,000,000 shall be shall be available for
8 the demonstration and deployment of innovative mo-
9 bility solutions as authorized under section 5312 of
10 title 49, United States Code: *Provided*, that such
11 amounts shall be available for competitive grants or
12 cooperative agreements for the development of soft-
13 ware to facilitate the provision of demand-response
14 public transportation service that dispatches public
15 transportation fleet vehicles through riders mobile
16 devices or other advanced means: *Provided further*,
17 That the Secretary shall evaluate the potential for
18 software developed with grants or cooperative agree-
19 ments to be shared for use by public transportation
20 agencies:

21 *Provided further*, That the Federal share of the costs for
22 which any grant is made under this heading shall be, at
23 the option of the recipient, up to 100 percent: *Provided*
24 *further*, That amounts made available under this heading
25 shall be derived from the general fund and shall not be

1 subject to any limitation on obligation for transit pro-
2 grams set forth in any Act.

3 TECHNICAL ASSISTANCE AND TRAINING

4 For necessary expenses to carry out section 5314 of
5 title 49, United States Code, \$7,000,000, to remain avail-
6 able until September 30, 2022: *Provided*, That the assist-
7 ance provided under this heading does not duplicate the
8 activities of section 5311(b) or section 5312 of title 49,
9 United States Code.

10 CAPITAL INVESTMENT GRANTS

11 For necessary expenses to carry out fixed guideway
12 capital investment grants under section 5309 of title 49,
13 United States Code, and section 3005(b) of the Fixing
14 America's Surface Transportation Act (49 U.S.C. 5309
15 note), \$2,175,000,000, to remain available until Sep-
16 tember 30, 2024: *Provided*, That of the amounts made
17 available under this heading, \$1,848,000,000 shall be allo-
18 cated by December 31, 2022: *Provided further*, That of
19 the amounts made available under this heading,
20 \$1,250,000,000 shall be available for projects authorized
21 under section 5309(d) of title 49, United States Code,
22 \$525,000,000 shall be available for projects authorized
23 under section 5309(e) of title 49, United States Code,
24 \$300,000,000 shall be available for projects authorized
25 under section 5309(h) of title 49, United States Code, and

1 \$100,000,000 shall be available for projects authorized
2 under section 3005(b) of the Fixing America's Surface
3 Transportation Act (49 U.S.C. 5309 note): *Provided fur-*
4 *ther*, That funds made available under this heading in this
5 or any other Act may be available for amendments to cur-
6 rent full-funding grant agreements that require additional
7 Federal funding as a result of coronavirus: *Provided fur-*
8 *ther*, That the Secretary shall continue to administer the
9 capital investment grants program in accordance with the
10 procedural and substantive requirements of section 5309
11 of title 49, United States Code, and of section 3005(b)
12 of the Fixing America's Surface Transportation Act (49
13 U.S.C. 5309 note): *Provided further*, That projects that
14 receive a grant agreement under the Expedited Project
15 Delivery for Capital Investment Grants Pilot Program
16 under section 3005(b) of the Fixing America's Surface
17 Transportation Act (49 U.S.C. 5309 note) shall be deemed
18 eligible for funding provided for projects under section
19 5309 of title 49, United States Code, without further eval-
20 uation or rating under such section: *Provided further*,
21 That such funding shall not exceed the Federal share
22 under section 3005(b).

1 GRANTS TO THE WASHINGTON METROPOLITAN AREA
2 TRANSIT AUTHORITY

3 For grants to the Washington Metropolitan Area
4 Transit Authority as authorized under section 601 of divi-
5 sion B of the Passenger Rail Investment and Improvement
6 Act of 2008 (Public Law 110-432), \$150,000,000, to re-
7 main available until expended: *Provided*, That the Sec-
8 retary of Transportation shall approve grants for capital
9 and preventive maintenance expenditures for the Wash-
10 ington Metropolitan Area Transit Authority only after re-
11 ceiving and reviewing a request for each specific project:
12 *Provided further*, That the Secretary shall determine that
13 the Washington Metropolitan Area Transit Authority has
14 placed the highest priority on those investments that will
15 improve the safety of the system before approving such
16 grants: *Provided further*, That the Secretary, in order to
17 ensure safety throughout the rail system, may waive the
18 requirements of section 601(e)(1) of division B of the Pas-
19 senger Rail Investment and Improvement Act of 2008
20 (Public Law 110-432).

21 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
22 ADMINISTRATION
23 (INCLUDING RESCISSIONS)

24 SEC. 160. The limitations on obligations for the pro-
25 grams of the Federal Transit Administration shall not

1 apply to any authority under 49 U.S.C. 5338, previously
2 made available for obligation, or to any other authority
3 previously made available for obligation.

4 SEC. 161. Notwithstanding any other provision of
5 law, funds appropriated or limited by this Act under the
6 heading “Capital Investment Grants” of the Federal
7 Transit Administration for projects specified in this Act
8 or identified in reports accompanying this Act not obli-
9 gated by September 30, 2024, and other recoveries, shall
10 be directed to projects eligible to use the funds for the
11 purposes for which they were originally provided.

12 SEC. 162. Notwithstanding any other provision of
13 law, any funds appropriated before October 1, 2019, for
14 any section of chapter 53 of title 49, United States Code,
15 that remain available for expenditure, may be transferred
16 to and administered under the most recent appropriation
17 heading for any such section.

18 SEC. 163. None of the funds made available by this
19 Act or any other Act shall be used to adjust appor-
20 tionments or withhold funds from apportionments pursuant
21 to section 9503(e)(4) of the Internal Revenue Code of
22 1986 (26 U.S.C. 9503(e)(4)).

23 SEC. 164. An eligible recipient of a grant under sec-
24 tion 5339(e) may submit an application in partnership
25 with other entities, including a transit vehicle manufac-

1 turer, that intend to participate in the implementation of
2 a project under section 5339(c) of title 49, United States
3 Code, and a project awarded with such partnership shall
4 be treated as satisfying the requirement for a competitive
5 procurement under section 5325(a) of title 49, United
6 States Code, for the named entity.

7 SEC. 165. None of the funds made available by this
8 Act or any other Act shall be used to impede or hinder
9 project advancement or approval for any project seeking
10 a Federal contribution from the capital investment grant
11 program of greater than 40 percent of project costs as
12 authorized under section 5309 of title 49, United States
13 Code.

14 SEC. 166. None of the funds made available by this
15 Act may be used for the implementation or furtherance
16 of new policies detailed in the “Dear Colleague” letter dis-
17 tributed by the Federal Transit Administration to capital
18 investment grant program project sponsors on June 29,
19 2018.

20 SEC. 167. None of the funds made available in this
21 Act may be used by the Department of Transportation
22 to implement any policy that requires a capital investment
23 grant project to receive a medium or higher project rating
24 before taking actions to finalize an environmental impact
25 statement.

1 SEC. 168. Of the unobligated amounts made available
2 for prior fiscal years to Formula Grants in Treasury Ac-
3 count 69-X-1129, a total of \$1,606,849 are hereby perma-
4 nently rescinded: *Provided*, That no amounts may be re-
5 scinded from amounts that were designated by the Con-
6 gress as an emergency or disaster relief requirement pur-
7 suant to a concurrent resolution on the budget or the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 SEC. 169. Of the unobligated amounts made available
10 for the Job Access and Reverse Commute program, as au-
11 thorized by Public Law 105–178, as amended, a total of
12 \$320,230 are hereby permanently rescinded.

13 SEC. 169A. Of the unobligated amounts made avail-
14 able for Research, Training, and Human Resources, as
15 authorized by Public Law 95–599, as amended, a total
16 of \$31,634 are hereby permanently rescinded.

17 SAINT LAWRENCE SEAWAY DEVELOPMENT
18 CORPORATION

19 The Saint Lawrence Seaway Development Corpora-
20 tion is hereby authorized to make such expenditures, with-
21 in the limits of funds and borrowing authority available
22 to the Corporation, and in accord with law, and to make
23 such contracts and commitments without regard to fiscal
24 year limitations, as provided by section 9104 of title 31,
25 United States Code, as may be necessary in carrying out

1 the programs set forth in the Corporation's budget for the
2 current fiscal year.

3 OPERATIONS AND MAINTENANCE
4 (HARBOR MAINTENANCE TRUST FUND)

5 For necessary expenses to conduct the operations,
6 maintenance, and capital infrastructure activities on por-
7 tions of the Saint Lawrence Seaway owned, operated, and
8 maintained by the Saint Lawrence Seaway Development
9 Corporation, \$40,000,000, to be derived from the Harbor
10 Maintenance Trust Fund, pursuant to section 210 of the
11 Water Resources Development Act of 1986 (33 U.S.C.
12 2238): *Provided*, That of the amounts made available
13 under this heading, not less than \$15,800,000 shall be for
14 the seaway infrastructure program.

15 MARITIME ADMINISTRATION
16 MARITIME SECURITY PROGRAM

17 For necessary expenses to maintain and preserve a
18 U.S.-flag merchant fleet as authorized under chapter 531
19 of title 46, United States Code, to serve the national secu-
20 rity needs of the United States, \$314,007,780, to remain
21 available until expended.

22 CABLE SECURITY FLEET PROGRAM

23 For necessary expenses to establish and maintain a
24 fleet of United States-documented cable vessels as author-
25 ized under chapter 532 of title 46, United States Code,

1 to meet the national security requirements of the United
2 States, \$10,000,000, to remain available until expended.

3 OPERATIONS AND TRAINING

4 For necessary expenses of operations and training ac-
5 tivities authorized by law, \$161,417,000: *Provided*, That
6 of the amounts made available under this heading—

7 (1) \$82,289,000, to remain available until Sep-
8 tember 30, 2022, shall be for the operations of the
9 United States Merchant Marine Academy;

10 (2) \$5,500,000, to remain available until ex-
11 pended, shall be for facilities maintenance and re-
12 pair, and equipment, at the United States Merchant
13 Marine Academy;

14 (3) \$3,000,000, to remain available until Sep-
15 tember 30, 2022, shall be for the Maritime Environ-
16 mental and Technical Assistance program authorized
17 under section 50307 of title 46, United States Code;
18 and

19 (4) \$14,775,000, to remain available until ex-
20 pended, shall be for the Short Sea Transportation
21 Program (America's Marine Highways) to make
22 grants for the purposes authorized under paragraphs
23 (1) and (3) of section 55601(b) of title 46, United
24 States Code:

1 *Provided further*, That not later than 120 days after the
2 date of enactment of this Act, the Administrator of the
3 Maritime Administration shall transmit to the House and
4 Senate Committees on Appropriations the annual report
5 on sexual assault and sexual harassment at the United
6 States Merchant Marine Academy as required pursuant
7 to section 3507 of the Duncan Hunter National Defense
8 Authorization Act for Fiscal Year 2009 (46 U.S.C. 51301
9 note): *Provided further*, That available balances under this
10 heading for the Short Sea Transportation Program
11 (America’s Marine Highways) from prior year recoveries
12 shall be available to carry out activities authorized under
13 paragraphs (1) and (3) of section 55601(b) of title 46,
14 United States Code: *Provided further*, That for amounts
15 made available under paragraphs (3) and (4) of the first
16 proviso, the Secretary of Transportation shall make grants
17 not later than 180 days after the date of enactment of
18 this Act in such amounts as the Secretary determines.

19 STATE MARITIME ACADEMY OPERATIONS

20 For necessary expenses of operations, support, and
21 training activities for State Maritime Academies,
22 \$431,700,000: *Provided*, That of the amounts made avail-
23 able under this heading—

24 (1) \$30,500,000, to remain available until ex-
25 pended, shall be for maintenance, repair, life exten-

1 sion, marine insurance, and capacity improvement of
2 National Defense Reserve Fleet training ships in
3 support of State Maritime Academies, of which
4 \$8,000,000, to remain available until expended, shall
5 be for expenses related to training mariners for costs
6 associated with training vessel sharing pursuant to
7 section 51504(g)(3) of title 46, United States Code,
8 for costs associated with mobilizing, operating, and
9 demobilizing the vessel, including travel costs for
10 students, faculty, and crew, the costs of the general
11 agent, crew costs, fuel, insurance, operational fees,
12 and vessel hire costs, as determined by the Sec-
13 retary;

14 (2) \$389,000,000, to remain available until ex-
15 pended, shall be for the National Security Multi-Mis-
16 sion Vessel Program, including funds for construc-
17 tion, planning, administration, and design of school
18 ships;

19 (3) \$2,400,000, to remain available until Sep-
20 tember 30, 2022, shall be for the Student Incentive
21 Program;

22 (4) \$3,800,000, to remain available until ex-
23 pended, shall be for training ship fuel assistance;
24 and

1 (5) \$6,000,000, to remain available until Sep-
2 tember 30, 2022, shall be for direct payments for
3 State Maritime Academies.

4 ASSISTANCE TO SMALL SHIPYARDS

5 To make grants to qualified shipyards as authorized
6 under section 54101 of title 46, United States Code,
7 \$20,000,000, to remain available until expended.

8 SHIP DISPOSAL

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

13 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For administrative expenses to carry out the guaran-
17 teed loan program, \$3,000,000, which shall be transferred
18 to and merged with the appropriations for “Maritime Ad-
19 ministration—Operations and Training”.

20 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

21 To make grants to improve port facilities as author-
22 ized under section 50302(c) of title 46, United States
23 Code, \$300,000,000, to remain available until expended:
24 *Provided*, That projects eligible for amounts made avail-
25 able under this heading shall be projects for coastal sea-

1 ports, inland river ports, or Great Lakes ports: *Provided*
2 *further*, That of the amounts made available under this
3 heading, not less than \$275,000,000 shall be for coastal
4 seaports or Great Lakes ports: *Provided further*, That the
5 Maritime Administration shall distribute amounts made
6 available under this heading as discretionary grants to
7 port authorities or commissions or their subdivisions and
8 agents under existing authority, as well as to a State or
9 political subdivision of a State or local government, a Trib-
10 al government, a public agency or publicly chartered au-
11 thority established by 1 or more States, a special purpose
12 district with a transportation function, a multistate or
13 multijurisdictional group of entities, or a lead entity de-
14 scribed above jointly with a private entity or group of pri-
15 vate entities: *Provided further*, That projects eligible for
16 amounts made available under this heading shall be de-
17 signed to improve the safety, efficiency, or reliability of
18 the movement of goods into, out of, around, or within a
19 port and located—

20 (1) within the boundary of a port, or

21 (2) outside the boundary of a port, and directly
22 related to port operations, or to an intermodal con-
23 nection to a port:

24 *Provided further*, That project awards eligible under this
25 heading shall be only for—

1 (1) port gate improvements;

2 (2) road improvements both within and con-
3 necting to the port;

4 (3) rail improvements both within and con-
5 necting to the port;

6 (4) berth improvements (including docks,
7 wharves, piers and dredging incidental to the im-
8 provement project);

9 (5) fixed landside improvements in support of
10 cargo operations (such as silos, elevators, conveyors,
11 container terminals, Ro/Ro structures including
12 parking garages necessary for intermodal freight
13 transfer, warehouses including refrigerated facilities,
14 lay-down areas, transit sheds, and other such facili-
15 ties);

16 (6) utilities necessary for safe operations (in-
17 cluding lighting, stormwater, and other such im-
18 provements that are incidental to a larger infrastruc-
19 ture project); or

20 (7) a combination of activities described above:

21 *Provided further*, That the Federal share of the costs for
22 which an amount is provided under this heading shall be
23 up to 80 percent: *Provided further*, That section
24 50302(c)(6)(B)(i) of title 46, United States Code, shall
25 not apply to amounts made available under this heading:

1 *Provided further*, That for grants awarded under this
2 heading, the minimum grant size shall be \$1,000,000:
3 *Provided further*, That for grant awards less than
4 \$10,000,000, the Secretary shall prioritize ports that han-
5 dled less than 10,000,000 short tons in 2017, as identified
6 by the Corps of Engineers: *Provided further*, That for
7 grant awards less than \$10,000,000, the Secretary may
8 increase the Federal share of costs above 80 percent: *Pro-*
9 *vided further*, That the proceeds of Federal credit assist-
10 ance under chapter 6 of title 23, United States Code, or
11 sections 501 through 504 of the Railroad and Revitaliza-
12 tion and Regulatory Reform Act of 1976 (Public Law 94-
13 210) shall be considered to be part of the non-Federal
14 share of project costs if the loan is repayable from non-
15 Federal funds, unless otherwise requested by the project
16 sponsor: *Provided further*, That not to exceed 2 percent
17 of the amounts made available under this heading shall
18 be available for necessary costs of grant administration.

19 ADMINISTRATIVE PROVISIONS—MARITIME

20 ADMINISTRATION

21 SEC. 170. Notwithstanding any other provision of
22 this Act, in addition to any existing authority, the Mari-
23 time Administration is authorized to furnish utilities and
24 services and make necessary repairs in connection with
25 any lease, contract, or occupancy involving Government

1 property under control of the Maritime Administration:
2 *Provided*, That payments received therefor shall be cred-
3 ited to the appropriation charged with the cost thereof and
4 shall remain available until expended: *Provided further*,
5 That rental payments under any such lease, contract, or
6 occupancy for items other than such utilities, services, or
7 repairs shall be deposited into the Treasury as miscella-
8 neous receipts.

9 SEC. 171. For fiscal year 2021, in addition to pay-
10 ments made pursuant to 53106 of title 46, United States
11 Code, the Secretary shall pay to the contractor for an op-
12 erating agreement entered into pursuant to chapter 531
13 of title 46, United States Code, for each vessel that is cov-
14 ered by such operating agreement as of the date of enact-
15 ment of this Act, an amount equal to \$500,000: *Provided*,
16 That payments authorized by this section shall be paid
17 not later than 60 days after the date of enactment of this
18 Act: *Provided further*, That any unobligated balances re-
19 maining from the amounts made available for payments
20 under the heading “Maritime Administration—Maritime
21 Security Program” in any prior Act may be used for such
22 payments.

1 PIPELINE AND HAZARDOUS MATERIALS SAFETY

2 ADMINISTRATION

3 OPERATIONAL EXPENSES

4 For necessary operational expenses of the Pipeline
5 and Hazardous Materials Safety Administration,
6 \$25,715,000, of which \$1,500,000 shall remain available
7 until September 30, 2023.

8 HAZARDOUS MATERIALS SAFETY

9 For expenses necessary to discharge the hazardous
10 materials safety functions of the Pipeline and Hazardous
11 Materials Safety Administration, \$62,000,000, to remain
12 available until September 30, 2023: *Provided*, That up to
13 \$800,000 in fees collected under section 5108(g) of title
14 49, United States Code, shall be deposited in the general
15 fund of the Treasury as offsetting receipts: *Provided fur-*
16 *ther*, That there may be credited to this appropriation, to
17 be available until expended, funds received from States,
18 counties, municipalities, other public authorities, and pri-
19 vate sources for expenses incurred for training, for reports
20 publication and dissemination, and for travel expenses in-
21 curred in performance of hazardous materials exemptions
22 and approvals functions.

1 PIPELINE SAFETY

2 (PIPELINE SAFETY FUND)

3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to carry out a pipeline safety
5 program, as authorized by section 60107 of title 49,
6 United States Code, and to discharge the pipeline program
7 responsibilities of the Oil Pollution Act of 1990 (Public
8 Law 101-380), \$173,000,000, to remain available until
9 September 30, 2023, of which \$23,000,000 shall be de-
10 rived from the Oil Spill Liability Trust Fund; of which
11 \$140,000,000 shall be derived from the Pipeline Safety
12 Fund; and of which \$10,000,000 shall be derived from
13 fees collected under section 60302 of title 49, United
14 States Code, and deposited in the Underground Natural
15 Gas Storage Facility Safety Account for the purpose of
16 carrying out section 60141 of title 49, United States Code:
17 *Provided*, That not less than \$1,058,000 of the amounts
18 made available under this heading shall be for the One-
19 Call State grant program.

20 EMERGENCY PREPAREDNESS GRANTS

21 (LIMITATION ON OBLIGATIONS)

22 (EMERGENCY PREPAREDNESS FUND)

23 For expenses necessary to carry out the Emergency
24 Preparedness Grants program, not more than
25 \$28,318,000 shall remain available until September 30,

1 2023, from amounts made available by section 5116(h)
2 and subsections (b) and (c) of section 5128 of title 49,
3 United States Code: *Provided*, That notwithstanding sec-
4 tion 5116(h)(4) of title 49, United States Code, not more
5 than 4 percent of the amounts made available from this
6 account shall be available to pay administrative costs: *Pro-*
7 *vided further*, That notwithstanding subsections (b) and
8 (c) of section 5128 of title 49, United States Code, and
9 the limitation on obligations provided under this heading,
10 prior year recoveries recognized in the current year shall
11 be available to develop and deliver hazardous materials
12 emergency response training for emergency responders, in-
13 cluding response activities for the transportation of crude
14 oil, ethanol, flammable liquids, and other hazardous com-
15 modities by rail, consistent with National Fire Protection
16 Association standards, and to make such training avail-
17 able through an electronic format: *Provided further*, That
18 the prior year recoveries made available under this head-
19 ing shall also be available to carry out sections
20 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e) of title 49,
21 United States Code.

22 OFFICE OF INSPECTOR GENERAL
23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the Inspector
25 General to carry out the provisions of the Inspector Gen-

1 eral Act of 1978, as amended, \$98,150,000: *Provided*,
2 That the Inspector General shall have all necessary au-
3 thority, in carrying out the duties specified in the Inspec-
4 tor General Act, as amended (5 U.S.C. App. 3), to inves-
5 tigate allegations of fraud, including false statements to
6 the government (18 U.S.C. 1001), by any person or entity
7 that is subject to regulation by the Department of Trans-
8 portation.

9 GENERAL PROVISIONS—DEPARTMENT OF
10 TRANSPORTATION

11 SEC. 180. (a) During the current fiscal year, applica-
12 ble appropriations to the Department of Transportation
13 shall be available for maintenance and operation of air-
14 craft; hire of passenger motor vehicles and aircraft; pur-
15 chase of liability insurance for motor vehicles operating
16 in foreign countries on official department business; and
17 uniforms or allowances therefor, as authorized by sections
18 5901 and 5902 of title 5, United States Code.

19 (b) During the current fiscal year, applicable appro-
20 priations to the Department and its operating administra-
21 tions shall be available for the purchase, maintenance, op-
22 eration, and deployment of unmanned aircraft systems
23 that advance the missions of the Department of Transpor-
24 tation or an operating administration of the Department
25 of Transportation.

1 (c) Any unmanned aircraft system purchased, pro-
2 cured, or contracted for by the Department prior to the
3 date of enactment of this Act shall be deemed authorized
4 by Congress as if this provision was in effect when the
5 system was purchased, procured, or contracted for.

6 SEC. 181. Appropriations contained in this Act for
7 the Department of Transportation shall be available for
8 services as authorized by section 3109 of title 5, United
9 States Code, but at rates for individuals not to exceed the
10 per diem rate equivalent to the rate for an Executive Level
11 IV.

12 SEC. 182. (a) No recipient of amounts made available
13 by this Act shall disseminate personal information (as de-
14 fined in section 2725(3) of title 18, United States Code)
15 obtained by a State department of motor vehicles in con-
16 nection with a motor vehicle record as defined in section
17 2725(1) of title 18, United States Code, except as pro-
18 vided in section 2721 of title 18, United States Code, for
19 a use permitted under section 2721 of title 18, United
20 States Code.

21 (b) Notwithstanding subsection (a), the Secretary
22 shall not withhold amounts made available by this Act for
23 any grantee if a State is in noncompliance with this provi-
24 sion.

1 SEC. 183. None of the funds made available by this
2 Act shall be available for salaries and expenses of more
3 than 125 political and Presidential appointees in the De-
4 partment of Transportation: *Provided*, That none of the
5 personnel covered by this provision may be assigned on
6 temporary detail outside the Department of Transpor-
7 tation.

8 SEC. 184. Funds received by the Federal Highway
9 Administration and Federal Railroad Administration from
10 States, counties, municipalities, other public authorities,
11 and private sources for expenses incurred for training may
12 be credited respectively to the Federal Highway Adminis-
13 tration's "Federal-Aid Highways" account and to the Fed-
14 eral Railroad Administration's "Safety and Operations"
15 account, except for State rail safety inspectors partici-
16 pating in training pursuant to section 20105 of title 49,
17 United States Code.

