

# Union Calendar No. 363

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7616

[Report No. 116–452]

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2020

Mr. PRICE of North Carolina, 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

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## 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 \$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”.

10 PAYMENTS TO AIR CARRIERS

11 (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          (9) \$12,000,000 shall be for the Regional Infra-  
13 structure Accelerator Demonstration Program au-  
14 thorized under section 1441 of the FAST Act;

15          (10) \$5,000,000 shall be for a National Road  
16 Network Pilot Program for the Federal Highway  
17 Administration to create a national level, geo-spatial  
18 dataset that uses data already collected under the  
19 Highway Performance Monitoring System; and

20          (11) \$2,000,000 shall be for research that leads  
21 to decreases in highway and pedestrian fatalities  
22 among Tribal populations:

23 *Provided further*, That for the purposes of funds made  
24 available under paragraph (1) of the fourth proviso, the  
25 term “State” means any of the 50 States or the District

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

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

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

1 year 2021 shall not be subject to section 120(a)(2) of this  
2 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, \$506,200,000 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 \$506,200,000 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, as of September 30, 2020,  
19 under this proviso.

20 TRANSIT INFRASTRUCTURE GRANTS

21 For an additional amount for buses and bus facilities  
22 grants under section 5339 of title 49, United States Code,  
23 low or no emission grants under section 5339(e) of such  
24 title, the passenger ferry grant program as authorized  
25 under section 5307(h) of such title, and the demonstration

1 and deployment of innovative mobility solutions as author-  
2 ized under section 5312 of such title, \$510,000,000, to  
3 remain available until expended: *Provided*, That of the  
4 amounts made available under this heading—

5 (1) \$374,000,000 shall be available for the  
6 buses and bus facilities competitive grants as au-  
7 thorized under section 5339(b) of title 49, United  
8 States Code: *Provided*, That activities that increase  
9 green space surrounding a bus transportation hub  
10 structure are eligible for a grant under this para-  
11 graph: *Provided further*, That the minimum grant  
12 award shall be not less than \$1,000,000;

13 (2) \$125,000,000 shall be available for the low  
14 or no emission grants as authorized under section  
15 5339(c) of title 49, United States Code: *Provided*,  
16 That the minimum grant award shall be not less  
17 than \$1,250,000;

18 (3) \$10,000,000 shall be available for the pas-  
19 senger ferry grant program as authorized under sec-  
20 tion 5307(h) of title 49, United States Code: *Pro-*  
21 *vided*, That the funds provided under this heading  
22 shall only be available for low or zero-emission fer-  
23 ries or ferries using electric battery or fuel cell com-  
24 ponents and the infrastructure to support such fer-  
25 ries; and

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

15 *Provided further*, That the Federal share of the costs for  
16 which any grant is made under this heading shall be, at  
17 the option of the recipient, up to 100 percent: *Provided*  
18 *further*, That amounts made available under this heading  
19 shall be derived from the general fund and shall not be  
20 subject to any limitation on obligation for transit pro-  
21 grams set forth in any Act.

22                           TECHNICAL ASSISTANCE AND TRAINING

23          For necessary expenses to carry out section 5314 of  
24 title 49, United States Code, \$7,000,000, to remain avail-  
25 able until September 30, 2022: *Provided*, That the assist-

1 ance provided under this heading does not duplicate the  
2 activities of section 5311(b) or section 5312 of title 49,  
3 United States Code.

4 CAPITAL INVESTMENT GRANTS

5 For necessary expenses to carry out fixed guideway  
6 capital investment grants under section 5309 of title 49,  
7 United States Code, and section 3005(b) of the Fixing  
8 America's Surface Transportation Act (49 U.S.C. 5309  
9 note), \$2,175,000,000, to remain available until Sep-  
10 tember 30, 2024: *Provided*, That of the amounts made  
11 available under this heading, \$1,848,000,000 shall be allo-  
12 cated by December 31, 2022: *Provided further*, That of  
13 the amounts made available under this heading,  
14 \$1,250,000,000 shall be available for projects authorized  
15 under section 5309(d) of title 49, United States Code,  
16 \$525,000,000 shall be available for projects authorized  
17 under section 5309(e) of title 49, United States Code,  
18 \$300,000,000 shall be available for projects authorized  
19 under section 5309(h) of title 49, United States Code, and  
20 \$100,000,000 shall be available for projects authorized  
21 under section 3005(b) of the Fixing America's Surface  
22 Transportation Act (49 U.S.C. 5309 note): *Provided fur-*  
23 *ther*, That funds made available under this heading in this  
24 or any other Act may be available for amendments to cur-  
25 rent full-funding grant agreements that require additional

1 Federal funding as a result of coronavirus: *Provided fur-*  
2 *ther*, That the Secretary shall continue to administer the  
3 capital investment grants program in accordance with the  
4 procedural and substantive requirements of section 5309  
5 of title 49, United States Code, of section 3005(b) of the  
6 Fixing America’s Surface Transportation Act (49 U.S.C.  
7 5309 note), and of section 5309(i) of title 49, United  
8 States Code: *Provided further*, That projects that receive  
9 a grant agreement under the Expedited Project Delivery  
10 for Capital Investment Grants Pilot Program under sec-  
11 tion 3005(b) of the Fixing America’s Surface Transpor-  
12 tation Act (49 U.S.C. 5309 note) shall be deemed eligible  
13 for funding provided for projects under section 5309 of  
14 title 49, United States Code, without further evaluation  
15 or rating under such section: *Provided further*, That such  
16 funding shall not exceed the Federal share under section  
17 3005(b).

18 GRANTS TO THE WASHINGTON METROPOLITAN AREA

19 TRANSIT AUTHORITY

20 For grants to the Washington Metropolitan Area  
21 Transit Authority as authorized under section 601 of divi-  
22 sion B of the Passenger Rail Investment and Improvement  
23 Act of 2008 (Public Law 110-432), \$150,000,000, to re-  
24 main available until expended: *Provided*, That the Sec-  
25 retary of Transportation shall approve grants for capital

1 and preventive maintenance expenditures for the Wash-  
2 ington Metropolitan Area Transit Authority only after re-  
3 ceiving and reviewing a request for each specific project:  
4 *Provided further*, That the Secretary shall determine that  
5 the Washington Metropolitan Area Transit Authority has  
6 placed the highest priority on those investments that will  
7 improve the safety of the system before approving such  
8 grants: *Provided further*, That the Secretary, in order to  
9 ensure safety throughout the rail system, may waive the  
10 requirements of section 601(e)(1) of division B of the Pas-  
11 senger Rail Investment and Improvement Act of 2008  
12 (Public Law 110-432).

13 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

14 ADMINISTRATION

15 (INCLUDING RESCISSIONS)

16 SEC. 160. The limitations on obligations for the pro-  
17 grams of the Federal Transit Administration shall not  
18 apply to any authority under 49 U.S.C. 5338, previously  
19 made available for obligation, or to any other authority  
20 previously made available for obligation.

21 SEC. 161. Notwithstanding any other provision of  
22 law, funds appropriated or limited by this Act under the  
23 heading “Capital Investment Grants” of the Federal  
24 Transit Administration for projects specified in this Act  
25 or identified in reports accompanying this Act not obli-

1 gated by September 30, 2024, and other recoveries, shall  
2 be directed to projects eligible to use the funds for the  
3 purposes for which they were originally provided.

4 SEC. 162. Notwithstanding any other provision of  
5 law, any funds appropriated before October 1, 2019, for  
6 any section of chapter 53 of title 49, United States Code,  
7 that remain available for expenditure, may be transferred  
8 to and administered under the most recent appropriation  
9 heading for any such section.

10 SEC. 163. None of the funds made available by this  
11 Act or any other Act shall be used to adjust apportion-  
12 ments or withhold funds from apportionments pursuant  
13 to section 9503(e)(4) of the Internal Revenue Code of  
14 1986 (26 U.S.C. 9503(e)(4)).

15 SEC. 164. An eligible recipient of a grant under sec-  
16 tion 5339(c) may submit an application in partnership  
17 with other entities, including a transit vehicle manufac-  
18 turer, that intend to participate in the implementation of  
19 a project under section 5339(c) of title 49, United States  
20 Code, and a project awarded with such partnership shall  
21 be treated as satisfying the requirement for a competitive  
22 procurement under section 5325(a) of title 49, United  
23 States Code, for the named entity.

24 SEC. 165. None of the funds made available by this  
25 Act or any other Act shall be used to impede or hinder

1 project advancement or approval for any project seeking  
2 a Federal contribution from the capital investment grant  
3 program of greater than 40 percent of project costs as  
4 authorized under section 5309 of title 49, United States  
5 Code.

6       SEC. 166. None of the funds made available by this  
7 Act may be used for the implementation or furtherance  
8 of new policies detailed in the “Dear Colleague” letter dis-  
9 tributed by the Federal Transit Administration to capital  
10 investment grant program project sponsors on June 29,  
11 2018.

12       SEC. 167. None of the funds made available in this  
13 Act may be used by the Department of Transportation  
14 to implement any policy that requires a capital investment  
15 grant project to receive a medium or higher project rating  
16 before taking actions to finalize an environmental impact  
17 statement.