18 SEC. 185. (a) None of the funds made available by
19 this Act to the Department of Transportation may be used
20 to make a loan, loan guarantee, line of credit, cooperative
21 agreement, or discretionary grant unless the Secretary of
22 Transportation notifies the House and Senate Committees
23 on Appropriations not less than 3 full business days before
24 any project competitively selected to receive any discre-
25 tionary grant award, letter of intent, loan commitment,

1 loan guarantee commitment, line of credit commitment,
2 cooperative agreement, or full funding grant agreement is
3 announced by the Department or its operating administra-
4 tions: *Provided*, That the Secretary gives concurrent noti-
5 fication to the House and Senate Committees on Appro-
6 priations for any “quick release” of funds from the emer-
7 gency relief program: *Provided further*, That no notifica-
8 tion shall involve funds that are not available for obliga-
9 tion.

10 (b) In addition to the notification required in sub-
11 section (a), none of the funds made available by this Act
12 to the Department of Transportation may be used to make
13 a loan, loan guarantee, line of credit, cooperative agree-
14 ment, or discretionary grant unless the Secretary of
15 Transportation provides the House and Senate Commit-
16 tees on Appropriations a comprehensive list of all such
17 loans, loan guarantees, lines of credit, cooperative agree-
18 ments, or discretionary grants that will be announced not
19 less the 3 full business days before such announcement:
20 *Provided*, That the Department of Transportation shall
21 provide the list required in this subsection prior to the no-
22 tification required in subsection (a): *Provided further*,
23 That the requirement to provide a list in this subsection
24 does not apply to any “quick release” of funds from the

1 emergency relief program: *Provided further*, That no list
2 shall involve funds that are not available for obligation.

3 SEC. 186. Rebates, refunds, incentive payments,
4 minor fees, and other funds received by the Department
5 of Transportation from travel management centers,
6 charge card programs, the subleasing of building space,
7 and miscellaneous sources are to be credited to appropria-
8 tions of the Department of Transportation and allocated
9 to elements of the Department of Transportation using
10 fair and equitable criteria and such funds shall be avail-
11 able until expended.

12 SEC. 187. Amounts made available by this Act or any
13 prior Act that the Secretary determines represent im-
14 proper payments by the Department of Transportation to
15 a third-party contractor under a financial assistance
16 award, which are recovered pursuant to law, shall be avail-
17 able—

18 (1) to reimburse the actual expenses incurred
19 by the Department of Transportation in recovering
20 improper payments: *Provided*, That amounts made
21 available by this Act shall be available until ex-
22 pended; and

23 (2) to pay contractors for services provided in
24 recovering improper payments or contractor support
25 in the implementation of the Improper Payments In-

1 formation Act of 2002 (Public Law 107–300), as
2 amended by the Improper Payments Elimination
3 and Recovery Act of 2010 (Public Law 111–204)
4 and Improper Payments Elimination and Recovery
5 Improvement Act of 2012 (Public Law 112–248),
6 and Fraud Reduction and Data Analytics Act of
7 2015 (Public Law 114–186): *Provided*, That
8 amounts in excess of that required for paragraphs
9 (1) and (2)—

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

21 (B) if no such appropriation remains avail-
22 able, shall be deposited in the Treasury as mis-
23 cellaneous receipts: *Provided further*, That prior
24 to depositing such recovery in the Treasury, the
25 Secretary shall notify the House and Senate

1 Committees on Appropriations of the amount
2 and reasons for such transfer: *Provided further*,
3 That for purposes of this section, the term “im-
4 proper payments” has the same meaning as
5 that provided in section 2(e)(2) of the Improper
6 Payments Elimination and Recovery Act of
7 2010 (Public Law 111–204).

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

23 SEC. 189. Funds appropriated by this Act to the op-
24 erating administrations may be obligated for the Office of
25 the Secretary for the costs related to assessments or reim-

1 bursable agreements only when such amounts are for the
2 costs of goods and services that are purchased to provide
3 a direct benefit to the applicable operating administration
4 or administrations.

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

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

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

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

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

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

14 SEC. 192. The Secretary of Transportation shall co-
15 ordinate with the Secretary of Homeland Security to en-
16 sure that best practices for Industrial Control Systems
17 Procurement are up-to-date and shall ensure that systems
18 procured with funds provided under this title were pro-
19 cured using such practices.

20 SEC. 193. Notwithstanding the Department of Trans-
21 portation Appropriations Act, 2010 (Public Law 111-
22 117), de-obligated funds associated with Cooperative
23 Agreement No. FR-HSR-0118-12-01-01 may not be made
24 available for any purpose, including award, transfer, or ob-

1 ligation to any other program or recipient, until the final
2 determination of any litigation concerning such funds.

3 SEC. 194. None of the funds made available by this
4 Act shall be available to consolidate governmental affairs
5 activities across the Department of Transportation in the
6 Office of Governmental Affairs in the Office of the Sec-
7 retary or public affairs activities across the Department
8 of Transportation in the Office of Public Affairs in the
9 Office of the Secretary: *Provided*, That the operating ad-
10 ministrations of the Department of Transportation shall
11 not transfer personnel to the Office of Governmental Af-
12 fairs in the Office of the Secretary or the Office of Public
13 Affairs in the Office of the Secretary.

14 This title may be cited as the “Department of Trans-
15 portation Appropriations Act, 2021”.

16 TITLE II

17 DEPARTMENT OF HOUSING AND URBAN

18 DEVELOPMENT

19 MANAGEMENT AND ADMINISTRATION

20 EXECUTIVE OFFICES

21 For necessary salaries and expenses for Executive Of-
22 fices, which shall be comprised of the offices of the Sec-
23 retary, Deputy Secretary, Adjudicatory Services, Congres-
24 sional and Intergovernmental Relations, Public Affairs,
25 Small and Disadvantaged Business Utilization, and the

1 Center for Faith-Based and Neighborhood Partnerships,
2 \$15,000,000, to remain available until September 30,
3 2022: *Provided*, That not to exceed \$20,000 of the amount
4 made available under this heading shall be available to the
5 Secretary for official reception and representation ex-
6 penses as the Secretary of Housing and Urban Develop-
7 ment (in this title “the Secretary”) may determine: *Pro-*
8 *vided further*, That the Secretary shall issue the report re-
9 quired by House Report 114-129 not later than 30 days
10 after the date of enactment of this Act: *Provided further*,
11 that such report shall include (1) the Department’s strat-
12 egy for continuing to ensure that lesbian, gay, bisexual,
13 and transgender individuals have access to Department of
14 Housing and Urban Development (in this title the “De-
15 partment” or “HUD”) programs for which they are eligi-
16 ble, to be provided by the Office of Fair Housing and
17 Equal Opportunity; and (2) the plan for disseminating
18 this information to public housing agencies, to be provided
19 by the Office of Public and Indian Housing: *Provided fur-*
20 *ther*, That the amount made available under this heading
21 for the “Office of the Secretary” shall be reduced by
22 \$10,000 for each day after the date that is 30 days after
23 enactment of this Act that such report has not been sub-
24 mitted to the Congress.

1 ADMINISTRATIVE SUPPORT OFFICES

2 For necessary salaries and expenses for Administra-
3 tive Support Offices, \$600,000,000, to remain available
4 until September 30, 2022: *Provided*, That of the amounts
5 made available under this heading—

6 (1) not to exceed \$71,576,000 shall be available
7 for the Office of the Chief Financial Officer;

8 (2) not to exceed \$109,044,000 shall be avail-
9 able for the Office of the General Counsel, of which
10 not less than \$18,700,000 shall be for the Depart-
11 mental Enforcement Center;

12 (3) not to exceed \$286,258,000 shall be avail-
13 able for the Office of the Assistant Secretary for Ad-
14 ministration, of which not less than \$20,000,000
15 shall be for modernizing the Weaver Building and
16 space consolidation, to remain available until Sep-
17 tember 30, 2023;

18 (4) not to exceed \$65,200,000 shall be available
19 for the Office of Field Policy and Management;

20 (5) not to exceed \$4,535,000 shall be available
21 for the Office of Departmental Equal Employment
22 Opportunity; and

23 (6) not less than \$63,387,000 shall be available
24 for the Office of the Chief Information Officer:

1 *Provided further*, That funds made available under this
2 heading may be used for necessary administrative and
3 non-administrative expenses of the Department, not other-
4 wise provided for, including purchase of uniforms, or al-
5 lowances therefor, as authorized by sections 5901 and
6 5902 of title 5, United States Code; hire of passenger
7 motor vehicles; and services as authorized by section 3109
8 of title 5, United States Code: *Provided further*, That not-
9 withstanding any other provision of law, funds appro-
10 priated under this heading may be used for advertising
11 and promotional activities that directly support program
12 activities funded in this title: *Provided further*, That the
13 Secretary shall provide the House and Senate Committees
14 on Appropriations quarterly written notification regarding
15 the status of pending congressional reports: *Provided fur-*
16 *ther*, That the Secretary shall provide in electronic form
17 all signed reports required by Congress: *Provided further*,
18 That none of the funds made available under this heading
19 for the Office of the Chief Financial Officer for the finan-
20 cial transformation initiative shall be available for obliga-
21 tion until after the Secretary publishes the necessary ad-
22 ministrative requirements for amounts made available to
23 provide enhanced or improved electrical power systems
24 under the heading “Department of Housing and Urban
25 Development—Community Development Fund” in Public

1 Law 115-123: *Provided further*, That only after the terms
2 and conditions of the preceding proviso have been met,
3 not more than 10 percent of the funds made available
4 under this heading for the Office of the Chief Financial
5 Officer for the financial transformation initiative may be
6 obligated until the Secretary submits to the House and
7 Senate Committees on Appropriations, for approval, a
8 plan for expenditure that includes the financial and inter-
9 nal control capabilities to be delivered and the mission
10 benefits to be realized, key milestones to be met, and the
11 relationship between the proposed use of funds made avail-
12 able under this heading and the projected total cost and
13 scope of the initiative.

14 PROGRAM OFFICES

15 For necessary salaries and expenses for Program Of-
16 fices, \$909,595,000, to remain available until September
17 30, 2022: *Provided*, That of the amounts made available
18 under this heading—

19 (1) not to exceed \$245,000,000 shall be avail-
20 able for the Office of Public and Indian Housing;

21 (2) not to exceed \$138,290,000 shall be avail-
22 able for the Office of Community Planning and De-
23 velopment;

24 (3) not to exceed \$400,000,000 shall be avail-
25 able for the Office of Housing, of which not less

1 than \$12,300,000 shall be for the Office of Recapi-
2 talization;

3 (4) not to exceed \$35,443,000 shall be available
4 for the Office of Policy Development and Research;

5 (5) not less than \$81,000,000 shall be available
6 for the Office of Fair Housing and Equal Oppor-
7 tunity; and

8 (6) not less than \$9,862,000 shall be available
9 for the Office of Lead Hazard Control and Healthy
10 Homes.

11 WORKING CAPITAL FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For the working capital fund for the Department
14 (“the Fund”), pursuant, in part, to section 7(f) of the De-
15 partment of Housing and Urban Development Act (42
16 U.S.C. 3535(f)), amounts transferred to the Fund under
17 this heading, including reimbursements pursuant to sec-
18 tion 7(f), shall be available only for Federal shared serv-
19 ices used by offices and agencies of the Department, and
20 for any such portion of any office or agency’s information
21 technology customer devices and support; talent manage-
22 ment; printing; records management; space renovation;
23 furniture; or supply services the Secretary has determined
24 shall be provided through the Fund, and for the oper-
25 ational expenses of the Fund: *Provided*, That amounts

1 from the Fund shall not be available to provide services
2 not specifically authorized under this heading: *Provided*
3 *further*, That upon a determination by the Secretary that
4 any other service (or portion thereof) authorized under
5 this heading shall be provided through the Fund, amounts
6 made available under this title for salaries and expenses
7 under the headings “Executive Offices”, “Administrative
8 Support Offices”, “Program Offices”, and “Government
9 National Mortgage Association”, for such services shall be
10 transferred to the Fund, to remain available until ex-
11 pended: *Provided further*, That the Secretary shall notify
12 the House and Senate Committees on Appropriations of
13 its plans for executing such transfers at least 15 days in
14 advance of such transfers: *Provided further*, That the Sec-
15 retary may transfer not to exceed an additional
16 \$10,000,000, in aggregate, from all such appropriations,
17 to be merged with the Fund and to remain available until
18 expended for any purpose under this heading.

19 PUBLIC AND INDIAN HOUSING

20 TENANT-BASED RENTAL ASSISTANCE

21 For activities and assistance for the provision of ten-
22 ant-based rental assistance authorized under the United
23 States Housing Act of 1937, as amended (42 U.S.C. 1437
24 et seq.) (in this title “the Act”), not otherwise provided
25 for, \$25,739,312,000, to remain available until expended,

1 which shall be available on October 1, 2020 (in addition
2 to the \$4,000,000,000 previously appropriated under this
3 heading that shall be available on October 1, 2020), and
4 \$4,000,000,000, to remain available until expended, which
5 shall be available on October 1, 2021: *Provided*, That the
6 amounts made available under this heading are provided
7 as follows:

8 (1) \$22,852,000,000 shall be for renewals of
9 expiring section 8 tenant-based annual contributions
10 contracts (including renewals of enhanced vouchers
11 under any provision of law authorizing such assist-
12 ance under section 8(t) of the Act and as authorized
13 under 613(b) of the Cranston-Gonzales National Af-
14 fordable Housing Act (12 U.S.C. 4125(b))) and in-
15 cluding renewal of other special purpose incremental
16 vouchers: *Provided*, That notwithstanding any other
17 provision of law, from amounts provided under this
18 paragraph and any carryover, the Secretary shall for
19 the calendar year 2021 funding cycle, provide re-
20 newal funding for each public housing agency based
21 on validated voucher management system (VMS)
22 leasing and cost data for the prior calendar year and
23 by applying an inflation factor as established by the
24 Secretary, by notice published in the Federal Reg-
25 ister, and by making any necessary adjustments for

1 the costs associated with the first-time renewal of
2 vouchers under this paragraph including tenant pro-
3 tection and Choice Neighborhoods vouchers: *Pro-*
4 *vided further*, That none of the funds provided under
5 this paragraph may be used to fund a total number
6 of unit months under lease that exceeds a public
7 housing agency’s authorized level of units under con-
8 tract, except for public housing agencies partici-
9 pating in the Moving to Work (in this title “MTW”)
10 demonstration, which shall instead be governed by
11 the terms and conditions of their MTW agreements:
12 *Provided further*, That the Secretary shall, to the ex-
13 tent necessary not to exceed the amount specified
14 under this paragraph (except as otherwise modified
15 under this paragraph), prorate each public housing
16 agency’s allocation otherwise established pursuant to
17 this paragraph: *Provided further*, That except as
18 provided in the succeeding provisos, the entire
19 amount specified under this paragraph (except as
20 otherwise modified under this paragraph) shall be
21 obligated to the public housing agencies based on the
22 allocation and pro rata method described above, and
23 the Secretary shall notify public housing agencies of
24 their annual budgets by the latter of 60 days after
25 enactment of this Act or March 1, 2021: *Provided*

1 *further*, That the Secretary may extend the notifica-
2 tion period under the preceding proviso with the
3 prior written approval of the House and Senate
4 Committees on Appropriations: *Provided further*,
5 That public housing agencies participating in the
6 MTW demonstration shall be funded pursuant to
7 their MTW agreements and shall be subject to the
8 same pro rata adjustments under the preceding pro-
9 visos: *Provided further*, That the Secretary may off-
10 set public housing agencies' calendar year 2021 allo-
11 cations based on the excess amounts of public hous-
12 ing agencies' net restricted assets accounts, includ-
13 ing HUD-held programmatic reserves (in accordance
14 with VMS data in calendar year 2020 that is
15 verifiable and complete), as determined by the Sec-
16 retary: *Provided further*, That public housing agen-
17 cies participating in the MTW demonstration shall
18 also be subject to the offset, as determined by the
19 Secretary, excluding amounts subject to the single
20 fund budget authority provisions of their MTW
21 agreements, from the agencies' calendar year 2021
22 MTW funding allocation: *Provided further*, That the
23 Secretary shall use any offset referred to in the pre-
24 ceding two provisos throughout the calendar year to
25 prevent the termination of rental assistance for fam-

1 ilies as the result of insufficient funding, as deter-
2 mined by the Secretary, and to avoid or reduce the
3 proration of renewal funding allocations: *Provided*
4 *further*, That up to \$100,000,000 shall be available
5 only: (A) for adjustments in the allocations for pub-
6 lic housing agencies, after application for an adjust-
7 ment by a public housing agency that experienced a
8 significant increase, as determined by the Secretary,
9 in renewal costs of vouchers resulting from unfore-
10 seen circumstances or from portability under section
11 8(r) of the Act; (B) for vouchers that were not in
12 use during the previous 12-month period in order to
13 be available to meet a commitment pursuant to sec-
14 tion 8(o)(13) of the Act; (C) for adjustments for
15 costs associated with HUD-Veterans Affairs Sup-
16 portive Housing (HUD-VASH) vouchers under sec-
17 tion 8(o)(19) of the Act; (D) for public housing
18 agencies that despite taking reasonable cost savings
19 measures, as determined by the Secretary, would
20 otherwise be required to terminate rental assistance
21 for families as a result of insufficient funding; (E)
22 for adjustments in the allocations for public housing
23 agencies that (i) are leasing a lower-than-average
24 percentage of their authorized vouchers, (ii) have low
25 amounts of budget authority in their net restricted

1 assets accounts and HUD-held programmatic re-
2 serves, relative to other agencies, and (iii) are not
3 participating in the Moving to Work demonstration,
4 to enable such agencies to lease more vouchers; and
5 (F) for public housing agencies that have experi-
6 enced increased costs or loss of units in an area for
7 which the President declared a disaster under title
8 IV of the Robert T. Stafford Disaster Relief and
9 Emergency Assistance Act (42 U.S.C. 5170 et seq.):
10 *Provided further*, That the Secretary shall allocate
11 amounts under the preceding proviso based on need,
12 as determined by the Secretary;

13 (2) \$125,000,000 shall be for section 8 rental
14 assistance for relocation and replacement of housing
15 units that are demolished or disposed of pursuant to
16 section 18 of the Act, conversion of section 23
17 projects to assistance under section 8, the family
18 unification program under section 8(x) of the Act,
19 relocation of witnesses in connection with efforts to
20 combat crime in public and assisted housing pursu-
21 ant to a request from a law enforcement or prosecu-
22 tion agency, enhanced vouchers under any provision
23 of law authorizing such assistance under section 8(t)
24 of the Act, Choice Neighborhood vouchers, manda-
25 tory and voluntary conversions, and tenant protec-

1 tion assistance including replacement and relocation
2 assistance or for project-based assistance to prevent
3 the displacement of unassisted elderly tenants cur-
4 rently residing in properties financed under section
5 202 of the Housing Act of 1959 (12 U.S.C. 1701q)
6 between 1959 and 1974 that are refinanced pursu-
7 ant to Public Law 106-569 or under the authority
8 as provided under this Act: *Provided*, That when a
9 public housing development is submitted for demoli-
10 tion or disposition under section 18 of the Act, the
11 Secretary may provide section 8 rental assistance
12 when the units pose an imminent health and safety
13 risk to residents: *Provided further*, That the Sec-
14 retary may only provide replacement vouchers for
15 units that were occupied within the previous 24
16 months that cease to be available as assisted hous-
17 ing, subject only to the availability of funds: *Pro-*
18 *vided further*, That of the amounts provided in this
19 paragraph, at least \$5,000,000 may be available to
20 provide tenant protection assistance, not otherwise
21 provided under this paragraph, to residents residing
22 in low vacancy areas and who may have to pay rents
23 greater than 30 percent of household income, as the
24 result of: (A) the maturity of a HUD-insured, HUD-
25 held, or section 202 loan that requires the permis-

1 sion of the Secretary prior to loan prepayment; (B)
2 the expiration of a rental assistance contract for
3 which the tenants are not eligible for enhanced
4 voucher or tenant protection assistance under exist-
5 ing law; or (C) the expiration of affordability restric-
6 tions accompanying a mortgage or preservation pro-
7 gram administered by the Secretary: *Provided fur-*
8 *ther*, That such tenant protection assistance made
9 available under the preceding proviso may be pro-
10 vided under the authority of section 8(t) or section
11 8(o)(13) of the United States Housing Act of 1937
12 (42 U.S.C. 1437f(t), (o)(13)): *Provided further*, That
13 the Secretary shall issue guidance to implement the
14 preceding provisos, including requirements for defin-
15 ing eligible at-risk households within 60 days of the
16 enactment of this Act: *Provided further*, That any
17 tenant protection voucher made available from
18 amounts provided in this paragraph shall not be re-
19 issued by any public housing agency, except the re-
20 placement vouchers as defined by the Secretary by
21 notice, when the initial family that received any such
22 voucher no longer receives such voucher, and the au-
23 thority for any public housing agency to issue any
24 such voucher shall terminate: *Provided further*, That
25 the Secretary may provide section 8 rental assist-

1 ance from amounts provided in this paragraph for
2 units assisted under a project-based subsidy contract
3 funded under the “Project-Based Rental Assistance”
4 heading under this title if the owner has received a
5 Notice of Default and the units pose an imminent
6 health and safety risk to residents: *Provided further*,
7 That to the extent that the Secretary determines
8 that such units are not feasible for continued rental
9 assistance payments or transfer of the subsidy con-
10 tract associated with such units to another project
11 or projects and owner or owners, any remaining
12 amounts associated with such units under such con-
13 tract shall be recaptured and used to reimburse
14 amounts used under this paragraph for rental assist-
15 ance under the preceding proviso;

16 (3) \$2,154,812,000 shall be for administrative
17 and other expenses of public housing agencies in ad-
18 ministering the section 8 tenant-based rental assist-
19 ance program, of which up to \$30,000,000 shall be
20 available to the Secretary to allocate to public hous-
21 ing agencies that need additional funds to admin-
22 ister their section 8 programs, including fees associ-
23 ated with section 8 tenant protection rental assist-
24 ance, the administration of disaster related vouchers,
25 HUD-VASH vouchers, and other special purpose in-

1 incremental vouchers: *Provided*, That not less than
2 \$2,124,812,000 of the amount provided in this para-
3 graph shall be allocated to public housing agencies
4 for the calendar year 2021 funding cycle based on
5 section 8(q) of the Act (and related appropriation
6 Act provisions) as in effect immediately before the
7 enactment of the Quality Housing and Work Re-
8 sponsibility Act of 1998 (Public Law 105-276): *Pro-*
9 *vided further*, That if the amounts provided in this
10 paragraph are insufficient to pay the amounts deter-
11 mined under the preceding proviso, the Secretary
12 may decrease the amounts allocated to agencies by
13 a uniform percentage applicable to all agencies re-
14 ceiving funding under this paragraph or may, to the
15 extent necessary to provide full payment of amounts
16 determined under the preceding proviso, utilize un-
17 obligated balances, including recaptures and
18 carryovers, remaining from funds appropriated to
19 the Department of Housing and Urban Development
20 under this heading from prior fiscal years, excluding
21 special purpose vouchers, notwithstanding the pur-
22 poses for which such amounts were appropriated:
23 *Provided further*, That all public housing agencies
24 participating in the MTW demonstration shall be
25 funded pursuant to their MTW agreements, and

1 shall be subject to the same uniform percentage de-
2 crease as under the preceding proviso: *Provided fur-*
3 *ther*, That amounts provided in this paragraph shall
4 be only for activities related to the provision of ten-
5 ant-based rental assistance authorized under section
6 8, including related development activities;

7 (4) \$310,000,000 shall be for the renewal of
8 tenant-based assistance contracts under section 811
9 of the Cranston-Gonzalez National Affordable Hous-
10 ing Act (42 U.S.C. 8013), including necessary ad-
11 ministrative expenses: *Provided*, That administrative
12 and other expenses of public housing agencies in ad-
13 ministering the special purpose vouchers under this
14 paragraph shall be funded under the same terms
15 and be subject to the same pro rata reduction as the
16 percent decrease for administrative and other ex-
17 penses to public housing agencies under paragraph
18 (3) of this heading: *Provided further*, That up to
19 \$10,000,000 shall be available only (A) for adjust-
20 ments in the allocations for public housing agencies,
21 after applications for such an adjustment by a public
22 housing agency that experienced a significant in-
23 crease, as determined by the Secretary, in Main-
24 stream renewal costs resulting from unforeseen cir-
25 cumstances, and (B) for public housing agencies

1 that despite taking reasonable cost saving measures,
2 as determined by the Secretary, would otherwise be
3 required to terminate the rental assistance for Main-
4 stream families as a result of insufficient funding:
5 *Provided further*, That the Secretary shall allocate
6 amounts under the preceding proviso based on need,
7 as determined by the Secretary: *Provided further*,
8 That upon turnover, section 811 special purpose
9 vouchers funded under this heading in this or prior
10 Acts, or under any other heading in prior Acts, shall
11 be available for non-elderly persons with disabilities;

12 (5) \$2,500,000 shall be for rental assistance
13 and associated administrative fees for the Tribal
14 HUD-VASH program to serve Native American vet-
15 erans that are homeless or at-risk of homelessness
16 living on or near a reservation or other Indian areas:
17 *Provided*, That amounts provided in this paragraph
18 shall be made available for renewal grants to recipi-
19 ents that received assistance under prior Acts under
20 the Tribal HUD-VASH program: *Provided further*,
21 That the Secretary may specify criteria for renewal
22 grants, including data on the utilization of assist-
23 ance reported by grant recipients: *Provided further*,
24 That such assistance shall be administered in ac-
25 cordance with program requirements under the Na-

1 tive American Housing Assistance and Self-Deter-
2 mination Act of 1996 (25 U.S.C. 4101 et seq.) and
3 modeled after the HUD–VASH program: *Provided*
4 *further*, That the Secretary may waive, or specify al-
5 ternative requirements for, any provision of any stat-
6 ute or regulation that the Secretary administers in
7 connection with the use of amounts provided in this
8 paragraph (except for requirements related to fair
9 housing, nondiscrimination, labor standards, and the
10 environment), upon a finding by the Secretary that
11 any such waivers or alternative requirements are
12 necessary for the effective delivery and administra-
13 tion of such assistance: *Provided further*, That grant
14 recipients shall report to the Secretary on utilization
15 of such rental assistance and other program data, as
16 prescribed by the Secretary: *Provided further*, That
17 the Secretary may reallocate, as determined by the
18 Secretary, amounts returned or recaptured from
19 awards under the Tribal HUD-VASH program
20 under prior Acts to existing recipients under the
21 Tribal HUD-VASH program;

22 (6) \$20,000,000 shall be for incremental rental
23 voucher assistance for use through a supported
24 housing program administered in conjunction with
25 the Department of Veterans Affairs as authorized

1 under section 8(o)(19) of the United States Housing
2 Act of 1937: *Provided*, That the Secretary shall
3 make such funding available, notwithstanding sec-
4 tion 203 of this title (competition provision), to pub-
5 lic housing agencies that partner with eligible VA
6 Medical Centers or other entities as designated by
7 the Secretary of the Department of Veterans Affairs,
8 based on geographical need for such assistance as
9 identified by the Secretary of Veterans Affairs, pub-
10 lic housing agency administrative performance, and
11 other factors as specified by the Secretary of Hous-
12 ing and Urban Development in consultation with the
13 Secretary of Veterans Affairs: *Provided further*, That
14 the Secretary of Housing and Urban Development
15 may waive, or specify alternative requirements for
16 (in consultation with the Secretary of Veterans Af-
17 fairs), any provision of any statute or regulation
18 that the Secretary of Housing and Urban Develop-
19 ment administers in connection with the use of
20 funds provided in this paragraph (except for require-
21 ments related to fair housing, nondiscrimination,
22 labor standards, and the environment), upon a find-
23 ing by the Secretary that any such waivers or alter-
24 native requirements are necessary for the effective
25 delivery and administration of such voucher assist-

1 ance: *Provided further*, That assistance made avail-
2 able under this paragraph shall continue to remain
3 available for homeless veterans upon turnover;

4 (7) \$25,000,000 shall be for the family unifica-
5 tion program authorized under section 8(x) of the
6 Act: *Provided*, That the amounts provided in this
7 paragraph shall be provided as follows:

8 (A) \$5,000,000 shall be for new incre-
9 mental voucher assistance: *Provided*, That the
10 assistance made available under this subpara-
11 graph shall continue to remain available for
12 family unification upon turnover; and

13 (B) \$20,000,000 shall be for new incre-
14 mental voucher assistance to assist eligible
15 youths as defined by such section 8(x)(2)(B):
16 *Provided*, That assistance made available under
17 this subparagraph shall continue to remain
18 available for such eligible youths upon turnover:
19 *Provided further*, That of the total amount
20 made available under this subparagraph, up to
21 \$10,000,000 shall be available on a noncompeti-
22 tive basis to public housing agencies that part-
23 ner with public child welfare agencies to iden-
24 tify such eligible youths, that request such as-
25 sistance to timely assist such eligible youths,

1 and that meet any other criteria as specified by
2 the Secretary: *Provided further*, That the Sec-
3 retary shall review utilization of the assistance
4 made available under the preceding proviso, at
5 an interval to be determined by the Secretary,
6 and unutilized voucher assistance that is no
7 longer needed shall be recaptured by the Sec-
8 retary and reallocated pursuant to the pre-
9 ceding proviso: *Provided further*, That for any
10 public housing agency administering voucher
11 assistance appropriated in a prior Act under the
12 family unification program, or made available
13 and competitively selected under this para-
14 graph, that determines that it no longer has an
15 identified need for such assistance upon turn-
16 over, such agency shall notify the Secretary,
17 and the Secretary shall recapture such assist-
18 ance from the agency and reallocate it to any
19 other public housing agency or agencies based
20 on need for voucher assistance in connection
21 with such specified program or eligible youths,
22 as applicable; and
23 (8) \$250,000,000 shall be for incremental rent-
24 al voucher assistance under section 8(o) of the
25 United States Housing Act of 1937 for use by indi-

1 viduals and families who are homeless, as defined in
2 section 103(a) of the McKinney-Vento Homeless As-
3 sistance Act (42 U.S.C. 11302(a)), at risk of home-
4 lessness, as defined in section 401(1) of the McKin-
5 ney-Vento Homeless Assistance Act (42 U.S.C.
6 11360(1)), or fleeing, or attempting to flee, domestic
7 violence, dating violence, sexual assault, or stalking
8 or for veterans and families that include a veteran
9 family member: *Provided*, That of such amount not
10 less than \$40,000,000 shall be available for individ-
11 uals and families who are fleeing, or attempting to
12 flee, domestic violence, dating violence, sexual as-
13 sault, or stalking, and not less than \$40,000,000
14 shall be available for veterans and families that in-
15 clude a veteran family member: *Provided further*,
16 That the Secretary shall make such funding avail-
17 able, notwithstanding section 203 of this title (com-
18 petition provision) to public housing agencies that
19 partner with eligible Continuums of Care or other
20 entities as designated by the Secretary, based on
21 geographical need of such assistance, public housing
22 agency administrative performance, and other fac-
23 tors as specified by the Secretary: *Provided further*,
24 That, the Secretary shall give preference to appli-
25 cants that demonstrate a strategy to coordinate as-

1 sistance with services available in the community:
2 *Provided further*, That the Secretary may waive, or
3 specify alternative requirements for, any provision or
4 statute or regulation that the Secretary administers
5 in connection with the use of funds made available
6 under this paragraph (except for requirements re-
7 lated to fair housing, nondiscrimination, labor stand-
8 ards, and the environment) upon a finding by the
9 Secretary that any such waivers or alternative re-
10 quirements are necessary for the effective delivery
11 and administration of such voucher assistance: *Pro-*
12 *vided further*, That none of the funds provided in
13 this paragraph may be used to require people experi-
14 encing homelessness to receive treatment or perform
15 any other prerequisite activities as a condition for
16 receiving shelter, housing or other services: *Provided*
17 *further*, That the Secretary shall issue guidance to
18 implement the preceding proviso.

19 The Secretary shall separately track all special purpose
20 vouchers funded under this heading.

21 HOUSING CERTIFICATE FUND

22 (INCLUDING RESCISSIONS)

23 Unobligated balances, including recaptures and car-
24 ryover, remaining from funds appropriated to the Depart-
25 ment of Housing and Urban Development under this

1 heading, the heading “Annual Contributions for Assisted
2 Housing” and the heading “Project-Based Rental Assist-
3 ance”, for fiscal year 2021 and prior years may be used
4 for renewal of or amendments to section 8 project-based
5 contracts and for performance-based contract administra-
6 tors, notwithstanding the purposes for which such funds
7 were appropriated: *Provided*, That any obligated balances
8 of contract authority from fiscal year 1974 and prior fiscal
9 years that have been terminated shall be rescinded: *Pro-*
10 *vided further*, That amounts heretofore recaptured, or re-
11 captured during the current fiscal year, from section 8
12 project-based contracts from source years fiscal year 1975
13 through fiscal year 1987 are hereby rescinded, and an
14 amount of additional new budget authority, equivalent to
15 the amount rescinded is hereby appropriated, to remain
16 available until expended, for the purposes set forth under
17 this heading, in addition to amounts otherwise available.

18 PUBLIC HOUSING CAPITAL FUND

19 For the Public Housing Capital Fund Program to
20 carry out capital and management activities for public
21 housing agencies, as authorized under section 9 of the Act
22 (42 U.S.C. 1437g) \$3,180,000,000, to remain available
23 until September 30, 2024: *Provided*, That notwithstanding
24 any other provision of law or regulation, during fiscal year
25 2021, the Secretary may not delegate to any Department

1 official other than the Deputy Secretary and the Assistant
2 Secretary for Public and Indian Housing any authority
3 under paragraph (2) of section 9(j) regarding the exten-
4 sion of the time periods under such section: *Provided fur-*
5 *ther*, That for purposes of such section 9(j), the term “ob-
6 ligate” means, with respect to amounts, that the amounts
7 are subject to a binding agreement that will result in out-
8 lays, immediately or in the future: *Provided further*, That
9 of the total amount made available under this heading,
10 up to \$23,000,000 shall be to support ongoing public
11 housing financial and physical assessment activities: *Pro-*
12 *vided further*, That of the total amount made available
13 under this heading, up to \$1,000,000 shall be to support
14 the costs of administrative and judicial receiverships: *Pro-*
15 *vided further*, That of the total amount provided under
16 this heading, not to exceed \$74,650,000 shall be available
17 for the Secretary to make grants, notwithstanding section
18 203 of this Act, to public housing agencies for emergency
19 capital needs including safety and security measures nec-
20 essary to address crime and drug-related activity and
21 needs resulting from unforeseen or unpreventable emer-
22 gencies and natural disasters excluding Presidentially de-
23 clared emergencies and natural disasters under the Robert
24 T. Stafford Disaster Relief and Emergency Act (42 U.S.C.
25 5121 et seq.) occurring in fiscal year 2021, of which

1 \$34,650,000 shall be available for public housing agencies
2 under administrative and judicial receiverships or under
3 the control of a Federal monitor: *Provided further*, That
4 of the amount made available under the preceding proviso,
5 not less than \$20,000,000 shall be for safety and security
6 measures: *Provided further*, That in addition to the
7 amount in the preceding proviso for such safety and secu-
8 rity measures, any amounts that remain available, after
9 all applications received on or before September 30, 2022,
10 for emergency capital needs have been processed, shall be
11 allocated to public housing agencies for such safety and
12 security measures: *Provided further*, That with respect to
13 amounts made available under this heading, the limitation
14 in section 9(g)(1) of the Act shall be applied by sub-
15 stituting 25 percent for the percentage specified in such
16 section: *Provided further*, That the Secretary may waive
17 the limitation in the preceding proviso to allow public
18 housing agencies to fund activities authorized under sec-
19 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
20 retary shall notify public housing agencies requesting
21 waivers under the preceding proviso if the request is ap-
22 proved or denied within 14 days of submitting the request:
23 *Provided further*, That from the funds made available
24 under this heading, the Secretary shall provide bonus
25 awards in fiscal year 2021 to public housing agencies that

1 are designated high performers: *Provided further*, That the
2 Department shall notify public housing agencies of their
3 formula allocation within 60 days of enactment of this Act:
4 *Provided further*, That of the total amount provided under
5 this heading, \$125,000,000 shall be for competitive grants
6 to public housing agencies to evaluate and reduce lead-
7 based paint hazards and other housing-related hazards in-
8 cluding carbon monoxide (including for activities sup-
9 porting the installation and replacement of carbon mon-
10 oxide alarms or of combination smoke detector-carbon
11 monoxide alarm devices) and mold in public housing: *Pro-*
12 *vided further*, That of the amounts available under the pre-
13 ceding proviso, not less than \$25,000,000 shall be for
14 competitive grants to public housing agencies to evaluate
15 and reduce lead-based paint hazards in public housing by
16 carrying out the activities of risk assessments, abatement,
17 and interim controls (as those terms are defined in section
18 1004 of the Residential Lead-Based Paint Hazard Reduc-
19 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further*,
20 That of the total amount made available under this head-
21 ing, up to \$30,000,000 shall be available until September
22 30, 2023 for competitive grants to public housing agencies
23 (in this title “PHAs”), including agencies participating in
24 the MTW demonstration, for full lead service line replace-
25 ment, with eligibility limited to PHAs where the relevant

1 public water system will undergo or has recently under-
2 taken a comprehensive water main replacement program:
3 *Provided further*, That for purposes of environmental re-
4 view, a grant under the preceding three provisos shall be
5 considered funds for projects or activities under title I of
6 the United States Housing Act of 1937 (42 U.S.C. 1437
7 et seq.) for purposes of section 26 of such Act (42 U.S.C.
8 1437x) and shall be subject to the regulations imple-
9 menting such section: *Provided further*, That for funds
10 made available under the preceding four provisos, the Sec-
11 retary shall allow a PHA to apply for up to 20 percent
12 of the funds made available under the first two of such
13 provisos and prioritize need when awarding grants: *Pro-*
14 *vided further*, That \$5,000,000 of the amounts made avail-
15 able under this heading shall be for a radon testing and
16 mitigation resident safety demonstration program (the
17 radon demonstration) in public housing: *Provided further*,
18 That the testing method, mitigation method, or action
19 level used under the radon demonstration shall be as speci-
20 fied by applicable State or local law, if such law is more
21 protective of human health or the environment than the
22 method or level specified by the Secretary: *Provided fur-*
23 *ther*, That \$25,000,000 of the amounts made available
24 under this heading shall be for competitive grants to pub-

1 lic housing agencies for the installation of automatic sprin-
2 kler systems.

3 PUBLIC HOUSING OPERATING FUND

4 For 2021 payments to public housing agencies for the
5 operation and management of public housing, as author-
6 ized by section 9(e) of the United States Housing Act of
7 1937 (42 U.S.C. 1437g(e)), \$4,649,000,000, to remain
8 available until September 30, 2022: *Provided*, That of the
9 total amount made available under this heading,
10 \$25,000,000 shall be available to the Secretary to allocate
11 pursuant to a need-based application process notwith-
12 standing section 203 of this title and not subject to the
13 Operating Fund formula under part 990 of title 24, Code
14 of Federal Regulations to public housing agencies that ex-
15 perience financial insolvency, as determined by the Sec-
16 retary: *Provided further*, That after all such insolvency
17 needs are met, the Secretary may distribute any remaining
18 funds to all public housing agencies on a pro-rata basis
19 pursuant to the Operating Fund formula under part 990
20 of title 24, Code of Federal Regulations.

21 CHOICE NEIGHBORHOODS INITIATIVE

22 For competitive grants under the Choice Neighbor-
23 hoods Initiative (subject to section 24 of the United States
24 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
25 specified under this heading), for transformation, rehabili-

1 tation, and replacement housing needs of both public and
2 HUD-assisted housing and to transform neighborhoods of
3 poverty into functioning, sustainable mixed income neigh-
4 borhoods with appropriate services, schools, public assets,
5 transportation and access to jobs, \$250,000,000, to re-
6 main available until September 30, 2023: *Provided*, That
7 grant funds may be used for resident and community serv-
8 ices, community development, and affordable housing
9 needs in the community, and for conversion of vacant or
10 foreclosed properties to affordable housing: *Provided fur-*
11 *ther*, That the use of funds made available under this
12 heading shall not be deemed to be for public housing not-
13 withstanding section 3(b)(1) of such Act: *Provided further*,
14 That grantees shall commit to an additional period of af-
15 fordability determined by the Secretary of not fewer than
16 20 years: *Provided further*, That grantees shall provide a
17 match in State, local, other Federal or private funds: *Pro-*
18 *vided further*, That grantees may include local govern-
19 ments, tribal entities, public housing agencies, and non-
20 profit organizations: *Provided further*, That for-profit de-
21 velopers may apply jointly with a public entity: *Provided*
22 *further*, That for purposes of environmental review, a
23 grantee shall be treated as a public housing agency under
24 section 26 of the United States Housing Act of 1937 (42
25 U.S.C. 1437x), and grants made with amounts available

1 under this heading shall be subject to the regulations
2 issued by the Secretary to implement such section: *Pro-*
3 *vided further*, That of the amount provided under this
4 heading, not less than \$125,000,000 shall be awarded to
5 public housing agencies: *Provided further*, That such
6 grantees shall create partnerships with other local organi-
7 zations, including assisted housing owners, service agen-
8 cies, and resident organizations: *Provided further*, That
9 the Secretary shall consult with the Secretaries of Edu-
10 cation, Labor, Transportation, Health and Human Serv-
11 ices, Agriculture, and Commerce, the Attorney General,
12 and the Administrator of the Environmental Protection
13 Agency to coordinate and leverage other appropriate Fed-
14 eral resources: *Provided further*, That not more than
15 \$5,000,000 of funds made available under this heading
16 may be provided as grants to undertake comprehensive
17 local planning with input from residents and the commu-
18 nity: *Provided further*, That unobligated balances, includ-
19 ing recaptures, remaining from funds appropriated under
20 the heading “Revitalization of Severely Distressed Public
21 Housing (HOPE VI)” in fiscal year 2011 and prior fiscal
22 years may be used for purposes under this heading, not-
23 withstanding the purposes for which such amounts were
24 appropriated: *Provided further*, That the Secretary shall
25 issue the Notice of Funding Availability for funds made

1 available under this heading not later than 90 days after
2 enactment of this Act: *Provided further*, That the Sec-
3 retary shall make grant awards not later than one year
4 after the date of enactment of this Act in such amounts
5 that the Secretary determines: *Provided further*, That not-
6 withstanding section 24(o) of the United States Housing
7 Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may,
8 until September 30, 2024, obligate any available unobli-
9 gated balances made available under this heading in this
10 or any prior Act.

11 SELF-SUFFICIENCY PROGRAMS

12 For activities and assistance related to Self-Suffi-
13 ciency Programs, to remain available until September 30,
14 2024, \$155,000,000: *Provided*, That the amounts made
15 available under this heading are provided as follows:

16 (1) \$105,000,000 shall be for the Family Self-
17 Sufficiency program to support family self-suffi-
18 ciency coordinators under section 23 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437u), to
20 promote the development of local strategies to co-
21 ordinate the use of assistance under sections 8 and
22 9 of such Act with public and private resources, and
23 to enable eligible families to achieve economic inde-
24 pendence and self-sufficiency: *Provided*, That the
25 Secretary may, by Federal Register notice, waive or

1 specify alternative requirements for, the require-
2 ments under subsections (b)(3), (b)(4), (b)(5), or
3 (c)(1) of section 23 of such Act in order to facilitate
4 the operation of a unified self-sufficiency program
5 for individuals receiving assistance under different
6 provisions of the Act, as determined by the Sec-
7 retary: *Provided further*, That an owner or sponsor
8 of a multifamily property receiving project-based
9 rental assistance under section 8 shall be eligible to
10 receive awards from the Secretary under this para-
11 graph to support family self-sufficiency coordinators:
12 *Provided further*, That owners or sponsors of a mul-
13 tifamily property receiving project-based rental as-
14 sistance under section 8 may voluntarily make a
15 Family Self-Sufficiency program available to the as-
16 sisted tenants of such property in accordance with
17 procedures established by the Secretary: *Provided*
18 *further*, That such procedures established pursuant
19 to the preceding proviso shall permit participating
20 tenants to accrue escrow funds in accordance with
21 section 23(d)(2) and shall allow owners to use fund-
22 ing from residual receipt accounts to hire coordina-
23 tors for their own Family Self-Sufficiency program;
24 (2) \$35,000,000 shall be for the Resident Op-
25 portunity and Self-Sufficiency program to provide

1 for supportive services, service coordinators, and
2 congregate services as authorized by section 34 of
3 the United States Housing Act of 1937 (42 U.S.C.
4 1437z-6) and the Native American Housing Assist-
5 ance and Self-Determination Act of 1996 (25 U.S.C.
6 4101 et seq.); and

7 (3) \$15,000,000 shall be for a Jobs-Plus initia-
8 tive, modeled after the Jobs-Plus demonstration:
9 *Provided*, That funding provided in this paragraph
10 shall be available for competitive grants to partner-
11 ships between public housing agencies, local work-
12 force investment boards established under section
13 107 of the Workforce Innovation and Opportunity
14 Act of 2014 (29 U.S.C. 3122), and other agencies
15 and organizations that provide support to help pub-
16 lic housing residents obtain employment and in-
17 crease earnings: *Provided further*, That applicants
18 shall demonstrate the ability to provide services to
19 residents, partner with workforce investment boards,
20 and leverage service dollars: *Provided further*, That
21 the Secretary may allow public housing agencies to
22 request exemptions from rent and income limitation
23 requirements under sections 3 and 6 of the United
24 States Housing Act of 1937 (42 U.S.C. 1437a,
25 1437d), as necessary to implement the Jobs-Plus

1 program, on such terms and conditions as the Sec-
2 retary may approve upon a finding by the Secretary
3 that any such waivers or alternative requirements
4 are necessary for the effective implementation of the
5 Jobs-Plus initiative as a voluntary program for resi-
6 dents: *Provided further*, That the Secretary shall
7 publish by notice in the Federal Register any waiv-
8 ers or alternative requirements pursuant to the pre-
9 ceding proviso not later than 10 days before the ef-
10 fective date of such notice: *Provided further*, That
11 amounts made available for the Jobs-Plus initiative
12 in prior acts under the heading “Public Housing
13 Capital Fund” that remain available or are subse-
14 quently recaptured shall be transferred to this ac-
15 count and shall be available for the purposes of this
16 paragraph.

17 NATIVE AMERICAN PROGRAMS

18 (INCLUDING TRANSFER OF FUNDS)

19 For activities and assistance authorized under title
20 I of the Native American Housing Assistance and Self-
21 Determination Act of 1996 (“NAHASDA”) (25 U.S.C.
22 4111 et seq.), title I of the Housing and Community De-
23 velopment Act of 1974 (42 U.S.C. 5301 et seq.) with re-
24 spect to Indian tribes, and related training and technical
25 assistance, \$835,000,000, to remain available until Sep-

1 tember 30, 2025, unless otherwise specified: *Provided*,
2 That the amounts made available under this heading are
3 provided as follows:

4 (1) \$646,000,000 shall be for the Native Amer-
5 ican Housing Block Grants program, as authorized
6 under title I of NAHASDA: *Provided*, That, not-
7 withstanding NAHASDA, to determine the amount
8 of the allocation under title I of such Act for each
9 Indian tribe, the Secretary shall apply the formula
10 under section 302 of such Act with the need compo-
11 nent based on single-race census data and with the
12 need component based on multi-race census data,
13 and the amount of the allocation for each Indian
14 tribe shall be the greater of the two resulting alloca-
15 tion amounts: *Provided further*, That the Secretary
16 shall notify grantees of their formula allocation not
17 later 60 days after the date of enactment of this
18 Act;

19 (2) \$2,000,000 shall be for the cost of guaran-
20 teed notes and other obligations, as authorized by
21 title VI of NAHASDA: *Provided*, That such costs,
22 including the costs of modifying such notes and
23 other obligations, shall be as defined in section 502
24 of the Congressional Budget Act of 1974 (2 U.S.C.
25 661a): *Provided further*, That for fiscal year 2021,

1 the Secretary may subsidize the total principal
2 amount of any notes and other obligations, any part
3 of which is to be guaranteed, not to exceed
4 \$61,298,904: *Provided further*, That any unobligated
5 balances, including recaptures and carryover, re-
6 maining from amounts appropriated for this purpose
7 under this heading or under the heading “Native
8 American Housing Block Grants” in prior Acts may
9 be used for costs of such guaranteed notes and other
10 obligations, subject to the limitation under the pre-
11 ceding proviso on the total principal amount of such
12 notes and obligations that may be guaranteed;

13 (3) \$110,000,000 shall be for competitive
14 grants under the Native American Housing Block
15 Grants program, as authorized under title I of
16 NAHASDA: *Provided*, That the Secretary shall obli-
17 gate this additional amount for competitive grants to
18 eligible recipients authorized under NAHASDA that
19 apply for funds: *Provided further*, That in awarding
20 this additional amount, the Secretary shall consider
21 need and administrative capacity and shall give pri-
22 ority to projects that will spur construction and re-
23 habilitation: *Provided further*, That a grant funded
24 pursuant to this paragraph shall be in an amount
25 not less than \$500,000 and not greater than

1 \$10,000,000: *Provided further*, That up to 1 percent
2 of the amounts made available in this paragraph
3 may be transferred, in aggregate, to “Program Of-
4 fices—Public and Indian Housing” for necessary
5 costs of administering and overseeing the obligation
6 and expenditure of this additional amount and of ad-
7 ditional amounts made available in prior fiscal years,
8 to remain available until September 30, 2026: *Pro-*
9 *vided further*, That any amounts transferred pursu-
10 ant to the preceding proviso in prior Acts may also
11 be used for the purposes described in the preceding
12 proviso;

13 (4) \$70,000,000 shall be for grants to Indian
14 tribes for carrying out the Indian Community Devel-
15 opment Block Grant program under title I of the
16 Housing and Community Development Act of 1974,
17 notwithstanding section 106(a)(1) of such Act, of
18 which, notwithstanding any other provision of law
19 (including section 203 of this Act), up to \$4,000,000
20 may be used for emergencies that constitute immi-
21 nent threats to health and safety: *Provided*, That
22 not to exceed 20 percent of any grant made with
23 amounts made available in this paragraph shall be
24 expended for planning and management development
25 and administration: *Provided further*, That amounts

1 made available in this paragraph shall remain avail-
2 able until September 30, 2023; and

3 (5) \$7,000,000 shall be for providing training
4 and technical assistance to Indian tribes, Indian
5 housing authorities, and tribally designated housing
6 entities to support the inspection of Indian housing
7 units, for contract expertise, and for training and
8 technical assistance related to amounts made avail-
9 able under this heading and other headings in this
10 Act for the needs of Native American families and
11 Indian country: *Provided*, That of the amounts made
12 available in this paragraph, not less than \$2,000,000
13 shall be for a national organization as authorized
14 under section 703 of NAHASDA (25 U.S.C. 4212):
15 *Provided further*, That amounts made available in
16 this paragraph may be used, contracted, or com-
17 peted as determined by the Secretary: *Provided fur-*
18 *ther*, That notwithstanding chapter 63 of title 31,
19 United States Code (commonly known as the Fed-
20 eral Grant and Cooperative Agreements Act of
21 1977), the amounts made available in this para-
22 graph may be used by the Secretary to enter into co-
23 operative agreements with public and private organi-
24 zations, agencies, institutions, and other technical
25 assistance providers to support the administration of

1 negotiated rulemaking under section 106 of
2 NAHASDA (25 U.S.C. 4116), the administration of
3 the allocation formula under section 302 of
4 NAHASDA (25 U.S.C. 4152), and the administra-
5 tion of performance tracking and reporting under
6 section 407 of NAHASDA (25 U.S.C. 4167).