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

1       SEC. 169. Of the unobligated amounts made available  
2 for the Job Access and Reverse Commute program, as au-  
3 thorized by Public Law 105–178, as amended, a total of  
4 \$320,230 are hereby permanently rescinded.

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

9                    SAINT LAWRENCE SEAWAY DEVELOPMENT  
10                                   CORPORATION

11       The Saint Lawrence Seaway Development Corpora-  
12 tion is hereby authorized to make such expenditures, with-  
13 in the limits of funds and borrowing authority available  
14 to the Corporation, and in accord with law, and to make  
15 such contracts and commitments without regard to fiscal  
16 year limitations, as provided by section 9104 of title 31,  
17 United States Code, as may be necessary in carrying out  
18 the programs set forth in the Corporation’s budget for the  
19 current fiscal year.

20                                   OPERATIONS AND MAINTENANCE  
21                                   (HARBOR MAINTENANCE TRUST FUND)

22       For necessary expenses to conduct the operations,  
23 maintenance, and capital infrastructure activities on por-  
24 tions of the Saint Lawrence Seaway owned, operated, and  
25 maintained by the Saint Lawrence Seaway Development

1 Corporation, \$40,000,000, to be derived from the Harbor  
2 Maintenance Trust Fund, pursuant to section 210 of the  
3 Water Resources Development Act of 1986 (33 U.S.C.  
4 2238): *Provided*, That of the amounts made available  
5 under this heading, not less than \$15,800,000 shall be for  
6 the seaway infrastructure program.

7 MARITIME ADMINISTRATION

8 MARITIME SECURITY PROGRAM

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

14 CABLE SECURITY FLEET PROGRAM

15 For necessary expenses to establish and maintain a  
16 fleet of United States-documented cable vessels as author-  
17 ized under chapter 532 of title 46, United States Code,  
18 to meet the national security requirements of the United  
19 States, \$10,000,000, to remain available until expended.

20 OPERATIONS AND TRAINING

21 (INCLUDING TRANSFER OF FUNDS)

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

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

4           (2) \$5,500,000, to remain available until ex-  
5           pended, shall be for facilities maintenance and re-  
6           pair, and equipment, at the United States Merchant  
7           Marine Academy;

8           (3) \$3,000,000, to remain available until Sep-  
9           tember 30, 2022, shall be for the Maritime Environ-  
10          mental and Technical Assistance program authorized  
11          under section 50307 of title 46, United States Code;  
12          and

13          (4) \$14,775,000, to remain available until ex-  
14          pended, shall be for the Short Sea Transportation  
15          Program (America’s Marine Highways) to make  
16          grants for the purposes authorized under paragraphs  
17          (1) and (3) of section 55601(b) of title 46, United  
18          States Code:

19 *Provided further*, That not later than 120 days after the  
20 date of enactment of this Act, the Administrator of the  
21 Maritime Administration shall transmit to the House and  
22 Senate Committees on Appropriations the annual report  
23 on sexual assault and sexual harassment at the United  
24 States Merchant Marine Academy as required pursuant  
25 to section 3507 of the Duncan Hunter National Defense

1 Authorization Act for Fiscal Year 2009 (46 U.S.C. 51301  
2 note): *Provided further*, That available balances under this  
3 heading for the Short Sea Transportation Program  
4 (America’s Marine Highways) from prior year recoveries  
5 shall be available to carry out activities authorized under  
6 paragraphs (1) and (3) of section 55601(b) of title 46,  
7 United States Code: *Provided further*, That for amounts  
8 made available under paragraphs (3) and (4) of the first  
9 proviso, the Secretary of Transportation shall make grants  
10 not later than 180 days after the date of enactment of  
11 this Act in such amounts as the Secretary determines:  
12 *Provided further*, That any unobligated balances and obli-  
13 gated balances not yet expended from previous appropria-  
14 tions under this heading for programs and activities sup-  
15 porting State Maritime Academies shall be transferred to  
16 and merged with the appropriations for “Maritime Admin-  
17 istration—State Maritime Academy Operations” and shall  
18 be made available for the same purposes as the appropria-  
19 tions for “Maritime Administration—State Maritime  
20 Academy Operations”.

21 STATE MARITIME ACADEMY OPERATIONS

22 For necessary expenses of operations, support, and  
23 training activities for State Maritime Academies,  
24 \$431,700,000: *Provided*, That of the amounts made avail-  
25 able under this heading—

1           (1) \$30,500,000, to remain available until ex-  
2           pended, shall be for maintenance, repair, life exten-  
3           sion, marine insurance, and capacity improvement of  
4           National Defense Reserve Fleet training ships in  
5           support of State Maritime Academies, of which  
6           \$8,000,000, to remain available until expended, shall  
7           be for expenses related to training mariners for costs  
8           associated with training vessel sharing pursuant to  
9           section 51504(g)(3) of title 46, United States Code,  
10          for costs associated with mobilizing, operating, and  
11          demobilizing the vessel, including travel costs for  
12          students, faculty, and crew, the costs of the general  
13          agent, crew costs, fuel, insurance, operational fees,  
14          and vessel hire costs, as determined by the Sec-  
15          retary;

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

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



1 Code, \$300,000,000, to remain available until expended:  
2 *Provided*, That projects eligible for amounts made avail-  
3 able under this heading shall be projects for coastal sea-  
4 ports, inland river ports, or Great Lakes ports: *Provided*  
5 *further*, That of the amounts made available under this  
6 heading, not less than \$275,000,000 shall be for coastal  
7 seaports or Great Lakes ports: *Provided further*, That the  
8 Maritime Administration shall distribute amounts made  
9 available under this heading as discretionary grants to  
10 port authorities or commissions or their subdivisions and  
11 agents under existing authority, as well as to a State or  
12 political subdivision of a State or local government, a Trib-  
13 al government, a public agency or publicly chartered au-  
14 thority established by 1 or more States, a special purpose  
15 district with a transportation function, a multistate or  
16 multijurisdictional group of entities, or a lead entity de-  
17 scribed above jointly with a private entity or group of pri-  
18 vate entities: *Provided further*, That projects eligible for  
19 amounts made available under this heading shall be de-  
20 signed to improve the safety, efficiency, or reliability of  
21 the movement of goods into, out of, around, or within a  
22 port and located—  
23 (1) within the boundary of a port, or

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

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

6           (1) port gate improvements;

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

9           (3) rail improvements both within and con-  
10          necting to the port;

11          (4) berth improvements (including docks,  
12          wharves, piers and dredging incidental to the im-  
13          provement project);

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

21          (6) utilities necessary for safe operations (in-  
22          cluding lighting, stormwater, and other such im-  
23          provements that are incidental to a larger infrastruc-  
24          ture project); or

25          (7) a combination of activities described above:

1 *Provided further*, That the Federal share of the costs for  
2 which an amount is provided under this heading shall be  
3 up to 80 percent: *Provided further*, That section  
4 50302(c)(6)(B)(i) of title 46, United States Code, shall  
5 not apply to amounts made available under this heading:  
6 *Provided further*, That for grants awarded under this  
7 heading, the minimum grant size shall be \$1,000,000:  
8 *Provided further*, That for grant awards less than  
9 \$10,000,000, the Secretary shall prioritize ports that han-  
10 dled less than 10,000,000 short tons in 2017, as identified  
11 by the Corps of Engineers: *Provided further*, That for  
12 grant awards less than \$10,000,000, the Secretary may  
13 increase the Federal share of costs above 80 percent: *Pro-*  
14 *vided further*, That the proceeds of Federal credit assist-  
15 ance under chapter 6 of title 23, United States Code, or  
16 sections 501 through 504 of the Railroad and Revitaliza-  
17 tion and Regulatory Reform Act of 1976 (Public Law 94-  
18 210) shall be considered to be part of the non-Federal  
19 share of project costs if the loan is repayable from non-  
20 Federal funds, unless otherwise requested by the project  
21 sponsor: *Provided further*, That not to exceed 2 percent  
22 of the amounts made available under this heading shall  
23 be available for necessary costs of grant administration.

## 1 ADMINISTRATIVE PROVISIONS—MARITIME

## 2 ADMINISTRATION

3 SEC. 170. Notwithstanding any other provision of  
4 this Act, in addition to any existing authority, the Mari-  
5 time Administration is authorized to furnish utilities and  
6 services and make necessary repairs in connection with  
7 any lease, contract, or occupancy involving Government  
8 property under control of the Maritime Administration:  
9 *Provided*, That payments received therefor shall be cred-  
10 ited to the appropriation charged with the cost thereof and  
11 shall remain available until expended: *Provided further*,  
12 That rental payments under any such lease, contract, or  
13 occupancy for items other than such utilities, services, or  
14 repairs shall be deposited into the Treasury as miscella-  
15 neous receipts.

16 SEC. 171. For fiscal year 2021, in addition to pay-  
17 ments made pursuant to 53106 of title 46, United States  
18 Code, the Secretary shall pay to the contractor for an op-  
19 erating agreement entered into pursuant to chapter 531  
20 of title 46, United States Code, for each vessel that is cov-  
21 ered by such operating agreement as of the date of enact-  
22 ment of this Act, an amount equal to \$500,000: *Provided*,  
23 That payments authorized by this section shall be paid  
24 not later than 60 days after the date of enactment of this  
25 Act: *Provided further*, That any unobligated balances re-

1 maining from the amounts made available for payments  
2 under the heading “Maritime Administration—Maritime  
3 Security Program” in any prior Act may be used for such  
4 payments.

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

8 For necessary operational expenses of the Pipeline  
9 and Hazardous Materials Safety Administration,  
10 \$25,715,000, of which \$1,500,000 shall remain available  
11 until September 30, 2023.

12 HAZARDOUS MATERIALS SAFETY

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

1 curred in performance of hazardous materials exemptions  
2 and approvals functions.

3 PIPELINE SAFETY  
4 (PIPELINE SAFETY FUND)  
5 (OIL SPILL LIABILITY TRUST FUND)

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

1                   EMERGENCY PREPAREDNESS GRANTS  
2                   (LIMITATION ON OBLIGATIONS)  
3                   (EMERGENCY PREPAREDNESS FUND)

4       For expenses necessary to carry out the Emergency  
5 Preparedness Grants program, not more than  
6 \$28,318,000 shall remain available until September 30,  
7 2023, from amounts made available by section 5116(h)  
8 and subsections (b) and (c) of section 5128 of title 49,  
9 United States Code: *Provided*, That notwithstanding sec-  
10 tion 5116(h)(4) of title 49, United States Code, not more  
11 than 4 percent of the amounts made available from this  
12 account shall be available to pay administrative costs: *Pro-*  
13 *vided further*, That notwithstanding subsections (b) and  
14 (c) of section 5128 of title 49, United States Code, and  
15 the limitation on obligations provided under this heading,  
16 prior year recoveries recognized in the current year shall  
17 be available to develop and deliver hazardous materials  
18 emergency response training for emergency responders, in-  
19 cluding response activities for the transportation of crude  
20 oil, ethanol, flammable liquids, and other hazardous com-  
21 modities by rail, consistent with National Fire Protection  
22 Association standards, and to make such training avail-  
23 able through an electronic format: *Provided further*, That  
24 the prior year recoveries made available under this head-  
25 ing shall also be available to carry out sections

1 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e) of title 49,  
2 United States Code.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

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

15 GENERAL PROVISIONS—DEPARTMENT OF

16 TRANSPORTATION

17 SEC. 180. (a) During the current fiscal year, applica-  
18 ble appropriations to the Department of Transportation  
19 shall be available for maintenance and operation of air-  
20 craft; hire of passenger motor vehicles and aircraft; pur-  
21 chase of liability insurance for motor vehicles operating  
22 in foreign countries on official department business; and  
23 uniforms or allowances therefor, as authorized by sections  
24 5901 and 5902 of title 5, United States Code.

1           (b) During the current fiscal year, applicable appro-  
2 priations to the Department and its operating administra-  
3 tions shall be available for the purchase, maintenance, op-  
4 eration, and deployment of unmanned aircraft systems  
5 that advance the missions of the Department of Transpor-  
6 tation or an operating administration of the Department  
7 of Transportation.

8           (c) Any unmanned aircraft system purchased, pro-  
9 cured, or contracted for by the Department prior to the  
10 date of enactment of this Act shall be deemed authorized  
11 by Congress as if this provision was in effect when the  
12 system was purchased, procured, or contracted for.

13           SEC. 181. Appropriations contained in this Act for  
14 the Department of Transportation shall be available for  
15 services as authorized by section 3109 of title 5, United  
16 States Code, but at rates for individuals not to exceed the  
17 per diem rate equivalent to the rate for an Executive Level  
18 IV.

19           SEC. 182. (a) No recipient of amounts made available  
20 by this Act shall disseminate personal information (as de-  
21 fined in section 2725(3) of title 18, United States Code)  
22 obtained by a State department of motor vehicles in con-  
23 nection with a motor vehicle record as defined in section  
24 2725(1) of title 18, United States Code, except as pro-  
25 vided in section 2721 of title 18, United States Code, for

1 a use permitted under section 2721 of title 18, United  
2 States Code.

3 (b) Notwithstanding subsection (a), the Secretary  
4 shall not withhold amounts made available by this Act for  
5 any grantee if a State is in noncompliance with this provi-  
6 sion.

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

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

24 SEC. 185. (a) None of the funds made available by  
25 this Act to the Department of Transportation may be used

1 to make a loan, loan guarantee, line of credit, cooperative  
2 agreement, or discretionary grant unless the Secretary of  
3 Transportation notifies the House and Senate Committees  
4 on Appropriations not less than 3 full business days before  
5 any project competitively selected to receive any discre-  
6 tionary grant award, letter of intent, loan commitment,  
7 loan guarantee commitment, line of credit commitment,  
8 cooperative agreement, or full funding grant agreement is  
9 announced by the Department or its operating administra-  
10 tions: *Provided*, That the Secretary gives concurrent noti-  
11 fication to the House and Senate Committees on Appro-  
12 priations for any “quick release” of funds from the emer-  
13 gency relief program: *Provided further*, That no notifica-  
14 tion shall involve funds that are not available for obliga-  
15 tion.

16 (b) In addition to the notification required in sub-  
17 section (a), none of the funds made available by this Act  
18 to the Department of Transportation may be used to make  
19 a loan, loan guarantee, line of credit, cooperative agree-  
20 ment, or discretionary grant unless the Secretary of  
21 Transportation provides the House and Senate Commit-  
22 tees on Appropriations a comprehensive list of all such  
23 loans, loan guarantees, lines of credit, cooperative agree-  
24 ments, or discretionary grants that will be announced not  
25 less the 3 full business days before such announcement:

1 *Provided*, That the Department of Transportation shall  
2 provide the list required in this subsection prior to the no-  
3 tification required in subsection (a): *Provided further*,  
4 That the requirement to provide a list in this subsection  
5 does not apply to any “quick release” of funds from the  
6 emergency relief program: *Provided further*, That no list  
7 shall involve funds that are not available for obligation.

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

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

23               (1) to reimburse the actual expenses incurred  
24       by the Department of Transportation in recovering  
25       improper payments: *Provided*, That amounts made

1 available by this Act shall be available until ex-  
2 pended; and

3 (2) to pay contractors for services provided in  
4 recovering improper payments or contractor support  
5 in the implementation of the Improper Payments In-  
6 formation Act of 2002 (Public Law 107–300), as  
7 amended by the Improper Payments Elimination  
8 and Recovery Act of 2010 (Public Law 111–204)  
9 and Improper Payments Elimination and Recovery  
10 Improvement Act of 2012 (Public Law 112–248),  
11 and Fraud Reduction and Data Analytics Act of  
12 2015 (Public Law 114–186): *Provided*, That  
13 amounts in excess of that required for paragraphs  
14 (1) and (2)—

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

1 (B) if no such appropriation remains avail-  
2 able, shall be deposited in the Treasury as mis-  
3 cellaneous receipts: *Provided further*, That prior  
4 to depositing such recovery in the Treasury, the  
5 Secretary shall notify the House and Senate  
6 Committees on Appropriations of the amount  
7 and reasons for such transfer: *Provided further*,  
8 That for purposes of this section, the term “im-  
9 proper payments” has the same meaning as  
10 that provided in section 2(e)(2) of the Improper  
11 Payments Elimination and Recovery Act of  
12 2010 (Public Law 111–204).

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

1 the reprogramming action has been approved or denied by  
2 the House and Senate Committees on Appropriations.

3       SEC. 189. Funds appropriated by this Act to the op-  
4 erating administrations may be obligated for the Office of  
5 the Secretary for the costs related to assessments or reim-  
6 bursable agreements only when such amounts are for the  
7 costs of goods and services that are purchased to provide  
8 a direct benefit to the applicable operating administration  
9 or administrations.

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

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

1 which the Department of Transportation is assisting, only  
2 if the grant recipient certifies the following:

3 (1) that except with respect to apprentices or  
4 trainees, a pool of readily available but unemployed  
5 individuals possessing the knowledge, skill, and abil-  
6 ity to perform the work that the contract requires  
7 resides in the jurisdiction;

8 (2) that the grant recipient will include appro-  
9 priate provisions in its bid document ensuring that  
10 the contractor does not displace any of its existing  
11 employees in order to satisfy such hiring preference;  
12 and

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

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

1        SEC. 193. Notwithstanding the Department of Trans-  
2 portation Appropriations Act, 2010 (Public Law 111-  
3 117), de-obligated funds associated with Cooperative  
4 Agreement No. FR-HSR-0118-12-01-01 may not be made  
5 available for any purpose, including award, transfer, or ob-  
6 ligation to any other program or recipient, until the final  
7 determination of any litigation concerning such funds.