7 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

8 ACCOUNT

9 For the cost of guaranteed loans, as authorized by
10 section 184 of the Housing and Community Development
11 Act of 1992 (12 U.S.C. 1715z–13a), \$1,100,000, to re-
12 main available until expended: *Provided*, That such costs,
13 including the costs of modifying such loans, shall be as
14 defined in section 502 of the Congressional Budget Act
15 of 1974 (2 U.S.C. 661a): *Provided further*, That an addi-
16 tional \$500,000, to remain available until expended, shall
17 be for administrative contract expenses, including manage-
18 ment processes to carry out the loan guarantee program:
19 *Provided further*, That for fiscal year 2021, the Secretary
20 may subsidize total loan principal, any part of which is
21 to be guaranteed, up to \$1,000,000,000: *Provided further*,
22 That any unobligated balances, including recaptures and
23 carryover, remaining from amounts made available under
24 this heading in prior Acts may be used for costs of such

1 guaranteed loans, subject to the total loan principal guar-
2 antee limitation under the preceding proviso.

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-
5 gram, as authorized under title VIII of the Native Amer-
6 ican Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain
8 available until September 30, 2025: *Provided*, That not-
9 withstanding section 812(b) of such Act, the Department
10 of Hawaiian Home Lands may not invest grant amounts
11 made available under this heading in investment securities
12 and other obligations: *Provided further*, That amounts
13 made available under this heading in this and prior fiscal
14 years may be used to provide rental assistance to eligible
15 Native Hawaiian families both on and off the Hawaiian
16 Home Lands, notwithstanding any other provision of law.

17 COMMUNITY PLANNING AND DEVELOPMENT

18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

19 For carrying out the Housing Opportunities for Per-
20 sons with AIDS program, as authorized by the AIDS
21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
22 \$430,000,000, to remain available until September 30,
23 2022, except that amounts allocated pursuant to section
24 854(c)(5) of such Act shall remain available until Sep-
25 tember 30, 2023: *Provided*, That the Secretary shall renew

1 ties eligible under title I of the Act: *Provided further*, That
2 notwithstanding section 105(e)(1) of the Act, no funds
3 made available under this heading may be provided to a
4 for-profit entity for an economic development project
5 under section 105(a)(17) unless such project has been
6 evaluated and selected in accordance with guidelines re-
7 quired under subsection (e)(2) of section 105: *Provided*
8 *further*, That of the total amount provided under this
9 heading, \$25,000,000 shall be for activities authorized
10 under section 8071 of the SUPPORT for Patients and
11 Communities Act (Public Law 115-271): *Provided further*,
12 That the funds allocated pursuant to the preceding proviso
13 shall not adversely affect the amount of any formula as-
14 sistance received by a State under this heading: *Provided*
15 *further*, That the Secretary shall allocate the funds for
16 such activities based on the percentages shown in Table
17 1 of the Notice establishing the funding formula published
18 in Volume 84 of the Federal Register, on page 16027
19 (April 17, 2019): *Provided further*, That the Department
20 of Housing and Urban Development shall notify grantees
21 of their formula allocation within 60 days of enactment
22 of this Act: *Provided further*, That the Office of the Chief
23 Financial Officer of the Department of Housing and
24 Urban Development and the Office of Management and
25 Budget shall submit reports and accompanying briefings

1 no less frequently than monthly, on the status of funds
2 appropriated under this heading in Public Law 115-123,
3 to include the information specified in the report accom-
4 panying this Act: *Provided further*, That, notwithstanding
5 any other provision of law, amounts made available under
6 this heading in Public Law 115-123 shall hereafter be ex-
7 empt from apportionment under chapter 15 of title 31,
8 United States Code: *Provided further*, That amounts
9 repurposed pursuant to the preceding proviso that were
10 previously designated by the Congress as an emergency
11 requirement pursuant to the Balanced Budget and Emer-
12 gency Deficit Control Act of 1985 are designated by the
13 Congress as an emergency requirement pursuant to sec-
14 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985.

16 COMMUNITY DEVELOPMENT LOAN GUARANTEES

17 PROGRAM ACCOUNT

18 Subject to section 502 of the Congressional Budget
19 Act of 1974 (2 U.S.C. 661a), during fiscal year 2021,
20 commitments to guarantee loans under section 108 of the
21 Housing and Community Development Act of 1974 (42
22 U.S.C. 5308), any part of which is guaranteed, shall not
23 exceed a total principal amount of \$300,000,000, notwith-
24 standing any aggregate limitation on outstanding obliga-
25 tions guaranteed in subsection (k) of such section 108:

1 *Provided*, That the Secretary shall collect fees from bor-
2 rowers, notwithstanding subsection (m) of such section
3 108, to result in a credit subsidy cost of zero for guaran-
4 teeing such loans, and any such fees shall be collected in
5 accordance with section 502(7) of the Congressional
6 Budget Act of 1974: *Provided further*, That such commit-
7 ment authority funded by fees may be used to guarantee,
8 or make commitments to guarantee, notes or other obliga-
9 tions issued by any State on behalf of non-entitlement
10 communities in the State in accordance with the require-
11 ments of such section 108: *Provided further*, That any
12 State receiving such a guarantee or commitment under the
13 preceding proviso shall distribute all funds subject to such
14 guarantee to the units of general local government in non-
15 entitlement areas that received the commitment.

16 HOME INVESTMENT PARTNERSHIPS PROGRAM

17 For the HOME Investment Partnerships program, as
18 authorized under title II of the Cranston-Gonzalez Na-
19 tional Affordable Housing Act, as amended (42 U.S.C.
20 12721 et seq.), \$1,700,000,000, to remain available until
21 September 30, 2024: *Provided*, That notwithstanding the
22 amount made available under this heading, the threshold
23 reduction requirements in sections 216(10) and 217(b)(4)
24 of such Act shall not apply to allocations of such amount:
25 *Provided further*, That the Department shall notify grant-

1 ees of their formula allocations within 60 days after enact-
2 ment of this Act: *Provided further*, That section 218(g)
3 of such Act (42 U.S.C. 12748(g)) shall not apply with re-
4 spect to the right of a jurisdiction to draw funds from
5 its HOME Investment Trust Fund that otherwise expired
6 or would expire in 2016, 2017, 2018, 2019, 2020, 2021,
7 2022, or 2023 under that section: *Provided further*, That
8 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not
9 apply to any uninvested funds that otherwise were de-
10 ducted or would be deducted from the line of credit in
11 the participating jurisdiction's HOME Investment Trust
12 Fund in 2018, 2019, 2020, 2021, 2022, or 2023 under
13 that section.

14 SELF-HELP AND ASSISTED HOMEOWNERSHIP

15 OPPORTUNITY PROGRAM

16 For the Self-Help and Assisted Homeownership Op-
17 portunity Program, as authorized under section 11 of the
18 Housing Opportunity Program Extension Act of 1996 (42
19 U.S.C. 12805 note), \$60,000,000, to remain available
20 until September 30, 2023: *Provided*, That of the total
21 amount made available under this heading, \$10,000,000
22 shall be for the Self-Help Homeownership Opportunity
23 Program as authorized under such section 11: *Provided*
24 *further*, That of the total amount made available under
25 this heading, \$45,000,000 shall be for the second, third,

1 and fourth capacity building entities specified in section
2 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C.
3 9816 note), of which not less than \$5,000,000 shall be
4 for rural capacity building activities: *Provided further*,
5 That of the total amount made available under this head-
6 ing, \$5,000,000 shall be for capacity building by national
7 rural housing organizations having experience assessing
8 national rural conditions and providing financing, train-
9 ing, technical assistance, information, and research to
10 local nonprofit organizations, local governments, and In-
11 dian Tribes serving high need rural communities.

12 HOMELESS ASSISTANCE GRANTS

13 For assistance under title IV of the McKinney-Vento
14 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
15 \$3,415,000,000, to remain available until September 30,
16 2023: *Provided*, That of the amounts made available
17 under this heading—

18 (1) not less than \$290,000,000 shall be for the
19 Emergency Solutions Grants program authorized
20 under subtitle B of such title IV (42 U.S.C. 11371
21 et seq.): *Provided further*, That the Department shall
22 notify grantees of their formula allocation from
23 amounts allocated (which may represent initial or
24 final amounts allocated) for the Emergency Solu-

1 tions Grant program not later than 60 days after
2 enactment of this Act;

3 (2) not less than \$2,586,000,000 shall be for
4 the Continuum of Care program authorized under
5 subtitle C of such title IV (42 U.S.C. 11381 et seq.)
6 and the Rural Housing Stability Assistance pro-
7 grams authorized under subtitle D of such title IV
8 (42 U.S.C. 11408): *Provided further*, That the Sec-
9 retary shall prioritize funding under the Continuum
10 of Care program to continuums of care that have
11 demonstrated a capacity to reallocate funding from
12 lower performing projects to higher performing
13 projects: *Provided further*, That the Secretary shall
14 provide incentives to create projects that coordinate
15 with housing providers and healthcare organizations
16 to provide permanent supportive housing and rapid
17 re-housing services: *Provided further*, That amounts
18 made available for the Continuum of Care program
19 under this heading in this and prior Acts may be
20 used to competitively or non-competitively renew or
21 replace grants for youth homeless demonstration
22 projects under the Continuum of Care program, not-
23 withstanding any conflict with the requirements of
24 the Continuum of Care program;

1 (3) up to \$75,000,000 shall be for grants for
2 rapid re-housing projects and supportive service
3 projects providing coordinated entry, and for eligible
4 activities the Secretary determines to be critical in
5 order to assist survivors of domestic violence, dating
6 violence, sexual assault, or stalking, except that the
7 Secretary may make additional grants for such
8 projects and purposes from amounts made available
9 for such Continuum of Care program: *Provided fur-*
10 *ther,* That such projects shall be eligible for renewal
11 under the Continuum of Care program subject to
12 the same terms and conditions as other renewal ap-
13 plicants;

14 (4) up to \$7,000,000 shall be for the national
15 homeless data analysis project;

16 (5) up to \$82,000,000 shall be for grants for
17 projects awarded to communities for the purpose of
18 providing housing and services to unaccompanied
19 youth who are homeless, as defined in section
20 103(a)(6) of the McKinney-Vento Homeless Assist-
21 ance Act (42 U.S.C. 11302(a)(6)) or any other Fed-
22 eral statute, except that the Secretary may make ad-
23 ditional grants for such projects and purposes from
24 amounts made available for such Continuum of Care
25 program;

1 (6) up to \$70,000,000 shall be for Youth
2 Homelessness Systems Planning Grants to support
3 Continuum of Care communities in modernizing
4 youth homelessness responses through systems
5 change and capacity building:

6 (7) up to \$10,000,000 shall be for providing
7 technical assistance on improving system responses
8 to youth homelessness and collection, analysis, use,
9 and reporting of data and performance measures
10 under the comprehensive approaches to serve home-
11 less youth, in addition to and in coordination with
12 other technical assistance funds provided under this
13 title;

14 (8) \$250,000,000 shall be for projects to reduce
15 unsheltered homelessness: *Provided further*, That in
16 making awards with the amounts provided in this
17 paragraph, the Secretary shall give priority to
18 projects located in areas with high numbers or rates
19 of unsheltered homeless or high rates of increase in
20 the number of unsheltered homeless: *Provided fur-*
21 *ther*, That the Secretary shall provide incentives to
22 establish projects that coordinate with housing pro-
23 viders, healthcare organizations and social service
24 providers to reduce unsheltered homelessness: *Pro-*
25 *vided further*, That none of the funds provided in

1 this paragraph may be used to require people experi-
2 encing homelessness to receive treatment or perform
3 any other prerequisite activities as a condition for
4 receiving shelter, housing or other services;

5 (9) \$25,000,000 shall be for competitive grants
6 to nonprofit or governmental entities to provide legal
7 assistance (including assistance related to pretrial
8 activities, trial activities, post-trial activities and al-
9 ternative dispute resolution) at no cost to eligible
10 low-income tenants at risk of or subject to eviction:
11 *Provided further*, That in awarding grants under the
12 preceding proviso, the Secretary shall give preference
13 to applicants that will use funds to provide services
14 for residents of census tracts with high rates of evic-
15 tion, have experience providing no-cost legal assist-
16 ance to low-income individuals, including those with
17 limited English proficiency or disabilities, and have
18 sufficient capacity to administer such assistance:
19 *Provided further*, That the Secretary shall ensure, to
20 the extent practicable, that the proportion of eligible
21 tenants living in rural areas who will receive legal
22 assistance with grants funds made available under
23 this section is not less than the overall proportion of
24 eligible tenants who live in rural areas; and

1 (10) \$20,000,000 shall be for providing tech-
2 nical assistance as authorized under section 405 of
3 the McKinney-Vento Homeless Assistance Act (42
4 U.S.C. 11361b):

5 *Provided further*, That youth aged 24 and under seeking
6 assistance under this heading shall not be required to pro-
7 vide third party documentation to establish their eligibility
8 under subsection (a) or (b) of section 103 of the McKin-
9 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
10 receive services: *Provided further*, That unaccompanied
11 youth aged 24 and under or families headed by youth aged
12 24 and under who are living in unsafe situations may be
13 served by youth-serving providers funded under this head-
14 ing: *Provided further*, That for all matching funds require-
15 ments applicable to funds made available under this head-
16 ing for this fiscal year and prior fiscal years, a grantee
17 may use (or could have used) as a source of match funds
18 other funds administered by the Secretary and other Fed-
19 eral agencies unless there is (or was) a specific statutory
20 prohibition on any such use of any such funds: *Provided*
21 *further*, That none of the funds made available under this
22 heading shall be available to provide funding for new
23 projects, except for projects created through reallocation,
24 unless the Secretary determines that the Continuum of
25 Care has demonstrated that projects are evaluated and

1 ranked based on the degree to which they improve the
2 Continuum of Care's system performance: *Provided fur-*
3 *ther*, That any unobligated amounts remaining from funds
4 made available under this heading in fiscal year 2012 and
5 prior years for project-based rental assistance for rehabili-
6 tation projects with 10-year grant terms may be used for
7 purposes under this heading, notwithstanding the pur-
8 poses for which such funds were appropriated: *Provided*
9 *further*, That all balances for Shelter Plus Care renewals
10 previously funded from the Shelter Plus Care Renewal ac-
11 count and transferred to this account shall be available,
12 if recaptured, for Continuum of Care renewals in fiscal
13 year 2021: *Provided further*, That when awarding funds
14 under the Continuum of Care program, the Secretary shall
15 not deviate from the Fiscal Year 2018 Notice of Funding
16 Availability with respect to the tier 2 funding process, the
17 Continuum of Care application scoring, and, for new
18 projects, the project quality threshold requirements, ex-
19 cept as otherwise provided under this Act or as necessary
20 to award all available funds or consider the most recent
21 data from each Continuum of Care: *Provided further*, That
22 unobligated balances, including recaptures and carryover,
23 remaining from funds transferred to or appropriated
24 under this heading shall be available for the current pur-

1 poses authorized under this heading in addition to the pur-
2 poses for which such funds originally were appropriated.

3 HOUSING PROGRAMS

4 PROJECT-BASED RENTAL ASSISTANCE

5 For activities and assistance for the provision of
6 project-based subsidy contracts under the United States
7 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
8 heading “the Act”), not otherwise provided for,
9 \$13,051,000,000, to remain available until expended,
10 which shall be available on October 1, 2020 (in addition
11 to the \$400,000,000 previously appropriated under this
12 heading that became available October 1, 2020), and
13 \$400,000,000, to remain available until expended, which
14 shall be available on October 1, 2021: *Provided*, That the
15 amounts made available under this heading shall be for
16 expiring or terminating section 8 project-based subsidy
17 contracts (including section 8 moderate rehabilitation con-
18 tracts), for amendments to section 8 project-based subsidy
19 contracts (including section 8 moderate rehabilitation con-
20 tracts), for contracts entered into pursuant to section 441
21 of the McKinney-Vento Homeless Assistance Act (42
22 U.S.C. 11401), for renewal of section 8 contracts for units
23 in projects that are subject to approved plans of action
24 under the Emergency Low Income Housing Preservation
25 Act of 1987 or the Low-Income Housing Preservation and

1 Resident Homeownership Act of 1990, and for administra-
2 tive and other expenses associated with project-based ac-
3 tivities and assistance funded under this heading: *Provided*
4 *further*, That of the total amounts made available under
5 this heading, not to exceed \$350,000,000 shall be for per-
6 formance-based contract administrators or contractors for
7 section 8 project-based assistance, as such term is defined
8 in subsection (f) of such section: *Provided further*, That
9 the Secretary may also use such amounts provided in the
10 preceding proviso for performance-based contract adminis-
11 trators or contractors for the administration of: (1) inter-
12 est reduction payments pursuant to section 236(a) of the
13 National Housing Act (12 U.S.C. 1715z-1(a)); (2) rent
14 supplement payments pursuant to section 101 of the
15 Housing and Urban Development Act of 1965 (12 U.S.C.
16 1701s); (3) rental assistance payments under section
17 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-
18 1(f)(2)); (4) project rental assistance contracts for hous-
19 ing for the elderly under section 202(c)(2) of the Housing
20 Act of 1959 (12 U.S.C. 1701(c)(2)); (5) project rental as-
21 sistance contracts for supportive housing for persons with
22 disabilities under section 811(d)(2) of the Cranston-Gon-
23 zalez National Affordable Housing Act (42 U.S.C.
24 8013(d)(2)); (6) project assistance contracts pursuant to
25 section 202(h) of the Housing Act of 1959 (12 U.S.C.

1 1701q(h)); and (7) loans under section 202 of the Housing
2 Act of 1959 (12 U.S.C. 1701q): *Provided further*, That
3 amounts recaptured under this heading, the heading “An-
4 nual Contributions for Assisted Housing”, or the heading
5 “Housing Certificate Fund”, may be used for renewals of
6 or amendments to section 8 project-based assistance con-
7 tracts or for performance-based contract administrators or
8 contractors, notwithstanding the purposes for which such
9 amounts were appropriated: *Provided further*, That, not-
10 withstanding any other provision of law, upon the request
11 of the Secretary, project funds that are held in residual
12 receipts accounts for any project subject to a section 8
13 project-based Housing Assistance Payments contract that
14 authorizes the Department or a housing finance agency
15 to require that surplus project funds be deposited in an
16 interest-bearing residual receipts account and that are in
17 excess of an amount to be determined by the Secretary,
18 shall be recaptured for use under this heading and shall
19 be available until expended.

20 HOUSING FOR THE ELDERLY

21 For capital advances, including amendments to cap-
22 ital advance contracts, for housing for the elderly, as au-
23 thorized by section 202 of the Housing Act of 1959 (12
24 U.S.C. 1701q), for project rental assistance for the elderly
25 under section 202(c)(2) of such Act, including amend-

1 ments to contracts for such assistance and renewal of ex-
2 piring contracts for such assistance for up to a 1-year
3 term, for senior preservation rental assistance contracts,
4 including renewals, as authorized by section 811(e) of the
5 American Homeownership and Economic Opportunity Act
6 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
7 ices associated with the housing, \$893,000,000 to remain
8 available until September 30, 2024: *Provided*, That of the
9 amount made available under this heading, up to
10 \$110,000,000 shall be for service coordinators and the
11 continuation of existing congregate service grants for resi-
12 dents of assisted housing projects: *Provided further*, That
13 amounts made available under this heading shall be avail-
14 able for Real Estate Assessment Center inspections and
15 inspection-related activities associated with section 202
16 projects: *Provided further*, That the Secretary may waive
17 the provisions of section 202 governing the terms and con-
18 ditions of project rental assistance, except that the initial
19 contract term for such assistance shall not exceed 5 years
20 in duration: *Provided further*, That upon request of the
21 Secretary, project funds that are held in residual receipts
22 accounts for any project subject to a section 202 project
23 rental assistance contract, and that upon termination of
24 such contract are in excess of an amount to be determined
25 by the Secretary, shall be recaptured for use for the pur-

1 poses authorized under this heading and shall remain
2 available until September 30, 2024: *Provided further*, That
3 unobligated balances, including recaptures and carryover,
4 remaining from funds transferred to or made available
5 under this heading shall be available for the purposes au-
6 thorized under this heading in addition to the purposes
7 for which such funds originally were appropriated: *Pro-*
8 *vided further*, That of the total amount made available
9 under this heading, up to \$14,000,000 shall be used by
10 the Secretary to continue demonstration programs to test
11 housing with services models for the elderly that dem-
12 onstrate the potential to delay or avoid the need for nurs-
13 ing home care: *Provided further*, That of the total amount
14 made available under this heading, up to \$10,000,000
15 shall be used to expand the supply of intergenerational
16 dwelling units (as such term is defined in section 202 of
17 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-
18 ly caregivers raising children.

19 HOUSING FOR PERSONS WITH DISABILITIES

20 For capital advances, including amendments to cap-
21 ital advance contracts, for supportive housing for persons
22 with disabilities, as authorized by section 811 of the Cran-
23 ston-Gonzalez National Affordable Housing Act (42
24 U.S.C. 8013), for project rental assistance for supportive
25 housing for persons with disabilities under section

1 811(d)(2) of such Act, for project assistance contracts
2 pursuant to subsection (h) of section 202 of the Housing
3 Act of 1959, as added by section 205(a) of the Housing
4 and Community Development Amendments of 1978 (Pub-
5 lic Law 95-557: 92 Stat. 2090), including amendments to
6 contracts for such assistance and renewal of expiring con-
7 tracts for such assistance for up to a 1-year term, for
8 project rental assistance to State housing finance agencies
9 and other appropriate entities as authorized under section
10 811(b)(3) of the Cranston-Gonzalez National Affordable
11 Housing Act, and for supportive services associated with
12 the housing for persons with disabilities as authorized by
13 section 811(b)(1) of such Act, \$227,000,000, to remain
14 available until September 30, 2024: *Provided*, That
15 amounts made available under this heading shall be avail-
16 able for Real Estate Assessment Center inspections and
17 inspection-related activities associated with section 811
18 projects: *Provided further*, That, upon the request of the
19 Secretary, project funds that are held in residual receipts
20 accounts for any project subject to a section 811 project
21 rental assistance contract, and that upon termination of
22 such contract are in excess of an amount to be determined
23 by the Secretary, shall be recaptured for use for the pur-
24 poses authorized under this heading and shall remain
25 available until September 30, 2024: *Provided further*, That

1 unobligated balances, including recaptures and carryover,
2 remaining from funds transferred to or appropriated
3 under this heading shall be used for the purposes author-
4 ized under this heading in addition to the purposes for
5 which such funds originally were appropriated.