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

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

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

6 For necessary salaries and expenses for Executive Of-  
7 fices, which shall be comprised of the offices of the Sec-  
8 retary, Deputy Secretary, Adjudicatory Services, Congres-  
9 sional and Intergovernmental Relations, Public Affairs,  
10 Small and Disadvantaged Business Utilization, and the  
11 Center for Faith-Based and Neighborhood Partnerships,  
12 \$15,000,000, to remain available until September 30,  
13 2022: *Provided*, That not to exceed \$20,000 of the amount  
14 made available under this heading shall be available to the  
15 Secretary for official reception and representation ex-  
16 penses as the Secretary of Housing and Urban Develop-  
17 ment (in this title “the Secretary”) may determine: *Pro-*  
18 *vided further*, That the Secretary shall issue the report re-  
19 quired by House Report 114-129 not later than 30 days  
20 after the date of enactment of this Act: *Provided further*,  
21 that such report shall include (1) the Department’s strat-  
22 egy for continuing to ensure that lesbian, gay, bisexual,  
23 and transgender individuals have access to Department of  
24 Housing and Urban Development (in this title the “De-  
25 partment” or “HUD”) programs for which they are eligi-

1 ble, to be provided by the Office of Fair Housing and  
2 Equal Opportunity; and (2) the plan for disseminating  
3 this information to public housing agencies, to be provided  
4 by the Office of Public and Indian Housing: *Provided fur-*  
5 *ther*, That the amount made available under this heading  
6 for the “Office of the Secretary” shall be reduced by  
7 \$10,000 for each day after the date that is 30 days after  
8 enactment of this Act that such report has not been sub-  
9 mitted to the Congress.

10 ADMINISTRATIVE SUPPORT OFFICES

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

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

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

21 (3) not to exceed \$286,258,000 shall be avail-  
22 able for the Office of the Assistant Secretary for Ad-  
23 ministration, of which not less than \$20,000,000  
24 shall be for modernizing the Weaver Building and

1 space consolidation, to remain available until Sep-  
2 tember 30, 2023;

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

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

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

10 *Provided further*, That funds made available under this  
11 heading may be used for necessary administrative and  
12 non-administrative expenses of the Department, not other-  
13 wise provided for, including purchase of uniforms, or al-  
14 lowances therefor, as authorized by sections 5901 and  
15 5902 of title 5, United States Code; hire of passenger  
16 motor vehicles; and services as authorized by section 3109  
17 of title 5, United States Code: *Provided further*, That not-  
18 withstanding any other provision of law, funds appro-  
19 priated under this heading may be used for advertising  
20 and promotional activities that directly support program  
21 activities funded in this title: *Provided further*, That the  
22 Secretary shall provide the House and Senate Committees  
23 on Appropriations quarterly written notification regarding  
24 the status of pending congressional reports: *Provided fur-*  
25 *ther*, That the Secretary shall provide in electronic form

1 all signed reports required by Congress: *Provided further*,  
2 That none of the funds made available under this heading  
3 for the Office of the Chief Financial Officer for the finan-  
4 cial transformation initiative shall be available for obliga-  
5 tion until after the Secretary publishes the necessary ad-  
6 ministrative requirements for amounts made available to  
7 provide enhanced or improved electrical power systems  
8 under the heading “Department of Housing and Urban  
9 Development—Community Development Fund” in Public  
10 Law 115-123: *Provided further*, That only after the terms  
11 and conditions of the preceding proviso have been met,  
12 not more than 10 percent of the funds made available  
13 under this heading for the Office of the Chief Financial  
14 Officer for the financial transformation initiative may be  
15 obligated until the Secretary submits to the House and  
16 Senate Committees on Appropriations, for approval, a  
17 plan for expenditure that includes the financial and inter-  
18 nal control capabilities to be delivered and the mission  
19 benefits to be realized, key milestones to be met, and the  
20 relationship between the proposed use of funds made avail-  
21 able under this heading and the projected total cost and  
22 scope of the initiative.

23 PROGRAM OFFICES

24 For necessary salaries and expenses for Program Of-  
25 fices, \$909,595,000, to remain available until September

1 30, 2022: *Provided*, That of the amounts made available  
2 under this heading—

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

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

8 (3) not to exceed \$400,000,000 shall be avail-  
9 able for the Office of Housing, of which not less  
10 than \$12,300,000 shall be for the Office of Recapi-  
11 talization;

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

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

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

20 WORKING CAPITAL FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For the working capital fund for the Department  
23 (“the Fund”), pursuant, in part, to section 7(f) of the De-  
24 partment of Housing and Urban Development Act (42  
25 U.S.C. 3535(f)), amounts transferred to the Fund under

1 this heading, including reimbursements pursuant to sec-  
2 tion 7(f), shall be available only for Federal shared serv-  
3 ices used by offices and agencies of the Department, and  
4 for any such portion of any office or agency's information  
5 technology customer devices and support; talent manage-  
6 ment; printing; records management; space renovation;  
7 furniture; or supply services the Secretary has determined  
8 shall be provided through the Fund, and for the oper-  
9 ational expenses of the Fund: *Provided*, That amounts  
10 from the Fund shall not be available to provide services  
11 not specifically authorized under this heading: *Provided*  
12 *further*, That upon a determination by the Secretary that  
13 any other service (or portion thereof) authorized under  
14 this heading shall be provided through the Fund, amounts  
15 made available under this title for salaries and expenses  
16 under the headings "Executive Offices", "Administrative  
17 Support Offices", "Program Offices", and "Government  
18 National Mortgage Association", for such services shall be  
19 transferred to the Fund, to remain available until ex-  
20 pended: *Provided further*, That the Secretary shall notify  
21 the House and Senate Committees on Appropriations of  
22 its plans for executing such transfers at least 15 days in  
23 advance of such transfers: *Provided further*, That the Sec-  
24 retary may transfer not to exceed an additional  
25 \$10,000,000, in aggregate, from all such appropriations,

1 to be merged with the Fund and to remain available until  
2 expended for any purpose under this heading.

3 PUBLIC AND INDIAN HOUSING

4 TENANT-BASED RENTAL ASSISTANCE

5 For activities and assistance for the provision of ten-  
6 ant-based rental assistance authorized under the United  
7 States Housing Act of 1937, as amended (42 U.S.C. 1437  
8 et seq.) (in this title “the Act”), not otherwise provided  
9 for, \$21,739,312,000, to remain available until expended,  
10 which shall be available on October 1, 2020 (in addition  
11 to the \$4,000,000,000 previously appropriated under this  
12 heading that shall be available on October 1, 2020), and  
13 \$4,000,000,000, to remain available until expended, which  
14 shall be available on October 1, 2021: *Provided*, That the  
15 amounts made available under this heading are provided  
16 as follows:

17 (1) \$22,852,000,000 shall be for renewals of  
18 expiring section 8 tenant-based annual contributions  
19 contracts (including renewals of enhanced vouchers  
20 under any provision of law authorizing such assist-  
21 ance under section 8(t) of the Act and as authorized  
22 under 613(b) of the Cranston-Gonzales National Af-  
23 fordable Housing Act (12 U.S.C. 4125(b))) and in-  
24 cluding renewal of other special purpose incremental  
25 vouchers: *Provided*, That notwithstanding any other

1 provision of law, from amounts provided under this  
2 paragraph and any carryover, the Secretary shall for  
3 the calendar year 2021 funding cycle, provide re-  
4 newal funding for each public housing agency based  
5 on validated voucher management system (VMS)  
6 leasing and cost data for the prior calendar year and  
7 by applying an inflation factor as established by the  
8 Secretary, by notice published in the Federal Reg-  
9 ister, and by making any necessary adjustments for  
10 the costs associated with the first-time renewal of  
11 vouchers under this paragraph including tenant pro-  
12 tection and Choice Neighborhoods vouchers: *Pro-*  
13 *vided further*, That none of the funds provided under  
14 this paragraph may be used to fund a total number  
15 of unit months under lease that exceeds a public  
16 housing agency's authorized level of units under con-  
17 tract, except for public housing agencies partici-  
18 pating in the Moving to Work (in this title "MTW")  
19 demonstration, which shall instead be governed by  
20 the terms and conditions of their MTW agreements:  
21 *Provided further*, That the Secretary shall, to the ex-  
22 tent necessary not to exceed the amount specified  
23 under this paragraph (except as otherwise modified  
24 under this paragraph), prorate each public housing  
25 agency's allocation otherwise established pursuant to

1 this paragraph: *Provided further*, That except as  
2 provided in the succeeding provisos, the entire  
3 amount specified under this paragraph (except as  
4 otherwise modified under this paragraph) shall be  
5 obligated to the public housing agencies based on the  
6 allocation and pro rata method described above, and  
7 the Secretary shall notify public housing agencies of  
8 their annual budgets by the latter of 60 days after  
9 enactment of this Act or March 1, 2021: *Provided*  
10 *further*, That the Secretary may extend the notifica-  
11 tion period under the preceding proviso with the  
12 prior written approval of the House and Senate  
13 Committees on Appropriations: *Provided further*,  
14 That public housing agencies participating in the  
15 MTW demonstration shall be funded pursuant to  
16 their MTW agreements and shall be subject to the  
17 same pro rata adjustments under the preceding pro-  
18 visos: *Provided further*, That the Secretary may off-  
19 set public housing agencies' calendar year 2021 allo-  
20 cations based on the excess amounts of public hous-  
21 ing agencies' net restricted assets accounts, includ-  
22 ing HUD-held programmatic reserves (in accordance  
23 with VMS data in calendar year 2020 that is  
24 verifiable and complete), as determined by the Sec-  
25 retary: *Provided further*, That public housing agen-

1       cies participating in the MTW demonstration shall  
2       also be subject to the offset, as determined by the  
3       Secretary, excluding amounts subject to the single  
4       fund budget authority provisions of their MTW  
5       agreements, from the agencies' calendar year 2021  
6       MTW funding allocation: *Provided further*, That the  
7       Secretary shall use any offset referred to in the pre-  
8       ceding two provisos throughout the calendar year to  
9       prevent the termination of rental assistance for fam-  
10      ilies as the result of insufficient funding, as deter-  
11      mined by the Secretary, and to avoid or reduce the  
12      proration of renewal funding allocations: *Provided*  
13      *further*, That up to \$100,000,000 shall be available  
14      only: (A) for adjustments in the allocations for pub-  
15      lic housing agencies, after application for an adjust-  
16      ment by a public housing agency that experienced a  
17      significant increase, as determined by the Secretary,  
18      in renewal costs of vouchers resulting from unfore-  
19      seen circumstances or from portability under section  
20      8(r) of the Act; (B) for vouchers that were not in  
21      use during the previous 12-month period in order to  
22      be available to meet a commitment pursuant to sec-  
23      tion 8(o)(13) of the Act; (C) for adjustments for  
24      costs associated with HUD-Veterans Affairs Sup-  
25      portive Housing (HUD-VASH) vouchers under sec-

1       tion 8(o)(19) of the Act; (D) for public housing  
2       agencies that despite taking reasonable cost savings  
3       measures, as determined by the Secretary, would  
4       otherwise be required to terminate rental assistance  
5       for families as a result of insufficient funding; (E)  
6       for adjustments in the allocations for public housing  
7       agencies that (i) are leasing a lower-than-average  
8       percentage of their authorized vouchers, (ii) have low  
9       amounts of budget authority in their net restricted  
10      assets accounts and HUD-held programmatic re-  
11      serves, relative to other agencies, and (iii) are not  
12      participating in the Moving to Work demonstration,  
13      to enable such agencies to lease more vouchers; and  
14      (F) for public housing agencies that have experi-  
15      enced increased costs or loss of units in an area for  
16      which the President declared a disaster under title  
17      IV of the Robert T. Stafford Disaster Relief and  
18      Emergency Assistance Act (42 U.S.C. 5170 et seq.):  
19      *Provided further*, That the Secretary shall allocate  
20      amounts under the preceding proviso based on need,  
21      as determined by the Secretary;

22               (2) \$125,000,000 shall be for section 8 rental  
23      assistance for relocation and replacement of housing  
24      units that are demolished or disposed of pursuant to  
25      section 18 of the Act, conversion of section 23

1 projects to assistance under section 8, the family  
2 unification program under section 8(x) of the Act,  
3 relocation of witnesses in connection with efforts to  
4 combat crime in public and assisted housing pursu-  
5 ant to a request from a law enforcement or prosecu-  
6 tion agency, enhanced vouchers under any provision  
7 of law authorizing such assistance under section 8(t)  
8 of the Act, Choice Neighborhood vouchers, manda-  
9 tory and voluntary conversions, and tenant protec-  
10 tion assistance including replacement and relocation  
11 assistance or for project-based assistance to prevent  
12 the displacement of unassisted elderly tenants cur-  
13 rently residing in properties financed under section  
14 202 of the Housing Act of 1959 (12 U.S.C. 1701q)  
15 between 1959 and 1974 that are refinanced pursu-  
16 ant to Public Law 106-569 or under the authority  
17 as provided under this Act: *Provided*, That when a  
18 public housing development is submitted for demoli-  
19 tion or disposition under section 18 of the Act, the  
20 Secretary may provide section 8 rental assistance  
21 when the units pose an imminent health and safety  
22 risk to residents: *Provided further*, That the Sec-  
23 retary may only provide replacement vouchers for  
24 units that were occupied within the previous 24  
25 months that cease to be available as assisted hous-

1 ing, subject only to the availability of funds: *Pro-*  
2 *vided further*, That of the amounts provided in this  
3 paragraph, at least \$5,000,000 may be available to  
4 provide tenant protection assistance, not otherwise  
5 provided under this paragraph, to residents residing  
6 in low vacancy areas and who may have to pay rents  
7 greater than 30 percent of household income, as the  
8 result of: (A) the maturity of a HUD-insured, HUD-  
9 held, or section 202 loan that requires the permis-  
10 sion of the Secretary prior to loan prepayment; (B)  
11 the expiration of a rental assistance contract for  
12 which the tenants are not eligible for enhanced  
13 voucher or tenant protection assistance under exist-  
14 ing law; or (C) the expiration of affordability restric-  
15 tions accompanying a mortgage or preservation pro-  
16 gram administered by the Secretary: *Provided fur-*  
17 *ther*, That such tenant protection assistance made  
18 available under the preceding proviso may be pro-  
19 vided under the authority of section 8(t) or section  
20 8(o)(13) of the United States Housing Act of 1937  
21 (42 U.S.C. 1437f(t), (o)(13)): *Provided further*, That  
22 the Secretary shall issue guidance to implement the  
23 preceding provisos, including requirements for defin-  
24 ing eligible at-risk households within 60 days of the  
25 enactment of this Act: *Provided further*, That any

1 tenant protection voucher made available from  
2 amounts provided in this paragraph shall not be re-  
3 issued by any public housing agency, except the re-  
4 placement vouchers as defined by the Secretary by  
5 notice, when the initial family that received any such  
6 voucher no longer receives such voucher, and the au-  
7 thority for any public housing agency to issue any  
8 such voucher shall terminate: *Provided further*, That  
9 the Secretary may provide section 8 rental assist-  
10 ance from amounts provided in this paragraph for  
11 units assisted under a project-based subsidy contract  
12 funded under the “Project-Based Rental Assistance”  
13 heading under this title if the owner has received a  
14 Notice of Default and the units pose an imminent  
15 health and safety risk to residents: *Provided further*,  
16 That to the extent that the Secretary determines  
17 that such units are not feasible for continued rental  
18 assistance payments or transfer of the subsidy con-  
19 tract associated with such units to another project  
20 or projects and owner or owners, any remaining  
21 amounts associated with such units under such con-  
22 tract shall be recaptured and used to reimburse  
23 amounts used under this paragraph for rental assist-  
24 ance under the preceding proviso;

1           (3) \$2,154,812,000 shall be for administrative  
2           and other expenses of public housing agencies in ad-  
3           ministering the section 8 tenant-based rental assist-  
4           ance program, of which up to \$30,000,000 shall be  
5           available to the Secretary to allocate to public hous-  
6           ing agencies that need additional funds to admin-  
7           ister their section 8 programs, including fees associ-  
8           ated with section 8 tenant protection rental assist-  
9           ance, the administration of disaster related vouchers,  
10          HUD-VASH vouchers, and other special purpose in-  
11          cremental vouchers: *Provided*, That not less than  
12          \$2,124,812,000 of the amount provided in this para-  
13          graph shall be allocated to public housing agencies  
14          for the calendar year 2021 funding cycle based on  
15          section 8(q) of the Act (and related appropriation  
16          Act provisions) as in effect immediately before the  
17          enactment of the Quality Housing and Work Re-  
18          sponsibility Act of 1998 (Public Law 105-276): *Pro-*  
19          *vided further*, That if the amounts provided in this  
20          paragraph are insufficient to pay the amounts deter-  
21          mined under the preceding proviso, the Secretary  
22          may decrease the amounts allocated to agencies by  
23          a uniform percentage applicable to all agencies re-  
24          ceiving funding under this paragraph or may, to the  
25          extent necessary to provide full payment of amounts

1 determined under the preceding proviso, utilize un-  
2 obligated balances, including recaptures and  
3 carryovers, remaining from funds appropriated to  
4 the Department of Housing and Urban Development  
5 under this heading from prior fiscal years, excluding  
6 special purpose vouchers, notwithstanding the pur-  
7 poses for which such amounts were appropriated:  
8 *Provided further*, That all public housing agencies  
9 participating in the MTW demonstration shall be  
10 funded pursuant to their MTW agreements, and  
11 shall be subject to the same uniform percentage de-  
12 crease as under the preceding proviso: *Provided fur-*  
13 *ther*, That amounts provided in this paragraph shall  
14 be only for activities related to the provision of ten-  
15 ant-based rental assistance authorized under section  
16 8, including related development activities;

17 (4) \$310,000,000 shall be for the renewal of  
18 tenant-based assistance contracts under section 811  
19 of the Cranston-Gonzalez National Affordable Hous-  
20 ing Act (42 U.S.C. 8013), including necessary ad-  
21 ministrative expenses: *Provided*, That administrative  
22 and other expenses of public housing agencies in ad-  
23 ministering the special purpose vouchers under this  
24 paragraph shall be funded under the same terms  
25 and be subject to the same pro rata reduction as the

1 percent decrease for administrative and other ex-  
2 penses to public housing agencies under paragraph  
3 (3) of this heading: *Provided further*, That up to  
4 \$10,000,000 shall be available only (A) for adjust-  
5 ments in the allocations for public housing agencies,  
6 after applications for such an adjustment by a public  
7 housing agency that experienced a significant in-  
8 crease, as determined by the Secretary, in Main-  
9 stream renewal costs resulting from unforeseen cir-  
10 cumstances, and (B) for public housing agencies  
11 that despite taking reasonable cost saving measures,  
12 as determined by the Secretary, would otherwise be  
13 required to terminate the rental assistance for Main-  
14 stream families as a result of insufficient funding:  
15 *Provided further*, That the Secretary shall allocate  
16 amounts under the preceding proviso based on need,  
17 as determined by the Secretary: *Provided further*,  
18 That upon turnover, section 811 special purpose  
19 vouchers funded under this heading in this or prior  
20 Acts, or under any other heading in prior Acts, shall  
21 be available for non-elderly persons with disabilities;  
22 (5) \$2,500,000 shall be for rental assistance  
23 and associated administrative fees for the Tribal  
24 HUD-VASH program to serve Native American vet-  
25 erans that are homeless or at-risk of homelessness