6 HOUSING COUNSELING ASSISTANCE

7 For contracts, grants, and other assistance, excluding
8 loans, as authorized under section 106 of the Housing and
9 Urban Development Act of 1968 (12 U.S.C. 1701x),
10 \$75,000,000, to remain available until September 30,
11 2022, of which up to \$4,500,000 shall be for administra-
12 tive contract services: *Provided*, That grants using
13 amounts made available under this heading shall be
14 awarded within 180 days of enactment of this Act: *Pro-*
15 *vided further*, That funds shall be used for providing coun-
16 seling and advice to tenants and homeowners, current and
17 prospective, with respect to property maintenance, finan-
18 cial management and literacy, foreclosure and eviction
19 mitigation, and such other matters as may be appropriate
20 to assist them in improving their housing conditions, meet-
21 ing their financial needs, and fulfilling the responsibilities
22 of tenancy or homeownership; for program administration;
23 and for housing counselor training: *Provided further*, That
24 amounts made available under this heading may be used
25 to purchase equipment and technology to deliver services

1 through use of the Internet or other electronic or virtual
2 means in response to the public health emergency related
3 to the Coronavirus Disease 2019 (COVID-19) pandemic:
4 *Provided further*, That for purposes of providing such
5 grants from amounts made available under this heading,
6 the Secretary may enter into multiyear agreements, as ap-
7 propriate, subject to the availability of annual appropria-
8 tions.

9 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
10 FUND

11 For necessary expenses as authorized by the National
12 Manufactured Housing Construction and Safety Stand-
13 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
14 \$13,000,000, to remain available until expended, of which
15 \$13,000,000 shall be derived from the Manufactured
16 Housing Fees Trust Fund (established under section
17 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
18 not to exceed the total amount appropriated under this
19 heading shall be available from the general fund of the
20 Treasury to the extent necessary to incur obligations and
21 make expenditures pending the receipt of collections to the
22 Fund pursuant to section 620 of such Act: *Provided fur-*
23 *ther*, That the amount made available under this heading
24 from the general fund shall be reduced as such collections
25 are received during fiscal year 2021 so as to result in a

1 final fiscal year 2021 appropriation from the general fund
2 estimated at zero, and fees pursuant to such section 620
3 shall be modified as necessary to ensure such a final fiscal
4 year 2021 appropriation: *Provided further*, That the Sec-
5 retary shall issue a final rule to complete rulemaking initi-
6 ated by the proposed rule entitled “Manufactured Housing
7 Program: Minimum Payments to the States” published in
8 the Federal Register on December 16, 2016 (81 Fed. Reg.
9 91083): *Provided further*, That for the dispute resolution
10 and installation programs, the Secretary may assess and
11 collect fees from any program participant: *Provided fur-*
12 *ther*, That such collections shall be deposited into the
13 Trust Fund, and the Secretary, as provided herein, may
14 use such collections, as well as fees collected under section
15 620 of such Act, for necessary expenses of such Act: *Pro-*
16 *vided further*, That, notwithstanding the requirements of
17 section 620 of such Act, the Secretary may carry out re-
18 sponsibilities of the Secretary under such Act through the
19 use of approved service providers that are paid directly
20 by the recipients of their services.

21 FEDERAL HOUSING ADMINISTRATION
22 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
23 New commitments to guarantee single family loans
24 insured under the Mutual Mortgage Insurance Fund (es-
25 tablished under section 202(a) of the National Housing

1 Act (12 U.S.C. 1708(a)) shall not exceed
2 \$400,000,000,000 in aggregate loan principal, to remain
3 available until September 30, 2022: *Provided*, That during
4 fiscal year 2021, obligations to make direct loans to carry
5 out the purposes of section 204(g) of the National Hous-
6 ing Act (12 U.S.C. 1710(g)) shall not exceed \$1,000,000:
7 *Provided further*, That the amount in the preceding pro-
8 viso shall be for loans to nonprofit and governmental enti-
9 ties in connection with sales of single family real prop-
10 erties owned by the Secretary and formerly insured under
11 the Mutual Mortgage Insurance Fund: *Provided further*,
12 That for administrative contract expenses of the Federal
13 Housing Administration, \$130,000,000, to remain avail-
14 able until September 30, 2022: *Provided further*, That to
15 the extent guaranteed loan commitments exceed
16 \$200,000,000,000 on or before April 1, 2021, an addi-
17 tional \$1,400 for administrative contract expenses shall be
18 available for each \$1,000,000 in additional guaranteed
19 loan commitments (including a pro rata amount for any
20 amount below \$1,000,000), but in no case shall funds
21 made available by this proviso exceed \$30,000,000: *Pro-*
22 *vided further*, That notwithstanding the limitation in the
23 first sentence of section 255(g) of the National Housing
24 Act (12 U.S.C. 1715z-20(g)), during fiscal year 2021 the
25 Secretary may insure and enter into new commitments to

1 insure mortgages under section 255 of such Act only to
2 the extent that the net credit subsidy cost for such insur-
3 ance does not exceed zero: *Provided further*, That for fiscal
4 year 2021, the Secretary shall not take any action against
5 a lender solely on the basis of compare ratios that have
6 been adversely affected by defaults on mortgages secured
7 by properties in areas where a major disaster was declared
8 in 2017 or 2018 pursuant to the Robert T. Stafford Dis-
9 aster Relief and Emergency Assistance Act (42 U.S.C.
10 5121 et seq.).

11 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

12 New commitments to guarantee loans insured under
13 the General and Special Risk Insurance Funds, as author-
14 ized by sections 238 and 519 of the National Housing Act
15 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
16 \$30,000,000,000 in aggregate loan principal, any part of
17 which is to be guaranteed, to remain available until Sep-
18 tember 30, 2022: *Provided*, That during fiscal year 2021,
19 gross obligations for the principal amount of direct loans,
20 as authorized by sections 204(g), 207(l), 238, and 519(a)
21 of the National Housing Act, shall not exceed \$1,000,000,
22 which shall be for loans to nonprofit and governmental en-
23 tities in connection with the sale of single family real prop-
24 erties owned by the Secretary and formerly insured under
25 such Act.

1 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
2 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
3 GUARANTEE PROGRAM ACCOUNT

4 New commitments to issue guarantees to carry out
5 the purposes of section 306(g) of the National Housing
6 Act, as amended (12 U.S.C. 1721(g)), shall not exceed
7 \$1,500,000,000,000 in aggregate principal, to remain
8 available until September 30, 2022: *Provided*, That
9 \$55,500,000, to remain available until September 30,
10 2022, shall be for necessary salaries and expenses of the
11 Office of Government National Mortgage Association: *Pro-*
12 *vided further*, That to the extent that guaranteed loan
13 commitments exceed \$155,000,000,000 on or before April
14 1, 2021, an additional \$100 for necessary salaries and ex-
15 penses shall be available until expended for each
16 \$1,000,000 in additional guaranteed loan commitments
17 (including a pro rata amount for any amount below
18 \$1,000,000), but in no case shall funds made available by
19 this proviso exceed \$3,000,000: *Provided further*, That re-
20 ceipts from Commitment and Multiclass fees collected pur-
21 suant to title III of the National Housing Act (12 U.S.C.
22 1716 et seq.) shall be credited as offsetting collections to
23 this account.

1 POLICY DEVELOPMENT AND RESEARCH

2 RESEARCH AND TECHNOLOGY

3 For contracts, grants, and necessary expenses of pro-
4 grams of research and studies relating to housing and
5 urban problems, not otherwise provided for, as authorized
6 by title V of the Housing and Urban Development Act
7 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
8 out the functions of the Secretary of Housing and Urban
9 Development under section 1(a)(1)(i) of Reorganization
10 Plan No. 2 of 1968, and for technical assistance,
11 \$118,000,000, to remain available until September 30,
12 2022: *Provided*, That with respect to amounts made avail-
13 able under this heading, notwithstanding section 203 of
14 this title, the Secretary may enter into cooperative agree-
15 ments with philanthropic entities, other Federal agencies,
16 State or local governments and their agencies, Indian
17 tribes, tribally designated housing entities, or colleges or
18 universities for research projects: *Provided further*, That
19 with respect to the preceding proviso, such partners to the
20 cooperative agreements shall contribute at least a 50 per-
21 cent match toward the cost of the project: *Provided fur-*
22 *ther*, That for non-competitive agreements entered into in
23 accordance with the preceding two provisos, the Secretary
24 shall comply with section 2(b) of the Federal Funding Ac-
25 countability and Transparency Act of 2006 (Public Law

1 109-282, 31 U.S.C. note) in lieu of compliance with sec-
2 tion 102(a)(4)(C) of the Department of Housing and
3 Urban Development Reform Act of 1989 (42 U.S.C.
4 3545(a)(4)(C)) with respect to documentation of award
5 decisions: *Provided further*, That prior to obligation of
6 technical assistance funding, the Secretary shall submit a
7 plan to the House and Senate Committees on Appropria-
8 tions on how the Secretary will allocate funding for this
9 activity at least 30 days prior to obligation: *Provided fur-*
10 *ther*, That none of the funds provided under this heading
11 may be available for the doctoral dissertation research
12 grant program.

13 FAIR HOUSING AND EQUAL OPPORTUNITY

14 FAIR HOUSING ACTIVITIES

15 For contracts, grants, and other assistance, not oth-
16 erwise provided for, as authorized by title VIII of the Civil
17 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section
18 561 of the Housing and Community Development Act of
19 1987 (42 U.S.C. 3616a), \$80,300,000, to remain available
20 until September 30, 2022: *Provided*, That grants from
21 amounts made available under this heading shall be
22 awarded not later than 180 days after enactment of this
23 Act: *Provided further*, That notwithstanding section 3302
24 of title 31, United States Code, the Secretary may assess
25 and collect fees to cover the costs of the Fair Housing

1 Training Academy, and may use such funds to develop on-
2 line courses and provide such training: *Provided further*,
3 That none of the funds made available under this heading
4 may be used to lobby the executive or legislative branches
5 of the Federal Government in connection with a specific
6 contract, grant, or loan: *Provided further*, That of the
7 funds made available under this heading, \$350,000 shall
8 be available to the Secretary for the creation and pro-
9 motion of translated materials and other programs that
10 support the assistance of persons with limited English pro-
11 ficiency in utilizing the services provided by the Depart-
12 ment of Housing and Urban Development.

13 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

14 HOMES

15 LEAD HAZARD REDUCTION

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Lead Hazard Reduction Program, as author-
18 ized by section 1011 of the Residential Lead-Based Paint
19 Hazard Reduction Act of 1992 (42 U.S.C. 4852),
20 \$340,000,000, to remain available until September 30,
21 2023, of which \$70,000,000 shall be for the Healthy
22 Homes Initiative, pursuant to sections 501 and 502 of the
23 Housing and Urban Development Act of 1970 (42 U.S.C.
24 1701z-1, 1701z-2), which shall include research, studies,
25 testing, and demonstration efforts, including education

1 and outreach concerning lead-based paint poisoning and
2 other housing related diseases and hazards: *Provided*,
3 That for purposes of environmental review, pursuant to
4 the National Environmental Policy Act of 1969 (42 U.S.C.
5 4321 et seq.) and other provisions of law that further the
6 purposes of such Act, a grant under the Healthy Homes
7 Initiative, or the Lead Technical Studies program under
8 this heading or under prior appropriations Acts for such
9 purposes under this heading, shall be considered to be
10 funds for a special project for purposes of section 305(c)
11 of the Multifamily Housing Property Disposition Reform
12 Act of 1994 (42 U.S.C. 3547(c)): *Provided further*, That
13 not less than \$95,000,000 of the amounts made available
14 under this heading for the award of grants pursuant to
15 section 1011 of the Residential Lead-Based Paint Hazard
16 Reduction Act of 1992 shall be provided to areas with the
17 highest lead-based paint abatement needs: *Provided fur-*
18 *ther*, That of the amounts made available for the Healthy
19 Homes Initiative, \$5,000,000 shall be for the implementa-
20 tion of projects in up to 5 communities that are served
21 by both the Healthy Homes Initiative and the Department
22 of Energy Weatherization Assistance Program to dem-
23 onstrate whether the coordination of Healthy Homes re-
24 mediation activities with weatherization activities achieves
25 cost savings and better outcomes in improving the safety

1 and quality of homes: *Provided further*, That \$30,000,000
2 of the amounts made available under this heading shall
3 be for a lead risk assessment demonstration for public
4 housing agencies to conduct lead hazard screenings or lead
5 risk assessments during housing quality standards inspec-
6 tions of units in which a family receiving assistance under
7 section 8(o) of the U.S. Housing Act of 1937 (42 U.S.C.
8 1437f(o)) resides or expects to reside, and has or expects
9 to have a child under age 6 residing in the unit, while
10 preserving rental housing availability and affordability:
11 *Provided further*, That each applicant shall certify ade-
12 quate capacity that is acceptable to the Secretary to carry
13 out the proposed use of funds pursuant to a notice of
14 funding availability: *Provided further*, That amounts made
15 available under this heading in this or prior appropriations
16 Acts, still remaining available, may be used for any pur-
17 pose under this heading notwithstanding the purpose for
18 which such amounts were appropriated if a program com-
19 petition is undersubscribed and there are other program
20 competitions under this heading that are oversubscribed:
21 *Provided further*, That up to \$2,000,000 of the amounts
22 made available under this heading may be transferred to
23 the heading “Policy Development and Research” for the
24 purposes of conducting research and studies and for use

1 in accordance with the provisos under that heading for
2 non-competitive agreements.

3 CYBERSECURITY AND INFORMATION TECHNOLOGY FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For the mitigation against the exploitation of infor-
6 mation technology systems and personal identifiable infor-
7 mation and for the development, modernization, and en-
8 hancement of, modifications to, and infrastructure for De-
9 partment-wide and program-specific information tech-
10 nology systems, for the continuing operation and mainte-
11 nance of both Department-wide and program-specific in-
12 formation systems, and for program-related maintenance
13 activities, \$293,000,000, of which \$269,800,000 shall re-
14 main available until September 30, 2022, \$20,000,000
15 shall remain available until September 30, 2023, and
16 \$3,200,000 shall remain available until September 30,
17 2024: *Provided*, That any amounts transferred to this
18 Fund under this Act shall remain available until expended:
19 *Provided further*, That any amounts transferred to this
20 Fund from amounts appropriated by previously enacted
21 appropriations Acts may be used for the purposes specified
22 under this Fund, in addition to any other information
23 technology purposes for which such amounts were appro-
24 priated: *Provided further*, That not more than 10 percent
25 of the funds made available under this heading for devel-

1 opment, modernization and enhancement may be obligated
2 until the Secretary submits a performance plan to the
3 House and Senate Committees on Appropriations for ap-
4 proval.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary salaries and expenses of the Office of
7 Inspector General in carrying out the Inspector General
8 Act of 1978, as amended, \$145,514,000: *Provided*, That
9 the Inspector General shall have independent authority
10 over all personnel issues within this office.

11 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

12 URBAN DEVELOPMENT

13 (INCLUDING TRANSFER OF FUNDS)

14 (INCLUDING RESCISSIONS)

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

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

8 SEC. 202. None of the funds made available by this
9 Act may be used during fiscal year 2021 to investigate
10 or prosecute under the Fair Housing Act any otherwise
11 lawful activity engaged in by one or more persons, includ-
12 ing the filing or maintaining of a nonfrivolous legal action,
13 that is engaged in solely for the purpose of achieving or
14 preventing action by a Government official or entity, or
15 a court of competent jurisdiction.

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

22 SEC. 204. Funds of the Department of Housing and
23 Urban Development subject to chapter 91 of title 31,
24 United States Code, commonly known as the Government
25 Corporation Control Act, shall be available, without regard

1 to the limitations on administrative expenses, for legal
2 services on a contract or fee basis, and for utilizing and
3 making payment for services and facilities of the Federal
4 National Mortgage Association, Government National
5 Mortgage Association, Federal Home Loan Mortgage Cor-
6 poration, Federal Financing Bank, Federal Reserve banks
7 or any member thereof, Federal Home Loan banks, and
8 any insured bank within the meaning of the Federal De-
9 posit Insurance Act (12 U.S.C. 1811 et seq.).

10 SEC. 205. Unless otherwise provided for in this Act
11 or through a reprogramming of funds, no part of any ap-
12 propriation for the Department of Housing and Urban
13 Development shall be available for any program, project
14 or activity in excess of amounts set forth in the budget
15 estimates submitted to Congress.

16 SEC. 206. Corporations and agencies of the Depart-
17 ment of Housing and Urban Development that are subject
18 to chapter 91 of title 31, United States Code, commonly
19 known as the Government Corporation Control Act, are
20 hereby authorized to make such expenditures, within the
21 limits of funds and borrowing authority available to each
22 such corporation or agency and in accordance with law,
23 and to make such contracts and commitments without re-
24 gard to fiscal year limitations as provided by section 9104
25 of title 31 as may be necessary in carrying out the pro-

1 grams set forth in the budget for 2021 for such corpora-
2 tion or agency except as hereinafter provided: *Provided,*
3 That collections of these corporations and agencies may
4 be used for new loan or mortgage purchase commitments
5 only to the extent expressly provided for in this Act (unless
6 such loans are in support of other forms of assistance pro-
7 vided for in this or prior appropriations Acts), except that
8 this proviso shall not apply to the mortgage insurance or
9 guaranty operations of such corporations, or to loans or
10 mortgage purchases that are necessary to protect the fi-
11 nancial interest of the United States Government.

12 SEC. 207. The Secretary shall provide quarterly re-
13 ports to the House and Senate Committees on Appropria-
14 tions regarding all uncommitted, unobligated, recaptured
15 and excess funds in each program and activity within the
16 jurisdiction of the Department and shall submit addi-
17 tional, updated budget information to these Committees
18 upon request.

19 SEC. 208. None of the funds made available by this
20 title may be used for an audit of the Government National
21 Mortgage Association that makes applicable requirements
22 under the Federal Credit Reform Act of 1990 (2 U.S.C.
23 661 et seq.).

24 SEC. 209. (a) Notwithstanding any other provision
25 of law, subject to the conditions under this section, for

1 fiscal years 2021 and 2022, the Secretary may authorize
2 the transfer of some or all project-based assistance, debt
3 held or insured by the Secretary and statutorily required
4 low-income and very low-income use restrictions if any, as-
5 sociated with one or more multifamily housing project or
6 projects to another multifamily housing project or
7 projects.

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

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

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

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

1 transferring project shall remain the same in
2 the receiving project or projects.

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

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

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

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

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

1 projects until new units in the receiving project are
2 available for occupancy.

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

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

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

24 (9) The transfer does not increase the cost (as
25 defined in section 502 of the Congressional Budget

1 Act of 1974(2 U.S.C. 661a)) of any FHA-insured
2 mortgage, except to the extent that appropriations
3 are provided in advance for the amount of any such
4 increased cost.

5 (d) For purposes of this section—

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

10 (2) the term “multifamily housing project”
11 means—

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

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

19 (C) housing that is assisted under section
20 202 of the Housing Act of 1959 (12 U.S.C.
21 1701q);

22 (D) housing that is assisted under section
23 202 of the Housing Act of 1959 (12 U.S.C.
24 1701q), as such section existed before the en-

1 actment of the Cranston-Gonzales National Af-
2 fordable Housing Act;

3 (E) housing that is assisted under section
4 811 of the Cranston-Gonzales National Afford-
5 able Housing Act (42 U.S.C. 8013); or

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

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

10 (A) assistance provided under section 8(b)
11 of the United States Housing Act of 1937 (42
12 U.S.C. 1437f(b));

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

18 (C) rent supplement payments under sec-
19 tion 101 of the Housing and Urban Develop-
20 ment Act of 1965 (12 U.S.C. 1701s);

21 (D) interest reduction payments under sec-
22 tion 236 and/or additional assistance payments
23 under section 236(f)(2) of the National Hous-
24 ing Act (12 U.S.C. 1715z–(f)(2));

1 (E) assistance payments made under sec-
2 tion 202(c)(2) of the Housing Act of 1959 (12
3 U.S.C. 1701q(c)(2)); and

4 (F) assistance payments made under sec-
5 tion 811(d)(2) of the Cranston-Gonzalez Na-
6 tional Affordable Housing Act (42 U.S.C.
7 8013(d)(2));

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

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

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

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

1 conditions, and long-term preservation of the affected
2 properties.

3 SEC. 210. (a) No assistance shall be provided under
4 section 8 of the United States Housing Act of 1937 (42
5 U.S.C. 1437f) to any individual who—

6 (1) is enrolled as a student at an institution of
7 higher education (as defined under section 102 of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1002));

10 (2) is under 24 years of age;

11 (3) is not a veteran;

12 (4) is unmarried;

13 (5) does not have a dependent child;

14 (6) is not a person with disabilities, as such
15 term is defined in section 3(b)(3)(E) of the United
16 States Housing Act of 1937 (42 U.S.C.
17 1437a(b)(3)(E)) and was not receiving assistance
18 under such section 8 as of November 30, 2005;

19 (7) is not a youth who left foster care at age
20 14 or older and is at risk of becoming homeless; and

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

1 (b) For purposes of determining the eligibility of a
2 person to receive assistance under section 8 of the United
3 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
4 cial assistance (in excess of amounts received for tuition
5 and any other required fees and charges) that an indi-
6 vidual receives under the Higher Education Act of 1965
7 (20 U.S.C. 1001 et seq.), from private sources, or from
8 an institution of higher education (as defined under sec-
9 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
10 1002)), shall be considered income to that individual, ex-
11 cept for a person over the age of 23 with dependent chil-
12 dren.

13 SEC. 211. The funds made available for Native Alas-
14 kans under paragraph (1) under the heading “Native
15 American Programs” in title II of this Act shall be allo-
16 cated to the same Native Alaskan housing block grant re-
17 cipients that received funds in fiscal year 2005, and only
18 such recipients shall be eligible to apply for funds made
19 available under paragraph (3) of such heading.

20 SEC. 212. Notwithstanding any other provision of
21 law, in fiscal year 2021, in managing and disposing of any
22 multifamily property that is owned or has a mortgage held
23 by the Secretary of Housing and Urban Development, and
24 during the process of foreclosure on any property with a
25 contract for rental assistance payments under section 8

1 of the United States Housing Act of 1937 (42 U.S.C.
2 1437f) or any other Federal programs, the Secretary shall
3 maintain any rental assistance payments under section 8
4 of the United States Housing Act of 1937 and other pro-
5 grams that are attached to any dwelling units in the prop-
6 erty. To the extent the Secretary determines, in consulta-
7 tion with the tenants and the local government that such
8 a multifamily property owned or having a mortgage held
9 by the Secretary is not feasible for continued rental assist-
10 ance payments under such section 8 or other programs,
11 based on consideration of (1) the costs of rehabilitating
12 and operating the property and all available Federal,
13 State, and local resources, including rent adjustments
14 under section 524 of the Multifamily Assisted Housing
15 Reform and Affordability Act of 1997 (“MAHRAA”) (42
16 U.S.C. 1437f note), and (2) environmental conditions that
17 cannot be remedied in a cost-effective fashion, the Sec-
18 retary may, in consultation with the tenants of that prop-
19 erty, contract for project-based rental assistance payments
20 with an owner or owners of other existing housing prop-
21 erties, or provide other rental assistance. The Secretary
22 shall also take appropriate steps to ensure that project-
23 based contracts remain in effect prior to foreclosure, sub-
24 ject to the exercise of contractual abatement remedies to
25 assist relocation of tenants for imminent major threats to

1 health and safety after written notice to and informed con-
2 sent of the affected tenants and use of other available rem-
3 edies, such as partial abatements or receivership. After
4 disposition of any multifamily property described in this
5 section, the contract and allowable rent levels on such
6 properties shall be subject to the requirements under sec-
7 tion 524 of MAHRAA.

8 SEC. 213. Public housing agencies that own and oper-
9 ate 400 or fewer public housing units may elect to be ex-
10 empt from any asset management requirement imposed by
11 the Secretary in connection with the operating fund rule:
12 *Provided*, That an agency seeking a discontinuance of a
13 reduction of subsidy under the operating fund formula
14 shall not be exempt from asset management requirements.

15 SEC. 214. With respect to the use of amounts pro-
16 vided in this Act and in future Acts for the operation, cap-
17 ital improvement, and management of public housing as
18 authorized by sections 9(d) and 9(e) of the United States
19 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-
20 retary shall not impose any requirement or guideline relat-
21 ing to asset management that restricts or limits in any
22 way the use of capital funds for central office costs pursu-
23 ant to paragraph (1) or (2) of section 9(g) of the United
24 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):
25 *Provided*, That a public housing agency may not use cap-

1 ital funds authorized under section 9(d) for activities that
2 are eligible under section 9(e) for assistance with amounts
3 from the operating fund in excess of the amounts per-
4 mitted under paragraph (1) or (2) of section 9(g).