1 living on or near a reservation or other Indian areas:  
2 *Provided*, That amounts provided in this paragraph  
3 shall be made available for renewal grants to recipi-  
4 ents that received assistance under prior Acts under  
5 the Tribal HUD–VASH program: *Provided further*,  
6 That the Secretary may specify criteria for renewal  
7 grants, including data on the utilization of assist-  
8 ance reported by grant recipients: *Provided further*,  
9 That such assistance shall be administered in ac-  
10 cordance with program requirements under the Na-  
11 tive American Housing Assistance and Self-Deter-  
12 mination Act of 1996 (25 U.S.C. 4101 et seq.) and  
13 modeled after the HUD–VASH program: *Provided*  
14 *further*, That the Secretary may waive, or specify al-  
15 ternative requirements for, any provision of any stat-  
16 ute or regulation that the Secretary administers in  
17 connection with the use of amounts provided in this  
18 paragraph (except for requirements related to fair  
19 housing, nondiscrimination, labor standards, and the  
20 environment), upon a finding by the Secretary that  
21 any such waivers or alternative requirements are  
22 necessary for the effective delivery and administra-  
23 tion of such assistance: *Provided further*, That grant  
24 recipients shall report to the Secretary on utilization  
25 of such rental assistance and other program data, as

1 prescribed by the Secretary: *Provided further*, That  
2 the Secretary may reallocate, as determined by the  
3 Secretary, amounts returned or recaptured from  
4 awards under the Tribal HUD-VASH program  
5 under prior Acts to existing recipients under the  
6 Tribal HUD-VASH program;

7 (6) \$20,000,000 shall be for incremental rental  
8 voucher assistance for use through a supported  
9 housing program administered in conjunction with  
10 the Department of Veterans Affairs as authorized  
11 under section 8(o)(19) of the United States Housing  
12 Act of 1937: *Provided*, That the Secretary shall  
13 make such funding available, notwithstanding sec-  
14 tion 203 of this title (competition provision), to pub-  
15 lic housing agencies that partner with eligible VA  
16 Medical Centers or other entities as designated by  
17 the Secretary of the Department of Veterans Affairs,  
18 based on geographical need for such assistance as  
19 identified by the Secretary of Veterans Affairs, pub-  
20 lic housing agency administrative performance, and  
21 other factors as specified by the Secretary of Hous-  
22 ing and Urban Development in consultation with the  
23 Secretary of Veterans Affairs: *Provided further*, That  
24 the Secretary of Housing and Urban Development  
25 may waive, or specify alternative requirements for

1 (in consultation with the Secretary of Veterans Af-  
2 fairs), any provision of any statute or regulation  
3 that the Secretary of Housing and Urban Develop-  
4 ment administers in connection with the use of  
5 funds provided in this paragraph (except for require-  
6 ments related to fair housing, nondiscrimination,  
7 labor standards, and the environment), upon a find-  
8 ing by the Secretary that any such waivers or alter-  
9 native requirements are necessary for the effective  
10 delivery and administration of such voucher assist-  
11 ance: *Provided further*, That assistance made avail-  
12 able under this paragraph shall continue to remain  
13 available for homeless veterans upon turnover;

14 (7) \$25,000,000 shall be for the family unifica-  
15 tion program authorized under section 8(x) of the  
16 Act: *Provided*, That the amounts provided in this  
17 paragraph shall be provided as follows:

18 (A) \$5,000,000 shall be for new incre-  
19 mental voucher assistance: *Provided*, That the  
20 assistance made available under this subpara-  
21 graph shall continue to remain available for  
22 family unification upon turnover; and

23 (B) \$20,000,000 shall be for new incre-  
24 mental voucher assistance to assist eligible  
25 youths as defined by such section 8(x)(2)(B):

1           *Provided*, That assistance made available under  
2           this subparagraph shall continue to remain  
3           available for such eligible youths upon turnover:  
4           *Provided further*, That of the total amount  
5           made available under this subparagraph, up to  
6           \$10,000,000 shall be available on a noncompeti-  
7           tive basis to public housing agencies that part-  
8           ner with public child welfare agencies to iden-  
9           tify such eligible youths, that request such as-  
10          sistance to timely assist such eligible youths,  
11          and that meet any other criteria as specified by  
12          the Secretary: *Provided further*, That the Sec-  
13          retary shall review utilization of the assistance  
14          made available under the preceding proviso, at  
15          an interval to be determined by the Secretary,  
16          and unutilized voucher assistance that is no  
17          longer needed shall be recaptured by the Sec-  
18          retary and reallocated pursuant to the pre-  
19          ceding proviso: *Provided further*, That for any  
20          public housing agency administering voucher  
21          assistance appropriated in a prior Act under the  
22          family unification program, or made available  
23          and competitively selected under this para-  
24          graph, that determines that it no longer has an  
25          identified need for such assistance upon turn-

1           over, such agency shall notify the Secretary,  
2           and the Secretary shall recapture such assist-  
3           ance from the agency and reallocate it to any  
4           other public housing agency or agencies based  
5           on need for voucher assistance in connection  
6           with such specified program or eligible youths,  
7           as applicable; and

8           (8) \$250,000,000 shall be for incremental rent-  
9           al voucher assistance under section 8(o) of the  
10          United States Housing Act of 1937 for use by indi-  
11          viduals and families who are homeless, as defined in  
12          section 103(a) of the McKinney-Vento Homeless As-  
13          sistance Act (42 U.S.C. 11302(a)), at risk of home-  
14          lessness, as defined in section 401(1) of the McKin-  
15          ney-Vento Homeless Assistance Act (42 U.S.C.  
16          11360(1)), or fleeing, or attempting to flee, domestic  
17          violence, dating violence, sexual assault, or stalking  
18          or for veterans and families that include a veteran  
19          family member: *Provided*, That of such amount not  
20          less than \$40,000,000 shall be available for individ-  
21          uals and families who are fleeing, or attempting to  
22          flee, domestic violence, dating violence, sexual as-  
23          sault, or stalking, and not less than \$40,000,000  
24          shall be available for veterans and families that in-  
25          clude a veteran family member: *Provided further*,

1 That the Secretary shall make such funding avail-  
2 able, notwithstanding section 203 of this title (com-  
3 petition provision) to public housing agencies that  
4 partner with eligible Continuums of Care or other  
5 entities as designated by the Secretary, based on  
6 geographical need of such assistance, public housing  
7 agency administrative performance, and other fac-  
8 tors as specified by the Secretary: *Provided further,*  
9 That, the Secretary shall give preference to appli-  
10 cants that demonstrate a strategy to coordinate as-  
11 sistance with services available in the community:  
12 *Provided further,* That the Secretary may waive, or  
13 specify alternative requirements for, any provision or  
14 statute or regulation that the Secretary administers  
15 in connection with the use of funds made available  
16 under this paragraph (except for requirements re-  
17 lated to fair housing, nondiscrimination, labor stand-  
18 ards, and the environment) upon a finding by the  
19 Secretary that any such waivers or alternative re-  
20 quirements are necessary for the effective delivery  
21 and administration of such voucher assistance: *Pro-*  
22 *vided further,* That none of the funds provided in  
23 this paragraph may be used to require people experi-  
24 encing homelessness to receive treatment or perform  
25 any other prerequisite activities as a condition for

1 receiving shelter, housing or other services: *Provided*  
2 *further*, That the Secretary shall issue guidance to  
3 implement the preceding proviso.

4 The Secretary shall separately track all special purpose  
5 vouchers funded under this heading.

6 HOUSING CERTIFICATE FUND

7 (INCLUDING RESCISSIONS)

8 Unobligated balances, including recaptures and car-  
9 ryover, remaining from funds appropriated to the Depart-  
10 ment of Housing and Urban Development under this  
11 heading, the heading “Annual Contributions for Assisted  
12 Housing” and the heading “Project-Based Rental Assist-  
13 ance”, for fiscal year 2021 and prior years may be used  
14 for renewal of or amendments to section 8 project-based  
15 contracts and for performance-based contract administra-  
16 tors, notwithstanding the purposes for which such funds  
17 were appropriated: *Provided*, That any obligated balances  
18 of contract authority from fiscal year 1974 and prior fiscal  
19 years that have been terminated shall be rescinded: *Pro-*  
20 *vided further*, That amounts heretofore recaptured, or re-  
21 captured during the current fiscal year, from section 8  
22 project-based contracts from source years fiscal year 1975  
23 through fiscal year 1987 are hereby rescinded, and an  
24 amount of additional new budget authority, equivalent to  
25 the amount rescinded is hereby appropriated, to remain

1 available until expended, for the purposes set forth under  
2 this heading, in addition to amounts otherwise available.

3 PUBLIC HOUSING CAPITAL FUND

4 For the Public Housing Capital Fund Program to  
5 carry out capital and management activities for public  
6 housing agencies, as authorized under section 9 of the Act  
7 (42 U.S.C. 1437g) \$3,180,000,000, to remain available  
8 until September 30, 2024: *Provided*, That notwithstanding  
9 any other provision of law or regulation, during fiscal year  
10 2021, the Secretary may not delegate to any Department  
11 official other than the Deputy Secretary and the Assistant  
12 Secretary for Public and Indian Housing any authority  
13 under paragraph (2) of section 9(j) regarding the exten-  
14 sion of the time periods under such section: *Provided fur-*  
15 *ther*, That for purposes of such section 9(j), the term “ob-  
16 ligate” means, with respect to amounts, that the amounts  
17 are subject to a binding agreement that will result in out-  
18 lays, immediately or in the future: *Provided further*, That  
19 of the total amount made available under this heading,  
20 up to \$23,000,000 shall be to support ongoing public  
21 housing financial and physical assessment activities: *Pro-*  
22 *vided further*, That of the total amount made available  
23 under this heading, up to \$1,000,000 shall be to support  
24 the costs of administrative and judicial receiverships: *Pro-*  
25 *vided further*, That of the total amount provided under

1 this heading, not to exceed \$74,650,000 shall be available  
2 for the Secretary to make grants, notwithstanding section  
3 203 of this Act, to public housing agencies for emergency  
4 capital needs including safety and security measures nec-  
5 essary to address crime and drug-related activity and  
6 needs resulting from unforeseen or unpreventable emer-  
7 gencies and natural disasters excluding Presidentially de-  
8 clared emergencies and natural disasters under the Robert  
9 T. Stafford Disaster Relief and Emergency Act (42 U.S.C.  
10 5121 et seq.) occurring in fiscal year 2021, of which  
11 \$34,650,000 shall be available for public housing agencies  
12 under administrative and judicial receiverships or under  
13 the control of a Federal monitor: *Provided further*, That  
14 of the amount made available under the preceding proviso,  
15 not less than \$20,000,000 shall be for safety and security  
16 measures: *Provided further*, That in addition to the  
17 amount in the preceding proviso for such safety and secu-  
18 rity measures, any amounts that remain available, after  
19 all applications received on or before September 30, 2022,  
20 for emergency capital needs have been processed, shall be  
21 allocated to public housing agencies for such safety and  
22 security measures: *Provided further*, That with respect to  
23 amounts made available under this heading, the limitation  
24 in section 9(g)(1) of the Act shall be applied by sub-  
25 stituting 25 percent for the percentage specified in such

1 section: *Provided further*, That the Secretary may waive  
2 the limitation in the preceding proviso to allow public  
3 housing agencies to fund activities authorized under sec-  
4 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-  
5 retary shall notify public housing agencies requesting  
6 waivers under the preceding proviso if the request is ap-  
7 proved or denied within 14 days of submitting the request:  
8 *Provided further*, That from the funds made available  
9 under this heading, the Secretary shall provide bonus  
10 awards in fiscal year 2021 to public housing agencies that  
11 are designated high performers: *Provided further*, That the  
12 Department shall notify public housing agencies of their  
13 formula allocation within 60 days of enactment of this Act:  
14 *Provided further*, That of the total amount provided under  
15 this heading, \$125,000,000 shall be for competitive grants  
16 to public housing agencies to evaluate and reduce lead-  
17 based paint hazards and other housing-related hazards in-  
18 cluding carbon monoxide (including for activities sup-  
19 porting the installation and replacement of carbon mon-  
20 oxide alarms or of combination smoke detector-carbon  
21 monoxide alarm devices) and mold in public housing: *Pro-  
22 vided further*, That of the amounts available under the pre-  
23 ceding proviso, not less than \$25,000,000 shall be for  
24 competitive grants to public housing agencies to evaluate  
25 and reduce lead-based paint hazards in public housing by

1 carrying out the activities of risk assessments, abatement,  
2 and interim controls (as those terms are defined in section  
3 1004 of the Residential Lead-Based Paint Hazard Reduc-  
4 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further,*  
5 That of the total amount made available under this head-  
6 ing, up to \$30,000,000 shall be available until September  
7 30, 2023 for competitive grants to public housing agencies  
8 (in this title “PHAs”), including agencies participating in  
9 the MTW demonstration, for full lead service line replace-  
10 ment, with eligibility limited to PHAs where the relevant  
11 public water system will undergo or has recently under-  
12 taken a comprehensive water main replacement program:  
13 *Provided further,* That for purposes of environmental re-  
14 view, a grant under the preceding three provisos shall be  
15 considered funds for projects or activities under title I of  
16 the United States Housing Act of 1937 (42 U.S.C. 1437  
17 et seq.) for purposes of section 26 of such Act (42 U.S.C.  
18 1437x) and shall be subject to the regulations imple-  
19 menting such section: *Provided further,* That for funds  
20 made available under the preceding four provisos, the Sec-  
21 retary shall allow a PHA to apply for up to 20 percent  
22 of the funds made available under the first two of such  
23 provisos and prioritize need when awarding grants: *Pro-*  
24 *vided further,* That \$5,000,000 of the amounts made avail-  
25 able under this heading shall be for a radon testing and

1 mitigation resident safety demonstration program (the  
2 radon demonstration) in public housing: *Provided further*,  
3 That the testing method, mitigation method, or action  
4 level used under the radon demonstration shall be as speci-  
5 fied by applicable State or local law, if such law is more  
6 protective of human health or the environment than the  
7 method or level specified by the Secretary: *Provided fur-*  
8 *ther*, That \$25,000,000 of the amounts made available  
9 under this heading shall be for competitive grants to pub-  
10 lic housing agencies for the installation of automatic sprin-  
11 kler systems.

12 PUBLIC HOUSING OPERATING FUND

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

1 needs are met, the Secretary may distribute any remaining  
2 funds to all public housing agencies on a pro-rata basis  
3 pursuant to the Operating Fund formula under part 990  
4 of title 24, Code of Federal Regulations.

5 CHOICE NEIGHBORHOODS INITIATIVE

6 For competitive grants under the Choice Neighbor-  
7 hoods Initiative (subject to section 24 of the United States  
8 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise  
9 specified under this heading), for transformation, rehabili-  
10 tation, and replacement housing needs of both public and  
11 HUD-assisted housing and to transform neighborhoods of  
12 poverty into functioning, sustainable mixed income neigh-  
13 borhoods with appropriate services, schools, public assets,  
14 transportation and access to jobs, \$250,000,000, to re-  
15 main available until September 30, 2023: *Provided*, That  
16 grant funds may be used for resident and community serv-  
17 ices, community development, and affordable housing  
18 needs in the community, and for conversion of vacant or  
19 foreclosed properties to affordable housing: *Provided fur-*  
20 *ther*, That the use of funds made available under this  
21 heading shall not be deemed to be for public housing not-  
22 withstanding section 3(b)(1) of such Act: *Provided further*,  
23 That grantees shall commit to an additional period of af-  
24 fordability determined by the Secretary of not fewer than  
25 20 years: *Provided further*, That grantees shall provide a

1 match in State, local, other Federal or private funds: *Pro-*  
2 *vided further*, That grantees may include local govern-  
3 ments, tribal entities, public housing agencies, and non-  
4 profit organizations: *Provided further*, That for-profit de-  
5 velopers may apply jointly with a public entity: *Provided*  
6 *further*, That for purposes of environmental review, a  
7 grantee shall be treated as a public housing agency under  
8 section 26 of the United States Housing Act of 1937 (42  
9 U.S.C. 1437x), and grants made with amounts available  
10 under this heading shall be subject to the regulations  
11 issued by the Secretary to implement such section: *Pro-*  
12 *vided further*, That of the amount provided under this  
13 heading, not less than \$125,000,000 shall be awarded to  
14 public housing agencies: *Provided further*, That such  
15 grantees shall create partnerships with other local organi-  
16 zations, including assisted housing owners, service agen-  
17 cies, and resident organizations: *Provided further*, That  
18 the Secretary shall consult with the Secretaries of Edu-  
19 cation, Labor, Transportation, Health and Human Serv-  
20 ices, Agriculture, and Commerce, the Attorney General,  
21 and the Administrator of the Environmental Protection  
22 Agency to coordinate and leverage other appropriate Fed-  
23 eral resources: *Provided further*, That not more than  
24 \$5,000,000 of funds made available under this heading  
25 may be provided as grants to undertake comprehensive

1 local planning with input from residents and the commu-  
2 nity: *Provided further*, That unobligated balances, includ-  
3 ing recaptures, remaining from funds appropriated under  
4 the heading “Revitalization of Severely Distressed Public  
5 Housing (HOPE VI)” in fiscal year 2011 and prior fiscal  
6 years may be used for purposes under this heading, not-  
7 withstanding the purposes for which such amounts were  
8 appropriated: *Provided further*, That the Secretary shall  
9 issue the Notice of Funding Availability for funds made  
10 available under this heading not later than 90 days after  
11 enactment of this Act: *Provided further*, That the Sec-  
12 retary shall make grant awards not later than one year  
13 after the date of enactment of this Act in such amounts  
14 that the Secretary determines: *Provided further*, That not-  
15 withstanding section 24(o) of the United States Housing  
16 Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may,  
17 until September 30, 2024, obligate any available unobli-  
18 gated balances made available under this heading in this  
19 or any prior Act.