5 SEC. 215. No official or employee of the Department
6 of Housing and Urban Development shall be designated
7 as an allotment holder unless the Office of the Chief Fi-
8 nancial Officer has determined that such allotment holder
9 has implemented an adequate system of funds control and
10 has received training in funds control procedures and di-
11 rectives. The Chief Financial Officer shall ensure that
12 there is a trained allotment holder for each HUD appro-
13 priation under the accounts “Executive Offices”, “Admin-
14 istrative Support Offices”, “Program Offices”, “Govern-
15 ment National Mortgage Association—Guarantees of
16 Mortgage-Backed Securities Loan Guarantee Program
17 Account”, and “Office of Inspector General” within the
18 Department of Housing and Urban Development.

19 SEC. 216. The Secretary shall, for fiscal year 2021,
20 notify the public through the Federal Register and other
21 means, as determined appropriate, of the issuance of a no-
22 tice of the availability of assistance or notice of funding
23 availability (NOFA) for any program or discretionary
24 fund administered by the Secretary that is to be competi-
25 tively awarded. Notwithstanding any other provision of

1 law, for fiscal year 2021, the Secretary may make the
2 NOFA available only on the Internet at the appropriate
3 Government web site or through other electronic media,
4 as determined by the Secretary.

5 SEC. 217. Payment of attorney fees in program-re-
6 lated litigation shall be paid from the individual program
7 office and Office of General Counsel salaries and expenses
8 appropriations. The annual budget submission for the pro-
9 gram offices and the Office of General Counsel shall in-
10 clude any such projected litigation costs for attorney fees
11 as a separate line item request.

12 SEC. 218. (a)(1) Except as provided in paragraph
13 (2), the Secretary may transfer up to 10 percent or
14 \$5,000,000, whichever is less, of funds appropriated for
15 any office under the headings “Administrative Support
16 Offices” or “Program Offices” to any other such office
17 under such heading: *Provided*, That no appropriation for
18 any such office or account shall be increased or decreased
19 by more than 10 percent or \$5,000,000, whichever is less,
20 without prior written approval of the House and Senate
21 Committees on Appropriations: *Provided further*, That the
22 Secretary shall provide notification to such Committees
23 not less than 3 business days in advance of any such
24 transfers under this section up to 10 percent or
25 \$5,000,000, whichever is less.

1 (2) The authority under paragraph (1) to transfer
2 funds shall not apply to the Office of Fair Housing and
3 Equal Opportunity, the Office of Lead Hazard Control
4 and Healthy Homes, or the Office of Departmental Equal
5 Employment Opportunity.

6 (b) The Secretary is authorized to transfer up to 10
7 percent of funds appropriated for any office under the
8 headings “Administrative Support Offices” or “Program
9 Offices” to the Office of Fair Housing and Equal Oppor-
10 tunity, the Office of Lead Hazard Control and Healthy
11 Homes, or the Office of Departmental Equal Employment
12 Opportunity: *Provided*, That no amounts may be trans-
13 ferred pursuant to this subparagraph unless the Secretary
14 shall provide notification to such Committees not less 3
15 business days in advance of any such transfers under this
16 subsection.

17 SEC. 219. (a) Any entity receiving housing assistance
18 payments shall maintain decent, safe, and sanitary condi-
19 tions, as determined by the Secretary, and comply with
20 any standards under applicable State or local laws, rules,
21 ordinances, or regulations relating to the physical condi-
22 tion of any property covered under a housing assistance
23 payment contract.

24 (b) The Secretary shall take action under subsection
25 (c) when a multifamily housing project with a contract

1 under section 8 of the United States Housing Act of 1937
2 (42 U.S.C. 1437f) or a contract for similar project-based
3 assistance—

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

6 (2) fails to certify in writing to the Secretary
7 within 3 days that all Exigent Health and Safety de-
8 ficiencies identified by the inspector at the project
9 have been corrected.

10 Such requirements shall apply to insured and noninsured
11 projects with assistance attached to the units under sec-
12 tion 8 of the United States Housing Act of 1937 (42
13 U.S.C. 1437f), but shall not apply to such units assisted
14 under section 8(o)(13) of such Act (42 U.S.C.
15 1437f(o)(13)) or to public housing units assisted with cap-
16 ital or operating funds under section 9 of the United
17 States Housing Act of 1937 (42 U.S.C. 1437g).

18 (c)(1) Within 15 days of the issuance of the Real Es-
19 tate Assessment Center (“REAC”) inspection, the Sec-
20 retary shall provide the owner with a Notice of Default
21 with a specified timetable, determined by the Secretary,
22 for correcting all deficiencies. The Secretary shall provide
23 a copy of the Notice of Default to the tenants, the local
24 government, any mortgagees, and any contract adminis-
25 trator. If the owner’s appeal results in a UPCS score of

1 60 or above, the Secretary may withdraw the Notice of
2 Default.

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

6 (A) require immediate replacement of project
7 management with a management agent approved by
8 the Secretary;

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

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

17 (D) pursue transfer of the project to an owner,
18 approved by the Secretary under established proce-
19 dures, who will be obligated to promptly make all re-
20 quired repairs and to accept renewal of the assist-
21 ance contract if such renewal is offered;

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

24 (F) pursue exclusionary sanctions, including
25 suspensions or debarments from Federal programs;

1 (G) seek judicial appointment of a receiver to
2 manage the property and cure all project deficiencies
3 or seek a judicial order of specific performance re-
4 quiring the owner to cure all project deficiencies;

5 (H) work with the owner, lender, or other re-
6 lated party to stabilize the property in an attempt
7 to preserve the property through compliance, trans-
8 fer of ownership, or an infusion of capital provided
9 by a third-party that requires time to effectuate; or

10 (I) take any other regulatory or contractual
11 remedies available as deemed necessary and appro-
12 priate by the Secretary.

13 (d) The Secretary shall take appropriate steps to en-
14 sure that project-based contracts remain in effect, subject
15 to the exercise of contractual abatement remedies to assist
16 relocation of tenants for major threats to health and safety
17 after written notice to the affected tenants. To the extent
18 the Secretary determines, in consultation with the tenants
19 and the local government, that the property is not feasible
20 for continued rental assistance payments under such sec-
21 tion 8 or other programs, based on consideration of—

22 (1) the costs of rehabilitating and operating the
23 property and all available Federal, State, and local
24 resources, including rent adjustments under section

1 524 of the Multifamily Assisted Housing Reform
2 and Affordability Act of 1997 (“MAHRAA”), and

3 (2) environmental conditions that cannot be
4 remedied in a cost-effective fashion, the Secretary
5 may contract for project-based rental assistance pay-
6 ments with an owner or owners of other existing
7 housing properties, or provide other rental assist-
8 ance.

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

15 (1) identification of the enforcement actions
16 being taken to address such conditions, including
17 imposition of civil money penalties and termination
18 of subsidies, and identification of properties that
19 have such conditions multiple times;

20 (2) identification of actions that the Depart-
21 ment of Housing and Urban Development is taking
22 to protect tenants of such identified properties; and

23 (3) any administrative or legislative rec-
24 ommendations to further improve the living condi-

1 tions at properties covered under a housing assist-
2 ance payment contract.

3 This report shall be submitted to the Senate and House
4 Committees on Appropriations not later than 30 days
5 after the enactment of this Act, and on the first business
6 day of each Federal fiscal year quarter thereafter while
7 this section remains in effect.

8 SEC. 220. None of the funds made available by this
9 Act, or any other Act, for purposes authorized under sec-
10 tion 8 (only with respect to the tenant-based rental assist-
11 ance program) and section 9 of the United States Housing
12 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
13 any public housing agency for any amount of salary, in-
14 cluding bonuses, for the chief executive officer of which,
15 or any other official or employee of which, that exceeds
16 the annual rate of basic pay payable for a position at level
17 IV of the Executive Schedule at any time during any pub-
18 lic housing agency fiscal year 2021.

19 SEC. 221. None of the funds made available by this
20 Act and provided to the Department of Housing and
21 Urban Development may be used to make a grant award
22 unless the Secretary notifies the House and Senate Com-
23 mittees on Appropriations not less than 3 full business
24 days before any project, State, locality, housing authority,
25 tribe, nonprofit organization, or other entity selected to

1 receive a grant award is announced by the Department
2 or its offices.

3 SEC. 222. None of the funds made available by this
4 Act may be used to require or enforce the Physical Needs
5 Assessment (PNA).

6 SEC. 223. None of the funds made available by this
7 Act shall be used by the Federal Housing Administration,
8 the Government National Mortgage Administration, or the
9 Department of Housing and Urban Development to in-
10 sure, securitize, or establish a Federal guarantee of any
11 mortgage or mortgage backed security that refinances or
12 otherwise replaces a mortgage that has been subject to
13 eminent domain condemnation or seizure, by a State, mu-
14 nicipality, or any other political subdivision of a State.

15 SEC. 224. None of the funds made available by this
16 Act may be used to terminate the status of a unit of gen-
17 eral local government as a metropolitan city (as defined
18 in section 102 of the Housing and Community Develop-
19 ment Act of 1974 (42 U.S.C. 5302)) with respect to
20 grants under section 106 of such Act (42 U.S.C. 5306).

21 SEC. 225. Amounts made available by this Act that
22 are appropriated, allocated, advanced on a reimbursable
23 basis, or transferred to the Office of Policy Development
24 and Research of the Department of Housing and Urban
25 Development and functions thereof, for research, evalua-

1 tion, or statistical purposes, and that are unexpended at
2 the time of completion of a contract, grant, or cooperative
3 agreement, may be deobligated and shall immediately be-
4 come available and may be reobligated in that fiscal year
5 or the subsequent fiscal year for the research, evaluation,
6 or statistical purposes for which the amounts are made
7 available to that Office subject to reprogramming require-
8 ments in section 405 of this Act.

9 SEC. 226. Funds made available by this title under
10 the heading “Homeless Assistance Grants” may be used
11 by the Secretary to participate in Performance Partner-
12 ship Pilots authorized under section 526 of division H of
13 Public Law 113–76 (42 U.S.C. 12301 note), section 524
14 of division G of Public Law 113–235, section 525 of divi-
15 sion H of Public Law 114–113, section 525 of division
16 H of Public Law 115–31, section 525 of division H of
17 Public Law 115–141, section 524 of division B of Public
18 Law 115–245, and such authorities as are enacted for
19 Performance Partnership Pilots in an appropriations Act
20 for fiscal year 2021: *Provided*, That such participation
21 shall be limited to not more than 10 continuums of care
22 and housing activities to improve outcomes for discon-
23 nected youth.

24 SEC. 227. In this fiscal year and in each fiscal year
25 thereafter, with respect to grant amounts awarded for the

1 Continuum of Care (CoC) program authorized under sub-
2 title C of title IV of the McKinney-Vento Homeless Assist-
3 ance Act (42 U.S.C. 11381 et seq.) with amounts made
4 available under the heading “Homeless Assistance
5 Grants”, costs paid by program income of grant recipients
6 may be counted toward meeting the recipient’s matching
7 requirements, provided the costs are eligible CoC costs
8 that supplement the recipient’s CoC program.

9 SEC. 228. (a) In this fiscal year and in each fiscal
10 year thereafter, from amounts made available by this title
11 under the heading “Homeless Assistance Grants”, the
12 Secretary may award 1-year transition grants to recipients
13 of funds for activities under subtitle C of the McKinney-
14 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)
15 to transition from one Continuum of Care program compo-
16 nent to another.

17 (b) To be eligible to receive a transition grant under
18 subsection (a), the funding recipient shall have the consent
19 of the Continuum of Care and meet such standards as
20 the Secretary may establish.

21 SEC. 229. None of the funds made available by this
22 Act may be used by the Department of Housing and
23 Urban Development to direct a grantee to undertake spe-
24 cific changes to existing zoning laws as part of carrying
25 out the final rule entitled “Affirmatively Furthering Fair

1 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
2 notice entitled “Affirmatively Furthering Fair Housing
3 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
4 2014)).

5 SEC. 230. The Promise Zone designations and Prom-
6 ise Zone Designation Agreements entered into pursuant
7 to such designations, made by the Secretary in prior fiscal
8 years, shall remain in effect in accordance with the terms
9 and conditions of such agreements.

10 SEC. 231. None of the funds made available by this
11 Act may be used to establish and apply review criteria,
12 including rating factors or preference points, for participa-
13 tion in or coordination with EnVision Centers, in the eval-
14 uation, selection, and award of any funds made available
15 and requiring competitive selection under this Act, except
16 with respect to any such funds otherwise authorized for
17 EnVision Center purposes under this Act.

18 SEC. 232. None of the funds made available by this
19 or any prior Act may be used to require or enforce any
20 changes to the terms and conditions of the public housing
21 annual contributions contract between the Secretary and
22 any public housing agency, as such contract was in effect
23 as of December 31, 2017, unless such changes are mutu-
24 ally agreed upon by the Secretary and such agency: *Pro-*
25 *vided*, That such agreement by an agency may be indi-

1 cated only by a written amendment to the terms and con-
2 ditions containing the duly authorized signature of its
3 chief executive: *Provided further*, That the Secretary may
4 not withhold funds to compel such agreement by an agen-
5 cy which certifies to its compliance with its contract.

6 SEC. 233. Any public housing agency designated as
7 a Moving to Work agency pursuant to section 239 of divi-
8 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
9 129 Stat. 2897) may, upon such designation, use funds
10 (except for special purpose funding, including special pur-
11 pose vouchers) previously allocated to any such public
12 housing agency under section 8 or 9 of the United States
13 Housing Act of 1937, including any reserve funds held by
14 the public housing agency or funds held by the Depart-
15 ment of Housing and Urban Development, pursuant to the
16 authority for use of section 8 or 9 funding provided under
17 such section and section 204 of title II of the Departments
18 of Veterans Affairs and Housing and Urban Development
19 and Independent Agencies Appropriations Act, 1996
20 (Public Law 104–134; 110 Stat. 1321-28), notwith-
21 standing the purposes for which such funds were appro-
22 priated.

23 SEC. 234. None of the amounts made available by
24 this Act, by Public Law 116-94, or by Public Law 116–
25 6 may be used to prohibit any public housing agency under

1 receivership or the direction of a Federal monitor from
2 applying for, receiving, or using funds made available
3 under the heading “Public Housing Capital Fund” for
4 competitive grants to evaluate and reduce lead-based paint
5 hazards in this Act or that remain available and not
6 awarded from prior Acts, or be used to prohibit a public
7 housing agency from using such funds to carry out any
8 required work pursuant to a settlement agreement, con-
9 sent decree, voluntary agreement, or similar document for
10 a violation of the Lead Safe Housing or Lead Disclosure
11 Rules.

12 SEC. 235. None of the funds made available to the
13 Department of Housing and Urban Development by this
14 or any other Act may be used to implement, administer,
15 enforce, or in any way make effective the proposed rule
16 entitled “Making Admission or Placement Determinations
17 Based on Sex in Facilities Under Community Planning
18 and Development Housing Programs”, transmitted to
19 Congress for review by the Department of Housing and
20 Urban Development on June 12, 2020 (Docket No. FR-
21 6152-P-01), or any final rule based substantially on such
22 proposed rule.

23 SEC. 236. Notwithstanding any other provision of
24 law, the notice issued by the Department of Housing and
25 Urban Development on February 20, 2015, and entitled

1 “Appropriate Placement for Transgender Persons in Sin-
2 gle-Sex Emergency Shelters and Other Facilities” (Notice
3 CPD-15-02) shall have the force and effect of law.

4 SEC. 237. None of the funds made available to the
5 Department of Housing and Urban Development by this
6 or any other Act may be used to implement, administer,
7 enforce, or in any way make effective the proposed rule
8 entitled “Housing and Community Development Act of
9 1980: Verification of Eligible Status”, issued by the De-
10 partment of Housing and Urban Development on May 10,
11 2019 (Docket No. FR-6124-P-01), or any final rule based
12 substantially on such proposed rule.

13 SEC. 238. There are hereby rescinded, from funds ap-
14 propriated under the heading “Department of Housing
15 and Urban Development—Housing Programs—Rental
16 Housing Assistance”—

17 (a) all unobligated balances from recaptured amounts
18 appropriated prior to fiscal year 2006 from terminated
19 contracts under section 236(f)(2) of the National Housing
20 Act (12 U.S.C. 1715z-1(f)(2)), and any unobligated bal-
21 ances, including recaptures and carryover, remaining from
22 funds appropriated under such heading after fiscal year
23 2005; and

24 (b) any funds remaining from amounts appropriated
25 under such heading in the prior fiscal year.

1 ices as authorized by section 3109 of title 5, United States
2 Code; hire of passenger motor vehicles as authorized by
3 section 1343(b) of title 31, United States Code; and uni-
4 forms or allowances therefore, as authorized by sections
5 5901 and 5902 of title 5, United States Code,
6 \$29,800,000: *Provided*, That not to exceed \$5,000 shall
7 be for official reception and representation expenses.

8 NATIONAL RAILROAD PASSENGER CORPORATION

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector
12 General for the National Railroad Passenger Corporation
13 to carry out the provisions of the Inspector General Act
14 of 1978 (5 U.S.C. App. 3), \$26,248,000: *Provided*, That
15 the Inspector General shall have all necessary authority,
16 in carrying out the duties specified in such Act, to inves-
17 tigate allegations of fraud, including false statements to
18 the Government under section 1001 of title 18, United
19 States Code, by any person or entity that is subject to
20 regulation by the National Railroad Passenger Corpora-
21 tion: *Provided further*, That the Inspector General may
22 enter into contracts and other arrangements for audits,
23 studies, analyses, and other services with public agencies
24 and with private persons, subject to the applicable laws
25 and regulations that govern the obtaining of such services

1 within the National Railroad Passenger Corporation: *Pro-*
2 *vided further*, That the Inspector General may select, ap-
3 point, and employ such officers and employees as may be
4 necessary for carrying out the functions, powers, and du-
5 ties of the Office of Inspector General, subject to the appli-
6 cable laws and regulations that govern such selections, ap-
7 pointments, and employment within the National Railroad
8 Passenger Corporation: *Provided further*, That concurrent
9 with the President's budget request for fiscal year 2022,
10 the Inspector General shall submit to the House and Sen-
11 ate Committees on Appropriations a budget request for
12 fiscal year 2022 in similar format and substance to budget
13 requests submitted by executive agencies of the Federal
14 Government.

15 NATIONAL TRANSPORTATION SAFETY BOARD

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Transpor-
18 tation Safety Board, including hire of passenger motor ve-
19 hicles and aircraft; services as authorized by 5 U.S.C.
20 3109, but at rates for individuals not to exceed the per
21 diem rate equivalent to the rate for a GS-15; uniforms,
22 or allowances therefor, as authorized by law (5 U.S.C.
23 5901-5902), \$118,400,000, of which not to exceed \$2,000
24 may be used for official reception and representation ex-
25 penses. The amounts made available to the National

1 Transportation Safety Board in this Act include amounts
2 necessary to make lease payments on an obligation in-
3 curred in fiscal year 2001 for a capital lease.

4 NEIGHBORHOOD REINVESTMENT CORPORATION
5 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
6 CORPORATION

7 For payment to the Neighborhood Reinvestment Cor-
8 poration for use in neighborhood reinvestment activities,
9 as authorized by the Neighborhood Reinvestment Corpora-
10 tion Act (42 U.S.C. 8101-8107), \$208,500,000, of which
11 \$5,000,000 shall be for a multi-family rental housing pro-
12 gram: *Provided*, That of the total amount made available
13 under this heading, \$25,000,000 shall be for competitive
14 grants to: redevelop abandoned or distressed properties;
15 provide homeownership and financing assistance to house-
16 holds with income of not more than 120 percent of the
17 area median income; purchase properties that are aban-
18 doned or distressed to sell, rent, or redevelop; establish
19 or operate land banks to acquire, redevelop, or sell prop-
20 erties that are abandoned or distressed; demolish aban-
21 doned or distressed structures, as part of a redevelopment
22 effort to increase affordable rental and owner-occupied
23 housing; or engage in community development activities
24 in areas with high rates of abandoned or distressed prop-
25 erties.

1 SURFACE TRANSPORTATION BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Surface Transpor-
4 tation Board, including services authorized by section
5 3109 of title 5, United State Code, \$37,500,000: *Provided*,
6 That, notwithstanding any other provision of law, not to
7 exceed \$1,250,000 from fees established by the Surface
8 Transportation Board shall be credited to this appropria-
9 tion as offsetting collections and used for necessary and
10 authorized expenses under this heading: *Provided further*,
11 That the amounts made available under this heading from
12 the general fund shall be reduced on a dollar-for-dollar
13 basis as such offsetting collections are received during fis-
14 cal year 2021, to result in a final appropriation from the
15 general fund estimated at not more than \$36,250,000.

16 UNITED STATES INTERAGENCY COUNCIL ON

17 HOMELESSNESS

18 OPERATING EXPENSES

19 For necessary expenses (including payment of sala-
20 ries, authorized travel, hire of passenger motor vehicles,
21 and rental of conference rooms) of the United States
22 Interagency Council on Homelessness in carrying out the
23 functions pursuant to title II of the McKinney-Vento
24 Homeless Assistance Act (42 U.S.C. 11311 et. seq.), as
25 amended, \$3,800,000, to remain available until September

1 30, 2022: *Provided*, That not more than \$15,000 may be
2 used for travel expenses by the Executive Director: *Pro-*
3 *vided further*, That the Executive Director may not engage
4 in any official travel except for travel paid out of such
5 amounts: *Provided further*, That no funds may be used
6 to promote homelessness interventions unless those inter-
7 ventions include support for evidence-based interventions
8 including the Housing First model and Permanent Sup-
9 portive Housing.

10

TITLE IV

11

GENERAL PROVISIONS—THIS ACT

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

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

21 SEC. 403. The expenditure of any appropriation
22 under this Act for any consulting service through a pro-
23 curement contract pursuant to section 3109 of title 5,
24 United States Code, shall be limited to those contracts
25 where such expenditures are a matter of public record and

1 available for public inspection, except where otherwise pro-
2 vided under existing law, or under existing Executive order
3 issued pursuant to existing law.

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

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

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

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

16 (4) contains any methods or content associated
17 with religious or quasi-religious belief systems or
18 “new age” belief systems as defined in Equal Em-
19 ployment Opportunity Commission Notice N-
20 915.022, dated September 2, 1988; or

21 (5) is offensive to, or designed to change, par-
22 ticipants’ personal values or lifestyle outside the
23 workplace.

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

4 SEC. 405. Except as otherwise provided in this Act,
5 none of the funds provided in this Act, provided by pre-
6 vious appropriations Acts to the agencies or entities fund-
7 ed in this Act that remain available for obligation or ex-
8 penditure in fiscal year 2021, or provided from any ac-
9 counts in the Treasury derived by the collection of fees
10 and available to the agencies funded by this Act, shall be
11 available for obligation or expenditure through a re-
12 programming of funds that—

13 (1) creates a new program;

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

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

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

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

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

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

20 (A) a table for each appropriation with a
21 separate column to display the prior year en-
22 acted level, the President's budget request, ad-
23 justments made by Congress, adjustments due
24 to enacted rescissions, if appropriate, and the
25 fiscal year enacted level;

1 (B) a delineation in the table for each ap-
2 propriation and its respective prior year enacted
3 level by object class and program, project, and
4 activity as detailed in this Act, the table accom-
5 panying the report accompanying this Act, ac-
6 companying reports of the House and Senate
7 Committee on Appropriations, or in the budget
8 appendix for the respective appropriations,
9 whichever is more detailed, and shall apply to
10 all items for which a dollar amount is specified
11 and to all programs for which new budget
12 (obligational) authority is provided, as well as
13 to discretionary grants and discretionary grant
14 allocations; and

15 (C) an identification of items of special
16 congressional interest.

17 SEC. 406. Except as otherwise specifically provided
18 by law, not to exceed 50 percent of unobligated balances
19 remaining available at the end of fiscal year 2021 from
20 appropriations made available for salaries and expenses
21 for fiscal year 2021 in this Act, shall remain available
22 through September 30, 2022, for each such account for
23 the purposes authorized: *Provided*, That a request shall
24 be submitted to the House and Senate Committees on Ap-
25 propriations for approval prior to the expenditure of such

1 funds: *Provided further*, That these requests shall be made
2 in compliance with reprogramming guidelines under sec-
3 tion 405 of this Act.

4 SEC. 407. No funds in this Act may be used to sup-
5 port any Federal, State, or local projects that seek to use
6 the power of eminent domain, unless eminent domain is
7 employed only for a public use: *Provided*, That for pur-
8 poses of this section, public use shall not be construed to
9 include economic development that primarily benefits pri-
10 vate entities: *Provided further*, That any use of funds for
11 mass transit, railroad, airport, seaport or highway
12 projects, as well as utility projects which benefit or serve
13 the general public (including energy-related, communica-
14 tion-related, water-related and wastewater-related infra-
15 structure), other structures designated for use by the gen-
16 eral public or which have other common-carrier or public-
17 utility functions that serve the general public and are sub-
18 ject to regulation and oversight by the government, and
19 projects for the removal of an immediate threat to public
20 health and safety or brownfields as defined in the Small
21 Business Liability Relief and Brownfields Revitalization
22 Act (Public Law 107–118) shall be considered a public
23 use for purposes of eminent domain.

24 SEC. 408. None of the funds made available in this
25 Act may be transferred to any department, agency, or in-

1 strumentality of the United States Government, except
2 pursuant to a transfer made by, or transfer authority pro-
3 vided in, this Act or any other appropriations Act.

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

17 SEC. 410. No funds appropriated pursuant to this
18 Act may be expended by an entity unless the entity agrees
19 that in expending the assistance the entity will comply
20 with sections 2 through 4 of the Act of March 3, 1933
21 (41 U.S.C. 8301–8305, popularly known as the “Buy
22 American Act”).

23 SEC. 411. No funds appropriated or otherwise made
24 available under this Act shall be made available to any

1 person or entity that has been convicted of violating the
2 Buy American Act (41 U.S.C. 8301–8305).

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

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

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

23 SEC. 414. None of the funds made available in this
24 Act may be used to send or otherwise pay for the attend-
25 ance of more than 50 employees of a single agency or de-

1 partment of the United States Government, who are sta-
2 tioned in the United States, at any single international
3 conference unless the relevant Secretary reports to the
4 House and Senate Committees on Appropriations at least
5 5 days in advance that such attendance is important to
6 the national interest: *Provided*, That for purposes of this
7 section the term “international conference” shall mean a
8 conference occurring outside of the United States attended
9 by representatives of the United States Government and
10 of foreign governments, international organizations, or
11 nongovernmental organizations.

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

19 SEC. 416. None of the funds made available by this
20 Act may be used by the Department of Transportation,
21 the Department of Housing and Urban Development, or
22 any other Federal agency to lease or purchase new light
23 duty vehicles for any executive fleet, or for an agency’s
24 fleet inventory, except in accordance with Presidential

1 Memorandum—Federal Fleet Performance, dated May
2 24, 2011.

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

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

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

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

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

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

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

21 SEC. 420. None of the funds made available by this
22 Act may be used in contravention of section 2635.702 of
23 title 5, Code of Federal Regulations.

1 TITLE V
2 ADDITIONAL INFRASTRUCTURE INVESTMENTS
3 DEPARTMENT OF TRANSPORTATION
4 OFFICE OF THE SECRETARY
5 NATIONAL INFRASTRUCTURE INVESTMENTS
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “National Infrastruc-
8 ture Investments”, \$3,000,000,000, to remain available
9 until September 30, 2022: *Provided*, That such additional
10 amount shall be subject to the provisions under this head-
11 ing in title I of this Act, except as modified by this heading
12 in this title: *Provided further*, That of the amounts made
13 available under this heading in this title, the Secretary
14 shall use an amount not less than \$60,000,000 for the
15 planning, preparation, or design of projects eligible for
16 amounts made available under this heading in this title,
17 with an emphasis on transit, transit oriented development,
18 and multimodal projects: *Provided further*, That grants
19 awarded under the preceding proviso shall not be subject
20 to a minimum grant size: *Provided further*, That of the
21 amounts made available under this heading in this title,
22 the Secretary shall use an amount not less than
23 \$300,000,000 for eligible projects located in or to directly
24 benefit areas of persistent poverty: *Provided further*, That
25 a grant award under this heading in this title shall be not

1 less than \$20,000,000 and not greater than
2 \$300,000,000: *Provided further*, That not more than 20
3 percent of the amounts made available under this heading
4 in this title may be awarded to projects in a single State
5 that are not port infrastructure investments (including in-
6 land port infrastructure and land ports of entry): *Provided*
7 *further*, That an award under this heading in this title is
8 an urban award if it is to a project located within or on
9 the boundary of an urbanized area, as designated by the
10 Bureau of the Census, that had a population greater than
11 250,000 in the 2010 decennial census: *Provided further*,
12 That for the purpose of determining if an award for plan-
13 ning, preparation, or design is an urban award, the project
14 location is the location of the project being planned, pre-
15 pared, or designed: *Provided further*, That for the purpose
16 of determining if an award for eligible projects located in
17 or to directly benefit areas of persistent poverty is an
18 urban award, the project location is the location of the
19 eligible project in or to directly benefit areas of persistent
20 poverty: *Provided further*, That each award under this
21 heading in this title that is not an urban award is a rural
22 award: *Provided further*, That of the amounts awarded
23 under this heading in this title, 60 percent shall be award-
24 ed as urban awards and 40 percent shall be awarded as
25 rural awards: *Provided further*, That for rural awards and

1 awards for eligible projects located in or to directly benefit
2 areas of persistent poverty, the minimum grant size shall
3 be \$5,000,000 and the Secretary may increase the Federal
4 share of costs above 80 percent: *Provided further*, That
5 the Secretary may retain up to \$30,000,000, to remain
6 available until September 30, 2023, of the amounts made
7 available under this heading in this title, and may transfer
8 portions of such amounts to the Administrators of the
9 Federal Highway Administration, the Federal Transit Ad-
10 ministration, the Federal Railroad Administration, and
11 the Maritime Administration to fund the award and over-
12 sight of grants and credit assistance made under the na-
13 tional infrastructure investments program: *Provided fur-*
14 *ther*, That the Secretary shall issue the Notice of Funding
15 Opportunity for amounts made available under this head-
16 ing in this title not later than 180 days after the date
17 of enactment of this Act: *Provided further*, That such No-
18 tice of Funding Opportunity shall require application sub-
19 missions 90 days after the publishing of such Notice: *Pro-*
20 *vided further*, That of the applications submitted under the
21 preceding 2 provisos, the Secretary shall make grants not
22 later than 390 days after the date of enactment of this
23 Act in such amounts that the Secretary determines: *Pro-*
24 *vided further*, That such amount is designated by the Con-
25 gress as being for an emergency requirement pursuant to

1 section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 CYBER SECURITY INITIATIVES

4 For an additional amount for “Cyber Security Initia-
5 tives”, \$10,500,000, to remain available until September
6 30, 2022: *Provided*, That such amount is designated by
7 the Congress as being for an emergency requirement pur-
8 suant to section 251(b)(2)(A)(i) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 FEDERAL AVIATION ADMINISTRATION

11 FACILITIES AND EQUIPMENT

12 For an additional amount for “Facilities and Equip-
13 ment”, \$500,000,000, to remain available until September
14 30, 2023: *Provided*, That amounts made available under
15 this heading in this title shall be derived from the general
16 fund: *Provided further*, That funding provided under this
17 heading shall be used to make improvements (including
18 activities that improve water and energy efficiency or re-
19 duce the risk of harm to occupants or property from nat-
20 ural hazards) or to replace air route traffic control centers,
21 air traffic control towers, terminal radar approach control
22 facilities, and navigation and landing equipment: *Provided*
23 *further*, That such amount is designated by the Congress
24 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 GRANTS-IN-AID FOR AIRPORTS

4 For an additional amount for “Grants-In-Aid for Air-
5 ports”, to enable the Secretary of Transportation to make
6 grants for projects as authorized by subchapter 1 of chap-
7 ter 471 and subchapter 1 of chapter 475 of title 49,
8 United States Code, \$2,500,000,000, to remain available
9 until September 30, 2023: *Provided*, That amounts made
10 available under this heading in this title shall be derived
11 from the general fund, and such funds shall not be subject
12 to apportionment formulas, special apportionment cat-
13 egories, or minimum percentages under such chapter 471:
14 *Provided further*, That the Secretary shall distribute funds
15 provided under this heading as discretionary grants to air-
16 ports: *Provided further*, That the amount made available
17 under this heading in this title shall not be subject to any
18 limitation on obligations for the Grants-in-Aid for Airports
19 program set forth in any Act: *Provided further*, That not
20 less than \$250,000,000 of the grants awarded under this
21 heading in this title shall be for airport sustainability ac-
22 tivities focused on reducing energy consumption, noise im-
23 pacts, waste, and pollution or improving water quality,
24 community relations, and wildlife compatibility: *Provided*
25 *further*, That priority consideration shall be based on

1 project justification and completeness of pre-grant actions:
2 *Provided further*, That the Administrator of the Federal
3 Aviation Administration may retain up to 0.1 percent of
4 the funds provided under this heading in this title to fund
5 the award and oversight by the Administrator of grants
6 made under this heading: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 FEDERAL RAILROAD ADMINISTRATION
12 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
13 IMPROVEMENTS
14 (INCLUDING TRANSFER OF FUNDS)

15 For an additional amount for “Consolidated Rail In-
16 frastructure and Safety Improvements”, \$5,000,000,000,
17 to remain available until September 30, 2022: *Provided*,
18 That such additional amount shall be subject to the provi-
19 sions under this heading in title I of this Act, except as
20 modified by this heading in this title: *Provided further*,
21 That of the amounts made available under this heading
22 in this title—

23 (1) Not less than \$1,500,000,000 shall be for
24 projects eligible under section 22907(c) of title 49,
25 United States Code; and

1 (2) Not less than \$3,500,000,000 shall be for
2 projects eligible under sections 22907(c)(2),
3 22907(c)(3), 22907(c)(4), and 22907(c)(9) of title
4 49, United States Code, that contribute to the devel-
5 opment, initiation, expansion, or restoration of inter-
6 city passenger rail service including alignments for
7 existing routes: *Provided*, That amounts made avail-
8 able in this paragraph shall be for such eligible
9 projects with a total project cost greater than
10 \$500,000,000: *Provided further*, That, notwith-
11 standing section 22907(g)(1) of title 49, United
12 States Code, not more than 25 percent of the
13 amounts made available in this paragraph shall be
14 for such eligible projects in rural areas:
15 *Provided further*, That the Secretary shall issue the Notice
16 of Funding Opportunity for amounts made available under
17 this heading in this title not later than 150 days after
18 the date of enactment of this Act: *Provided further*, That
19 such Notice of Funding Opportunity shall require applica-
20 tion submissions 90 days after the publishing of such No-
21 tice: *Provided further*, That the Secretary shall announce
22 the selection of projects to receive awards for amounts
23 made available under this heading in this title not later
24 than 1 year after the date of enactment of this Act: *Pro-*
25 *vided further*, That such amount is designated by the Con-

1 gress as being for an emergency requirement pursuant to
2 section 251(b)(2)(A)(i) of the Balanced Budget and
3 Emergency Deficit Control Act of 1985.

4 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT

5 PROGRAM

6 For an additional amount for “Magnetic Levitation
7 Technology Deployment Program”, \$100,000,000, to re-
8 main available until September 30, 2022, consistent with
9 language in subsections (a) through (c) of section 1307
10 of SAFETEA-LU (Public Law 109–59), as amended by
11 section 102 of the SAFETEA-LU Technical Corrections
12 Act of 2008 (Public Law 110–244) (23 U.S.C. 322 note):
13 *Provided*, That the Secretary may withhold up to 2 per-
14 cent of the amounts made available under this heading
15 in this title for the costs of award and project management
16 and oversight, to remain available until September 30,
17 2023: *Provided further*, That such amount is designated
18 by the Congress as being for an emergency requirement
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
20 et and Emergency Deficit Control Act of 1985.

21 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL

22 RAILROAD PASSENGER CORPORATION

23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount for “Northeast Corridor
25 Grants to the National Railroad Passenger Corporation”,

1 \$5,000,000,000, to remain available until September 30,
2 2022, to enable the Secretary to make or amend existing
3 grants to the National Railroad Passenger Corporation for
4 activities associated with the Northeast Corridor as au-
5 thorized by section 11101(a) of the Fixing America's Sur-
6 face Transportation Act (division A of Public Law 114-
7 94): *Provided*, That such additional amount shall be sub-
8 ject to the provisions under this heading in title I of this
9 Act, except as modified by this heading in this title: *Pro-*
10 *vided further*, That the Secretary shall make or amend
11 such grants not later than 90 days after the date of enact-
12 ment of this Act: *Provided further*, That of the amounts
13 made available under this heading in this title, priority
14 shall be given to projects for the repair, rehabilitation, or
15 upgrade of railroad assets or infrastructure, for capital
16 projects that expand passenger rail capacity, and for the
17 rehabilitation or acquisition of rolling stock: *Provided fur-*
18 *ther*, That the amounts made available under this heading
19 in this title may be used to subsidize the operating losses
20 of the National Railroad Passenger Corporation: *Provided*
21 *further*, That of the amounts made available under this
22 heading in this title, not less than \$172,000,000 shall be
23 made available for use of the National Railroad Passenger
24 Corporation in lieu of fiscal year 2021 capital payments
25 from commuter rail passenger transportation providers

1 subject to the cost allocation policy developed pursuant to
2 section 24905(c) of title 49, United States Code: *Provided*
3 *further*, That, notwithstanding sections 24319(g) and
4 24905(c)(1)(A)(i) of title 49, United States Code, such
5 use of funds in fiscal year 2021 does not constitute cross-
6 subsidization of commuter rail passenger transportation:
7 *Provided further*, That of the amounts made available
8 under this heading in this title, not less than
9 \$1,000,000,000 shall be made available to advance capital
10 projects, including rehabilitation and upgrade of railroad
11 infrastructure, that increase reliability or expand pas-
12 senger rail capacity on the Amtrak-owned portion of the
13 Northeast Corridor (as defined in section 24102(8) of title
14 49, United States Code) on which more than 380 trains
15 traveled per day in fiscal year 2019: *Provided further*,
16 That of the amounts made available under this heading
17 in this title and the “National Network Grants to the Na-
18 tional Railroad Passenger Corporation” heading in this
19 title, not less than \$200,000,000 shall be made available
20 to bring Amtrak-served facilities and stations into compli-
21 ance with the Americans with Disabilities Act of 1990 (42
22 U.S.C. 2101 et seq.): *Provided further*, That of the
23 amounts made available under this heading in this title
24 and the “National Network Grants to the National Rail-
25 road Passenger Corporation” heading in this title,

1 \$5,000,000, to remain available until September 30, 2025,
2 shall be transferred to “National Railroad Passenger Cor-
3 poration—Office of Inspector General—Salaries and Ex-
4 penses” for conducting audits and investigations of
5 projects and activities carried out with amounts made
6 available in this title and in division B of the Coronavirus
7 Aid, Relief, and Economic Security Act (Public Law 116–
8 136) under the headings “Northeast Corridor Grants to
9 the National Railroad Passenger Corporation” and “Na-
10 tional Network Grants to the National Railroad Passenger
11 Corporation”: *Provided further*, That such amount is des-
12 ignated by the Congress as being for an emergency re-
13 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 NATIONAL NETWORK GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 For an additional amount for “National Network
18 Grants to the National Railroad Passenger Corporation”,
19 \$3,000,000,000, to remain available until September 30,
20 2022, to enable the Secretary to make or amend existing
21 grants to the National Railroad Passenger Corporation for
22 activities associated with the National Network as author-
23 ized by section 11101(b) of the Fixing America’s Surface
24 Transportation Act (division A of Public Law 114–94):
25 *Provided*, That such additional amount shall be subject to

1 the provisions under this heading in title I of this Act,
2 except as modified by this heading in this title: *Provided*
3 *further*, That the Secretary shall make or amend such
4 grants not later than 90 days after the date of enactment
5 of this Act: *Provided further*, That of the amounts made
6 available under this heading in this title, priority shall be
7 given to projects for the repair, rehabilitation, or upgrade
8 of railroad assets or infrastructure, for capital projects
9 that expand passenger rail capacity, and for the rehabilita-
10 tion or acquisition of rolling stock: *Provided further*, That
11 the amounts made available under this heading in this title
12 may be used to subsidize the operating losses of the Na-
13 tional Railroad Passenger Corporation: *Provided further*,
14 That a State shall not be required to pay the National
15 Railroad Passenger Corporation more than 80 percent of
16 the amount paid in fiscal year 2019 under section 209
17 of the Passenger Rail Investment and Improvement Act
18 of 2008 (Public Law 110–432) and that not less than
19 \$260,000,000 of the amounts made available under this
20 heading in this title shall be made available for use in lieu
21 of any increase in a State’s payment: *Provided further*,
22 That of the amounts made available under this heading
23 in this title, not less than \$57,000,000 shall be made avail-
24 able for use of the National Railroad Passenger Corpora-
25 tion in lieu of fiscal year 2021 capital payments from com-

1 muter rail passenger transportation providers subject to
2 the cost allocation policy developed pursuant to section
3 24905(c) of title 49, United States Code: *Provided further,*
4 That, notwithstanding sections 24319(g) and
5 24905(c)(1)(A)(i) of title 49, United States Code, such
6 use of funds in fiscal year 2021 does not constitute cross-
7 subsidization of commuter rail passenger transportation:
8 *Provided further,* That of the amounts made available
9 under this heading in this title, not less than
10 \$107,000,000 shall be for capital expenses related to safe-
11 ty improvements, maintenance, and the non-Federal
12 match for discretionary Federal grant programs to enable
13 continued passenger rail operations on long-distance
14 routes (as defined in section 24102 of title 49, United
15 States Code) on which the National Railroad Passenger
16 Corporation is the sole operator on a host railroad's line
17 and a positive train control system is not required by law
18 or regulation: *Provided further,* That such amount is des-
19 igned by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 FEDERAL TRANSIT ADMINISTRATION

23 CAPITAL INVESTMENT GRANTS

24 For an additional amount for "Capital Investment
25 Grants", as authorized under section 5309 of title 49,

1 United States Code, and section 3005(b) of the Fixing
2 America's Surface Transportation Act, \$5,000,000,000, to
3 remain available until expended: *Provided*, That of the
4 amounts made available under this heading in this title,
5 not less than \$3,000,000,000 shall be available for
6 projects authorized under section 5309(d) of title 49,
7 United States Code, not less than \$1,000,000,000 shall
8 be available for projects authorized under section 5309(e)
9 of such title, and not less than \$500,000,000 shall be
10 available for projects authorized under section 5309(h) of
11 such title: *Provided further*, That in selecting projects to
12 be funded with amounts made available under sections
13 5309(d) of title 49, United States Code, priority shall be
14 given to projects that are currently in construction or that
15 are able to obligate funds not later than 270 days after
16 the date of enactment of this Act: *Provided further*, That
17 funds made available under this heading in this or any
18 other Act may be available for amendments to current full-
19 funding grant agreements that require additional Federal
20 funding as a result of coronavirus: *Provided further*, That
21 the Secretary shall not waive the requirements of section
22 5333 of title 49, United States Code, for funds appro-
23 priated under this heading in this Act: *Provided further*,
24 That unless otherwise specified, applicable requirements
25 under chapter 53 of title 49, United States Code, shall

1 apply to funding made available under this heading in this
2 title: *Provided further*, That up to one-half of 1 percent
3 of the funds provided under this heading in this title shall
4 be available for administrative expenses and program
5 management oversight, and shall be in addition to any
6 other appropriations for such purposes: *Provided further*,
7 That none of the funds made available in this title may
8 be used to implement any policy that requires a Federal
9 Transit Administration project to receive a medium or
10 higher project rating before taking actions to finalize an
11 environmental impact statement: *Provided further*, That
12 such amount is designated by the Congress as being for
13 an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 MARITIME ADMINISTRATION
17 OPERATIONS AND TRAINING

18 For an additional amount for “Operations and Train-
19 ing”, \$125,000,000, to remain available until September
20 30, 2022, of which—

21 (1) \$50,000,000 shall be for facilities mainte-
22 nance and repair, equipment, and capital improve-
23 ments at the United States Merchant Marine Acad-
24 emy; and

1 (2) \$75,000,000 shall be for the Short Sea
2 Transportation Program (America’s Marine High-
3 ways) to make grants for the purposes authorized
4 under paragraphs (1) and (3) of section 55601(b) of
5 title 46, United States Code: *Provided*, That for
6 amounts made available in this paragraph, the Sec-
7 retary shall make grants not later than 180 days
8 after the date of enactment of this Act in such
9 amounts as the Secretary determines:

10 *Provided*, That such amount is designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 STATE MARITIME ACADEMY OPERATIONS

15 For an additional amount for “State Maritime Acad-
16 emy Operations”, \$345,500,000, to remain available until
17 September 30, 2022, of which—

18 (1) \$315,500,000 shall be for the National Se-
19 curity Multi-Mission Vessel Program, including
20 funds for construction, planning, administration, and
21 design of school ships; and

22 (2) \$30,000,000 shall be for direct payments
23 for State Maritime Academies:

24 *Provided*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 ASSISTANCE TO SMALL SHIPYARDS

4 For an additional amount for “Assistance to Small
5 Shipyards”, \$100,000,000, to remain available until Sep-
6 tember 30, 2022, to make grants to qualified shipyards
7 as authorized under section 54101 of title 46, United
8 States Code: *Provided*, That the Secretary shall announce
9 the selection of such grants not later than 210 days after
10 the date of enactment of this Act in such amounts as the
11 Secretary determines: *Provided further*, That the Sec-
12 retary shall institute measures to ensure amounts made
13 available under this heading in this title shall be obligated
14 not later than 180 days after the date on which the Sec-
15 retary announces the selection of such grants: *Provided*
16 *further*, That the Secretary may withhold up to 2 percent
17 of the amounts made available under this heading in this
18 title for the costs of award and project management and
19 oversight, to remain available until September 30, 2023:
20 *Provided further*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

2 For an additional amount for “Port Infrastructure
3 Development Program”, \$1,000,000,000, to remain avail-
4 able until September 30, 2022, to make grants to improve
5 port facilities as authorized under section 50302(c) of title
6 46, United States Code: *Provided*, That such additional
7 amount shall be subject to the provisions under this head-
8 ing in title I of this Act, except as modified by this heading
9 in this title: *Provided further*, That of the amounts made
10 available under this heading in this title, not less than
11 \$910,000,000 shall be for coastal seaports or Great Lakes
12 ports: *Provided further*, That the Secretary shall issue the
13 Notice of Funding Opportunity for amounts made avail-
14 able under this heading in this title not later than 60 days
15 after the date of enactment of this Act: *Provided further*,
16 That such Notice of Funding Opportunity shall require
17 application submissions 90 days after the publishing of
18 such Notice: *Provided further*, That the Secretary shall an-
19 nounce the selection of projects to receive awards for
20 amounts made available under this heading in this title
21 not later than 270 days after the date of enactment of
22 this Act: *Provided further*, That not to exceed 1 percent
23 of the amounts made available under this heading in this
24 title shall be available for necessary costs of grant admin-
25 istration, to remain available until September 30, 2023:

1 *Provided further*, That such amount is designated by the
2 Congress as being for an emergency requirement pursuant
3 to section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 OFFICE OF INSPECTOR GENERAL
6 SALARIES AND EXPENSES

7 For an additional amount for necessary expenses of
8 the “Office of Inspector General” to carry out the provi-
9 sions of the Inspector General Act of 1978 (5 U.S.C. App.
10 3) \$7,500,000, to remain available until expended: *Pro-*
11 *vided*, That the funds made available under this heading
12 in this title shall be used to conduct audits and investiga-
13 tions of projects and activities carried out with funds made
14 available to the Department of Transportation: *Provided*
15 *further*, That the Inspector General shall have all nec-
16 essary authority, in carrying out the duties specified in
17 the Inspector General Act, to investigate allegations of
18 fraud, including false statements to the Government under
19 section 1001 of title 18, United States Code, by any per-
20 son or entity that is subject to regulation by the Depart-
21 ment: *Provided further*, That such amount is designated
22 by the Congress as being for an emergency requirement
23 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
24 et and Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT
3 PUBLIC AND INDIAN HOUSING
4 PUBLIC HOUSING CAPITAL FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for the “Public Housing
7 Capital Fund” to carry out capital and management ac-
8 tivities for public housing agencies, as authorized under
9 section 9 of the United States Housing Act of 1937 (42
10 U.S.C. 1437g), \$24,250,000,000, to remain available until
11 September 30, 2022: *Provided*, That such additional
12 amount shall be subject to the provisions under this head-
13 ing in title II of this Act, except as modified by this head-
14 ing in this title: *Provided further*, That \$19,000,000,000
15 of the funds provided under this heading in this title shall
16 be distributed under the same formula used for amounts
17 made available for the Capital Fund for fiscal year 2021:
18 *Provided further*, That \$2,500,000,000 of the funds pro-
19 vided under this heading in this title shall be awarded by
20 competition for activities that improve water and energy
21 efficiency, or reduce the risk of harm to occupants or prop-
22 erty from natural hazards: *Provided further*, That
23 \$2,750,000,000 of the funds provided under this heading
24 in this title shall be awarded by competition for activities
25 that mitigate threats to the health and safety of residents,

1 or reduce lead-based paint hazards and other housing re-
2 lated hazards, including carbon monoxide, radon, or mold:
3 *Provided further*, That in administering funds appro-
4 priated or otherwise made available under this heading in
5 this title, the Secretary may waive or specify alternative
6 requirements for any provision of any statute or regulation
7 in connection with the obligation by the Secretary or the
8 use of these funds (except for requirements related to fair
9 housing, nondiscrimination, labor standards, and the envi-
10 ronment), upon a finding that such a waiver is necessary
11 to expedite or facilitate the use of such funds: *Provided*
12 *further*, That up to 0.5 percent of the amounts made avail-
13 able under this heading in this title may be transferred,
14 in aggregate, to “Department of Housing and Urban De-
15 velopment, Program Offices—Public and Indian Housing”
16 to supplement existing resources for the necessary costs
17 of administering and overseeing the obligation and ex-
18 penditure of these amounts, to remain available until Sep-
19 tember 30, 2024: *Provided further*, That such amount is
20 designated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

1 CHOICE NEIGHBORHOODS INITIATIVE
2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for the “Choice Neighbor-
4 hoods Initiative”, \$300,000,000, to remain available until
5 September 30, 2022: *Provided*, That such additional
6 amount shall be subject to the provisions under this head-
7 ing in title II of this Act, except as modified by this head-
8 ing in this title: *Provided further*, That not less than 10
9 percent of the amounts made available under this heading
10 in this title shall be used for activities that improve water
11 and energy efficiency, or reduce the risk of harm to occu-
12 pants or property from natural hazards: *Provided further*,
13 That all construction, rehabilitation, and related activities
14 funded under this heading in this title shall comply with
15 the latest published editions of relevant national con-
16 sensus-based codes and specifications and standards ref-
17 erenced therein, except that nothing in this section shall
18 be construed to prohibit a grantee from requiring higher
19 standards: *Provided further*, That the term “latest pub-
20 lished editions” means, with respect to relevant national
21 consensus-based codes, and specifications and standards
22 referenced therein, the two most recent published editions,
23 including, if any, amendments made by State, local, tribal,
24 or territorial governments during the adoption process,
25 that incorporate the latest natural hazard-resistant de-

1 signs and establish criteria for the design, construction,
2 and maintenance of structures and facilities that may be
3 eligible for assistance under this section for the purposes
4 of protecting the health, safety, and general welfare of a
5 buildings' users against disasters: *Provided further*, That
6 up to 0.5 percent of the amounts made available under
7 this heading in this title may be transferred, in aggregate,
8 to “Department of Housing and Urban Development, Pro-
9 gram Offices—Public and Indian Housing” to supplement
10 existing resources for the necessary costs of administering
11 and overseeing the obligation and expenditure of amounts
12 under this heading in this title, to remain available until
13 September 30, 2024: *Provided further*, That such amount
14 is designated by the Congress as being for an emergency
15 requirement pursuant to section 251(b)(2)(A)(i) of the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985.

18 NATIVE AMERICAN PROGRAMS
19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Native American Pro-
21 grams”, \$1,000,000,000, to remain available until Sep-
22 tember 30, 2022, unless otherwise specified, for activities
23 and assistance authorized under title I of the Native
24 American Housing Assistance and Self-Determination Act
25 of 1996 (“NAHASDA”) (25 U.S.C. 4111 et seq.) and title

1 I of the Housing and Community Development Act of
2 1974 (42 U.S.C. 5301 et seq.) with respect to Indian
3 tribes: *Provided*, That the amounts made available under
4 this heading in this title are provided as follows:

5 (1) \$400,000,000 shall be for the Native Amer-
6 ican Housing Block Grants program, as authorized
7 under title I of NAHASDA: *Provided*, That amounts
8 made available in this paragraph shall be distributed
9 according to the same funding formula used in fiscal
10 year 2021: *Provided further*, That the amounts dis-
11 tributed through such formula shall be used for new
12 construction, acquisition, rehabilitation, and infra-
13 structure development: *Provided further*, That in se-
14 lecting projects to be funded, grantees shall give pri-
15 ority to projects for which contracts can be awarded
16 within 180 days from the date that amounts are
17 made available to the grantees: *Provided further*,
18 That the Secretary shall notify grantees of their for-
19 mula allocation not later than 60 days after the date
20 of enactment of this Act: *Provided further*, That the
21 Secretary shall obligate amounts allocated by for-
22 mula not later than 120 days after the date of en-
23 actment of this Act;

24 (2) \$350,000,000 shall be for competitive
25 grants under the Native American Housing Block

1 Grants program, as authorized under title I of
2 NAHASDA: *Provided*, That the Secretary shall obli-
3 gate this additional amount for competitive grants to
4 eligible recipients authorized under NAHASDA that
5 apply for funds: *Provided further*, That in awarding
6 this additional amount, the Secretary shall consider
7 need and administrative capacity and shall give pri-
8 ority to projects that will spur construction and re-
9 habilitation: *Provided further*, That a grant funded
10 pursuant to this paragraph shall be in an amount
11 not less than \$500,000 and not greater than
12 \$20,000,000: *Provided further*, That recipients of
13 amounts made available in this paragraph shall obli-
14 gate 100 percent of such amounts within 1 year of
15 the date amounts are made available to a recipient,
16 expend at least 50 percent of such amounts within
17 2 years of the date on which amounts become avail-
18 able to such recipients for obligation, and expend
19 100 percent of such amounts within 3 years of such
20 date: *Provided further*, That the Secretary shall issue
21 a Notice of Funding Availability for amounts made
22 available in this paragraph not later than 60 days
23 after the date of enactment of this Act: *Provided*
24 *further*, That such Notice of Funding Availability
25 shall require application submissions 90 days after

1 the publishing of such Notice: *Provided further*, That
2 of the applications submitted under the preceding 2
3 provisos, the Secretary shall make grants not later
4 than 270 days after the date of enactment of this
5 Act; and

6 (3) \$250,000,000 shall be for grants to Indian
7 tribes for carrying out the Indian Community Devel-
8 opment Block Grant program under title I of the
9 Housing and Community Development Act of 1974,
10 notwithstanding section 106(a)(1) of such Act: *Pro-*
11 *vided*, That not to exceed 20 percent of any grant
12 made with amounts made available in this para-
13 graph shall be expended for planning and manage-
14 ment development and administration: *Provided fur-*
15 *ther*, That the Secretary shall issue a Notice of
16 Funding Availability for amounts made available in
17 this paragraph not later than 180 days after the
18 date of enactment of this Act: *Provided further*, That
19 such Notice of Funding Availability shall require ap-
20 plication submissions 90 days after the publishing of
21 such Notice: *Provided further*, That of the applica-
22 tions submitted under the preceding 2 provisos, the
23 Secretary shall make grants not later than 390 days
24 after the date of enactment of this Act:

1 *Provided further*, That the Secretary may waive, or specify
2 alternative requirements for, any provision of any statute
3 or regulation that the Secretary administers in connection
4 with the use of amounts made available under this heading
5 in this title (except for requirements related to fair hous-
6 ing, nondiscrimination, labor standards, and the environ-
7 ment), upon a finding by the Secretary that any such
8 waivers or alternative requirements are necessary to expe-
9 dite or facilitate the use of such amounts: *Provided fur-*
10 *ther*, That not less than 10 percent of the amounts made
11 available under this heading in this title shall be used for
12 activities that improve water and energy efficiency, or re-
13 duce the risk of harm to occupants or property from nat-
14 ural hazards: *Provided further*, That up to 1 percent of
15 the amounts made available in paragraphs (2) and (3)
16 under this heading in this title may be transferred, in ag-
17 gregate, to “Department of Housing and Urban Develop-
18 ment, Program Offices—Public and Indian Housing” for
19 necessary costs of administering and overseeing the obliga-
20 tion and expenditure of such amounts, to remain available
21 until September 30, 2023: *Provided further*, That such
22 amount is designated by the Congress as being for an
23 emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 NATIVE HAWAIIAN HOUSING BLOCK GRANT
2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for the “Native Hawaiian
4 Housing Block Grant” program, \$20,000,000, to remain
5 available until September 30, 2022: *Provided*, That such
6 additional amount shall be subject to the provisions under
7 this heading in title II of this Act, except as modified by
8 this heading in this title: *Provided further*, That not less
9 than 10 percent of the amounts made available under this
10 heading in this title shall be used for activities that im-
11 prove water and energy efficiency, or reduce the risk of
12 harm to occupants or property from natural hazards: *Pro-*
13 *vided further*, That up to 1 percent of the amounts made
14 available under this heading in this title may be trans-
15 ferred, in aggregate, to “Department of Housing and
16 Urban Development, Program Offices—Public and Indian
17 Housing” for necessary costs of administering and over-
18 seeing the obligation and expenditure of amounts under
19 this heading in this title, to remain available until Sep-
20 tember 30, 2023: *Provided further*, That such amount is
21 designated by the Congress as being for an emergency re-
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 COMMUNITY DEVELOPMENT FUND

3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for “Community Develop-
5 ment Fund”, \$4,000,000,000, to remain available until
6 September 30, 2022: *Provided*, That such additional
7 amount shall be subject to the provisions under this head-
8 ing in title II of this Act, except as modified by this head-
9 ing in this title: *Provided further*, That such amount made
10 available under this heading in this title shall be distrib-
11 uted pursuant to section 106 of the Housing and Commu-
12 nity Development Act of 1974 (42 U.S.C. 5306) to grant-
13 ees that received allocations pursuant to that same for-
14 mula in fiscal year 2020, and that such allocations shall
15 be made within 30 days of enactment of this Act: *Provided*
16 *further*, That not less than 10 percent of the amounts
17 made available under this heading in this title shall be
18 used for activities that improve water and energy effi-
19 ciency, or reduce the risk of harm to occupants or property
20 from natural hazards (including activities that facilitate
21 the adoption of the most recent published editions of rel-
22 evant national consensus-based codes): *Provided further*,
23 That of the amounts made available under this heading
24 in this title, up to 0.5 percent may be transferred to “De-
25 partment of Housing and Urban Development, Program

1 Offices—Community Planning and Development” for nec-
2 essary costs of administering and overseeing the obligation
3 and expenditure of amounts under this heading in this
4 title, to remain available until September 30, 2028: *Pro-*
5 *vided further*, That such amount is designated by the Con-
6 gress as being for an emergency requirement pursuant to
7 section 251(b)(2)(A)(i) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 HOME INVESTMENT PARTNERSHIPS PROGRAM
10 (INCLUDING TRANSFER OF FUNDS)

11 For an additional amount for the “HOME Invest-
12 ment Partnerships Program”, as authorized under title II
13 of the Cranston-Gonzalez National Affordable Housing
14 Act, as amended, \$17,500,000,000, to remain available
15 until September 30, 2024: *Provided*, That such additional
16 amount shall be subject to the provisions under this head-
17 ing in title II of this Act, except as modified by this head-
18 ing in this title: *Provided further*, That of the amounts
19 made available under this heading in this title, the Sec-
20 retary shall use not less than \$1,750,000,000 for projects
21 eligible for amounts made available under this heading in
22 this title located in or directly benefitting areas of per-
23 sistent poverty: *Provided further*, That for purposes of the
24 preceding proviso, the term “areas of persistent poverty”
25 means (1) any county that has consistently had 20 percent

1 or more of the population living in poverty during the 30-
2 year period preceding the date of enactment of this Act,
3 as measured by the 1990 and 2000 decennial census and
4 the most recent annual Small Area Income and Poverty
5 Estimates as estimated by the Bureau of the Census, (2)
6 any census tract with a poverty rate of at least 20 percent
7 as measured by the 2014-2018 5-year data series available
8 from the American Community Survey of the Census Bu-
9 reau, or (3) any territory or possession of the United
10 States: *Provided further*, That grants awarded under the
11 preceding 2 provisos shall not be subject to a minimum
12 grant size: *Provided further*, That not less than 10 percent
13 of the amounts made available under this heading in this
14 title shall be used for activities that improve water and
15 energy efficiency, or reduce the risk of harm to occupants
16 or property from natural hazards: *Provided further*, That
17 of the amounts made available under this heading in this
18 title, up to 0.5 percent may be transferred to “Department
19 of Housing and Urban Development, Program Offices—
20 Community Planning and Development” for necessary
21 costs of administering and overseeing the obligation and
22 expenditure of amounts under this heading in this title,
23 to remain available until September 30, 2028: *Provided*
24 *further*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 SELF-HELP AND ASSISTED HOMEOWNERSHIP

4 OPPORTUNITY PROGRAM

5 For an additional amount for the “Self-Help and As-
6 sisted Homeownership Opportunity Program”, as author-
7 ized under section 11 of the Housing Opportunity Pro-
8 gram Extension Act of 1996, as amended, \$55,000,000,
9 to remain available until September 30, 2023: *Provided*,
10 That such additional amount shall be subject to the provi-
11 sions under this heading in title II of this Act, except as
12 modified by this heading in this title: *Provided further*,
13 That of the amount provided under this heading in this
14 title, \$10,000,000 shall be made available to the Self-Help
15 Homeownership Opportunity Program: *Provided further*,
16 That of the amount provided under this heading in this
17 title, \$40,000,000 shall be made available for the second,
18 third, and fourth capacity building activities authorized
19 under section 4(a) of the HUD Demonstration Act of
20 1993 (42 U.S.C. 9816 note), of which not less than
21 \$5,000,000 shall be made available for rural capacity
22 building activities: *Provided further*, That of the amount
23 provided under this heading in this title, \$5,000,000 shall
24 be made available for capacity building by national rural
25 housing organizations: *Provided further*, That such

1 amount is designated by the Congress as being for an
2 emergency requirement pursuant to section
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 HOUSING PROGRAMS
6 ASSISTED HOUSING INVESTMENTS
7 (INCLUDING TRANSFER OF FUNDS)

8 For assistance to owners of properties receiving
9 project-based subsidy contracts under the United States
10 Housing Act of 1937 (42 U.S.C. 1437 et seq.),
11 \$750,000,000, to remain available until September 30,
12 2024: *Provided*, That funds provided under this heading
13 in this title shall be for competitive grants for capital im-
14 provements to such properties: *Provided further*, That not
15 less than \$250,000,000 of the grants made available
16 under this heading in this title shall be for grants for ac-
17 tivities that mitigate threats to the health and safety of
18 residents; reduce lead-based paint hazards, and other
19 housing related hazards including carbon monoxide,
20 radon, or mold; improve water and energy efficiency; or
21 reduce the risk of harm to occupants or property from
22 natural hazards: *Provided further*, That projects funded
23 with grants provided under this heading in this title must
24 comply with the requirements of subchapter IV of chapter
25 31 of title 40, United States Code: *Provided further*, That

1 such grants shall be provided through the policies, proce-
2 dures, contracts, and transactional infrastructure of the
3 authorized programs administered by the Department of
4 Housing and Urban Development, on such terms and con-
5 ditions as the Secretary of Housing and Urban Develop-
6 ment deems appropriate to ensure the maintenance and
7 preservation of the property, the continued operation and
8 maintenance of energy efficiency technologies, and the
9 timely expenditure of funds: *Provided further*, That the
10 grants shall include a financial assessment and physical
11 inspection of such property: *Provided further*, That eligible
12 owners must have at least a satisfactory management re-
13 view rating, be in substantial compliance with applicable
14 performance standards and legal requirements, and com-
15 mit to an additional period of affordability determined by
16 the Secretary, but of not fewer than 15 years: *Provided*
17 *further*, That in administering funds appropriated or oth-
18 erwise made available under this heading in this title, the
19 Secretary may waive or specify alternative requirements
20 for any provision of any statute or regulation in connection
21 with the obligation by the Secretary or the use of these
22 funds (except for requirements related to fair housing,
23 nondiscrimination, labor standards, and the environment),
24 upon a finding that such a waiver is necessary to expedite
25 or facilitate the use of such funds: *Provided further*, That

1 of the amounts made available under this heading in this
2 title, up to 0.5 percent may be transferred to “Department
3 of Housing and Urban Development, Program Offices—
4 Office of Housing” for necessary costs of administering
5 and overseeing the obligation and expenditure of amounts
6 under this heading in this title, to remain available until
7 September 30, 2028: *Provided further*, That such amount
8 is designated by the Congress as being for an emergency
9 requirement pursuant to section 251(b)(2)(A)(i) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985.

12 HOUSING FOR THE ELDERLY

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for assistance for “Hous-
15 ing for the Elderly” as authorized by section 202 of the
16 Housing Act of 1959, as amended, \$750,000,000, to re-
17 main available until September 30, 2024, for use for cap-
18 ital advances under section 202(c)(1) of such Act and for
19 project rental assistance under section 202(c)(2) of such
20 Act in connection with such advances, including amend-
21 ments to contracts for such assistance, but not including
22 renewal of expiring contracts for such assistance: *Pro-*
23 *vided*, That such additional amount shall be subject to the
24 provisions under this heading in title II of this Act, except
25 as modified by this heading in this title: *Provided further*,

1 That not less than 10 percent of the amounts made avail-
2 able under this heading in this title shall be used for activi-
3 ties that improve water and energy efficiency, or reduce
4 the risk of harm to occupants or property from natural
5 hazards: *Provided further*, That of the amounts made
6 available under this heading in this title, up to 0.5 percent
7 may be transferred to “Department of Housing and
8 Urban Development, Program Offices—Office of Hous-
9 ing” for necessary costs of administering and overseeing
10 the obligation and expenditure of amounts under this
11 heading in this title, to remain available until September
12 30, 2028: *Provided further*, That such amount is des-
13 ignated by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 HOUSING FOR PERSONS WITH DISABILITIES

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for “Housing for Persons
19 with Disabilities”, for assistance for supportive housing
20 for persons with disabilities, as authorized by section 811
21 of the Cranston-Gonzalez National Affordable Housing
22 Act (42 U.S.C. 8013), \$179,000,000, to remain available
23 until September 30, 2024, to provide for additional capital
24 advances and project rental assistance for supportive
25 housing for persons with disabilities under section

1 811(b)(2) of such Act: *Provided*, That such additional
2 amount shall be subject to the provisions under this head-
3 ing in title II of this Act, except as modified by this head-
4 ing in this title: *Provided further*, That not less than 10
5 percent of the amounts made available under this heading
6 in this title shall be used for activities that improve water
7 and energy efficiency, or reduce the risk of harm to occu-
8 pants or property from natural hazards: *Provided further*,
9 That of the amounts made available under this heading
10 in this title, up to 0.5 percent may be transferred to “De-
11 partment of Housing and Urban Development, Program
12 Offices—Office of Housing” for necessary costs of admin-
13 istering and overseeing the obligation and expenditure of
14 amounts under this heading in this title, to remain avail-
15 able until September 30, 2028: *Provided further*, That
16 such amount is designated by the Congress as being for
17 an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

21 HOMES

22 LEAD HAZARD REDUCTION

23 For an additional amount for the “Lead Hazard Re-
24 duction Program”, as authorized by section 1011 of the
25 Residential Lead-Based Paint Hazard Reduction Act of

1 1992, \$100,000,000, to remain available until September
2 30, 2023, of which \$25,000,000 shall be for the Healthy
3 Homes Initiative, pursuant to sections 501 and 502 of the
4 Housing and Urban Development Act of 1970: *Provided*,
5 That such additional amount shall be subject to the provi-
6 sions under this heading in title II of this Act, except as
7 modified by this heading in this title: *Provided further*,
8 That not less than \$40,000,000 of the amounts made
9 available under this heading in this title for the award of
10 grants pursuant to section 1011 of the Residential Lead-
11 Based Paint Hazard Reduction Act of 1992 shall be pro-
12 vided to areas with the highest lead-based paint abatement
13 needs: *Provided further*, That not less than \$10,000,000
14 of the amounts made available under this heading in this
15 title for the Healthy Homes Initiative, the Secretary shall
16 give priority to applicants who have partnerships with
17 grantees of the Department of Energy’s Weatherization
18 Assistance Program: *Provided further*, That such amount
19 is designated by the Congress as being for an emergency
20 requirement pursuant to section 251(b)(2)(A)(i) of the
21 Balanced Budget and Emergency Deficit Control Act of
22 1985.

23 CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

24 For an additional amount for “Cybersecurity and In-
25 formation Technology Fund”, \$100,000,000, to remain

1 available until September 30, 2023: *Provided*, That the
2 amount made available under this heading in this title
3 shall be for the development, modernization, and enhance-
4 ment of, modifications to, and infrastructure for cyberse-
5 curity support, operations, controls, and documentation;
6 multifamily housing IT modernization; and resolving open
7 Office of Inspector General and Government Account-
8 ability Office recommendations: *Provided further*, That
9 such amount is designated by the Congress as being for
10 an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 OFFICE OF INSPECTOR GENERAL

14 For an additional amount for the necessary salaries
15 and expenses of the “Office of Inspector General” in car-
16 rying out the Inspector General Act of 1978, as amended,
17 \$7,500,000, to remain available until expended: *Provided*,
18 That the Inspector General shall have independent author-
19 ity over all personnel issues within this office: *Provided*
20 *further*, That such amount is designated by the Congress
21 as being for an emergency requirement pursuant to sec-
22 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985.

1 carry out activities provided under this heading in this
2 title: *Provided further*, That not less than 10 percent of
3 the amounts made available under this heading in this title
4 shall be used for activities that improve water and energy
5 efficiency, or reduce the risk of harm to occupants or prop-
6 erty from natural hazards: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 GENERAL PROVISIONS—ADDITIONAL INFRASTRUCTURE

12 INVESTMENTS

13 SEC. 501. (a) Notwithstanding any other provision
14 of law and in a manner consistent with other provisions
15 in this title, all laborers and mechanics employed by con-
16 tractors and subcontractors on projects funded directly by
17 or assisted in whole or in part by and through the Federal
18 Government pursuant to this title shall be paid wages at
19 rates not less than those prevailing on projects of a char-
20 acter similar in the locality as determined by the Secretary
21 of Labor in accordance with subchapter IV of chapter 31
22 of title 40, United States Code. With respect to the labor
23 standards specified in this section, the Secretary of Labor
24 shall have the authority and functions set forth in Reorga-
25 nization Plan Numbered 14 of 1950 (64 Stat. 1267; 5

1 U.S.C. App.) and section 63145 of title 40, United States
2 Code.

3 (b) Subsection (a) shall not apply to tribal contracts
4 entered into by the Department of Housing and Urban
5 Development with amounts made available under the
6 headings “Native American Programs” and “Native Ha-
7 waiian Housing Block Grant” in this title.

8 (c) The amounts provided by this section are des-
9 ignated by the Congress as being for an emergency re-
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 SEC. 502. For amounts made available in this title
13 under the headings “Northeast Corridor Grants to the Na-
14 tional Railroad Passenger Corporation” and “National
15 Network Grants to the National Railroad Passenger Cor-
16 poration”, the Secretary of Transportation may not waive
17 the requirements under section 24312 of title 49, United
18 States Code, and section 24305(f) of title 49, United
19 States Code: *Provided*, That for amounts made available
20 in this title under such headings the Secretary shall re-
21 quire the National Railroad Passenger Corporation to
22 comply with the Railroad Retirement Act of 1974 (45
23 U.S.C. 231 et seq.), the Railway Labor Act (45 U.S.C.
24 151 et seq.), and the Railroad Unemployment Insurance
25 Act (45 U.S.C. 351 et seq.): *Provided further*, That the

1 amounts made available in this title under such headings
2 shall be used by the National Railroad Passenger Corpora-
3 tion to prevent employee furloughs: *Provided further*, That
4 none of the funds made available in this title under such
5 headings may be used by the National Railroad Passenger
6 Corporation to reduce the frequency of rail service on any
7 long-distance route or State-supported route (as such
8 terms are defined in section 24102 of title 49, United
9 States Code) below frequencies for such routes in fiscal
10 year 2019, except in an emergency, during maintenance
11 or construction outages impacting such routes, or at the
12 request of the State or States supporting such State-sup-
13 ported routes.

14 This Act may be cited as the “Transportation, Hous-
15 ing and Urban Development, and Related Agencies Appro-
16 priations Act, 2021”.

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[FULL COMMITTEE PRINT]

Union Calendar No. _____

116TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 116-_____] _____

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

, 2020

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