20 SELF-SUFFICIENCY PROGRAMS

21 For activities and assistance related to Self-Suffi-  
22 ciency Programs, to remain available until September 30,  
23 2024, \$155,000,000: *Provided*, That the amounts made  
24 available under this heading are provided as follows:

1           (1) \$105,000,000 shall be for the Family Self-  
2           Sufficiency program to support family self-suffi-  
3           ciency coordinators under section 23 of the United  
4           States Housing Act of 1937 (42 U.S.C. 1437u), to  
5           promote the development of local strategies to co-  
6           ordinate the use of assistance under sections 8 and  
7           9 of such Act with public and private resources, and  
8           to enable eligible families to achieve economic inde-  
9           pendence and self-sufficiency: *Provided*, That the  
10          Secretary may, by Federal Register notice, waive or  
11          specify alternative requirements for, the require-  
12          ments under subsections (b)(3), (b)(4), (b)(5), or  
13          (c)(1) of section 23 of such Act in order to facilitate  
14          the operation of a unified self-sufficiency program  
15          for individuals receiving assistance under different  
16          provisions of the Act, as determined by the Sec-  
17          retary: *Provided further*, That an owner or sponsor  
18          of a multifamily property receiving project-based  
19          rental assistance under section 8 shall be eligible to  
20          receive awards from the Secretary under this para-  
21          graph to support family self-sufficiency coordinators:  
22          *Provided further*, That owners or sponsors of a mul-  
23          tifamily property receiving project-based rental as-  
24          sistance under section 8 may voluntarily make a  
25          Family Self-Sufficiency program available to the as-

1       sisted tenants of such property in accordance with  
2       procedures established by the Secretary: *Provided*  
3       *further*, That such procedures established pursuant  
4       to the preceding proviso shall permit participating  
5       tenants to accrue escrow funds in accordance with  
6       section 23(d)(2) and shall allow owners to use fund-  
7       ing from residual receipt accounts to hire coordina-  
8       tors for their own Family Self-Sufficiency program;

9               (2) \$35,000,000 shall be for the Resident Op-  
10       portunity and Self-Sufficiency program to provide  
11       for supportive services, service coordinators, and  
12       congregate services as authorized by section 34 of  
13       the United States Housing Act of 1937 (42 U.S.C.  
14       1437z-6) and the Native American Housing Assist-  
15       ance and Self-Determination Act of 1996 (25 U.S.C.  
16       4101 et seq.); and

17               (3) \$15,000,000 shall be for a Jobs-Plus initia-  
18       tive, modeled after the Jobs-Plus demonstration:  
19       *Provided*, That funding provided in this paragraph  
20       shall be available for competitive grants to partner-  
21       ships between public housing agencies, local work-  
22       force investment boards established under section  
23       107 of the Workforce Innovation and Opportunity  
24       Act of 2014 (29 U.S.C. 3122), and other agencies  
25       and organizations that provide support to help pub-

1       lic housing residents obtain employment and in-  
2       crease earnings: *Provided further*, That applicants  
3       shall demonstrate the ability to provide services to  
4       residents, partner with workforce investment boards,  
5       and leverage service dollars: *Provided further*, That  
6       the Secretary may allow public housing agencies to  
7       request exemptions from rent and income limitation  
8       requirements under sections 3 and 6 of the United  
9       States Housing Act of 1937 (42 U.S.C. 1437a,  
10      1437d), as necessary to implement the Jobs-Plus  
11      program, on such terms and conditions as the Sec-  
12      retary may approve upon a finding by the Secretary  
13      that any such waivers or alternative requirements  
14      are necessary for the effective implementation of the  
15      Jobs-Plus initiative as a voluntary program for resi-  
16      dents: *Provided further*, That the Secretary shall  
17      publish by notice in the Federal Register any waiv-  
18      ers or alternative requirements pursuant to the pre-  
19      ceding proviso not later than 10 days before the ef-  
20      fective date of such notice: *Provided further*, That  
21      amounts made available for the Jobs-Plus initiative  
22      in prior acts under the heading “Public Housing  
23      Capital Fund” that remain available or are subse-  
24      quently recaptured shall be transferred to this ac-

1 count and shall be available for the purposes of this  
2 paragraph.

3 NATIVE AMERICAN PROGRAMS

4 (INCLUDING TRANSFER OF FUNDS)

5 For activities and assistance authorized under title  
6 I of the Native American Housing Assistance and Self-  
7 Determination Act of 1996 (“NAHASDA”) (25 U.S.C.  
8 4111 et seq.), title I of the Housing and Community De-  
9 velopment Act of 1974 (42 U.S.C. 5301 et seq.) with re-  
10 spect to Indian tribes, and related training and technical  
11 assistance, \$835,000,000, to remain available until Sep-  
12 tember 30, 2025, unless otherwise specified: *Provided*,  
13 That the amounts made available under this heading are  
14 provided as follows:

15 (1) \$646,000,000 shall be for the Native Amer-  
16 ican Housing Block Grants program, as authorized  
17 under title I of NAHASDA: *Provided*, That, not-  
18 withstanding NAHASDA, to determine the amount  
19 of the allocation under title I of such Act for each  
20 Indian tribe, the Secretary shall apply the formula  
21 under section 302 of such Act with the need compo-  
22 nent based on single-race census data and with the  
23 need component based on multi-race census data,  
24 and the amount of the allocation for each Indian  
25 tribe shall be the greater of the two resulting alloca-

1 tion amounts: *Provided further*, That the Secretary  
2 shall notify grantees of their formula allocation not  
3 later 60 days after the date of enactment of this  
4 Act;

5 (2) \$2,000,000 shall be for the cost of guaran-  
6 teed notes and other obligations, as authorized by  
7 title VI of NAHASDA: *Provided*, That such costs,  
8 including the costs of modifying such notes and  
9 other obligations, shall be as defined in section 502  
10 of the Congressional Budget Act of 1974 (2 U.S.C.  
11 661a): *Provided further*, That for fiscal year 2021,  
12 the Secretary may subsidize the total principal  
13 amount of any notes and other obligations, any part  
14 of which is to be guaranteed, not to exceed  
15 \$61,298,904: *Provided further*, That any unobligated  
16 balances, including recaptures and carryover, re-  
17 maining from amounts appropriated for this purpose  
18 under this heading or under the heading “Native  
19 American Housing Block Grants” in prior Acts may  
20 be used for costs of such guaranteed notes and other  
21 obligations, subject to the limitation under the pre-  
22 ceding proviso on the total principal amount of such  
23 notes and obligations that may be guaranteed;

24 (3) \$110,000,000 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 \$10,000,000: *Provided further*, That up to 1 percent  
13 of the amounts made available in this paragraph  
14 may be transferred, in aggregate, to “Program Of-  
15 fices—Public and Indian Housing” for necessary  
16 costs of administering and overseeing the obligation  
17 and expenditure of this additional amount and of ad-  
18 ditional amounts made available in prior fiscal years,  
19 to remain available until September 30, 2026: *Pro-*  
20 *vided further*, That any amounts transferred pursu-  
21 ant to the preceding proviso in prior Acts may also  
22 be used for the purposes described in the preceding  
23 proviso;

24 (4) \$70,000,000 shall be for grants to Indian  
25 tribes for carrying out the Indian Community Devel-

1        opment Block Grant program under title I of the  
2        Housing and Community Development Act of 1974,  
3        notwithstanding section 106(a)(1) of such Act, of  
4        which, notwithstanding any other provision of law  
5        (including section 203 of this Act), up to \$4,000,000  
6        may be used for emergencies that constitute immi-  
7        nent threats to health and safety: *Provided*, That  
8        not to exceed 20 percent of any grant made with  
9        amounts made available in this paragraph shall be  
10       expended for planning and management development  
11       and administration: *Provided further*, That amounts  
12       made available in this paragraph shall remain avail-  
13       able until September 30, 2023; and

14                (5) \$7,000,000 shall be for providing training  
15        and technical assistance to Indian tribes, Indian  
16        housing authorities, and tribally designated housing  
17        entities to support the inspection of Indian housing  
18        units, for contract expertise, and for training and  
19        technical assistance related to amounts made avail-  
20        able under this heading and other headings in this  
21        Act for the needs of Native American families and  
22        Indian country: *Provided*, That of the amounts made  
23        available in this paragraph, not less than \$2,000,000  
24        shall be for a national organization as authorized  
25        under section 703 of NAHASDA (25 U.S.C. 4212):



1 of 1974 (2 U.S.C. 661a): *Provided further*, That an addi-  
2 tional \$500,000, to remain available until expended, shall  
3 be for administrative contract expenses, including manage-  
4 ment processes to carry out the loan guarantee program:  
5 *Provided further*, That for fiscal year 2021, the Secretary  
6 may subsidize total loan principal, any part of which is  
7 to be guaranteed, up to \$1,000,000,000: *Provided further*,  
8 That any unobligated balances, including recaptures and  
9 carryover, remaining from amounts made available under  
10 this heading in prior Acts may be used for costs of such  
11 guaranteed loans, subject to the total loan principal guar-  
12 antee limitation under the preceding proviso.

13 NATIVE HAWAIIAN HOUSING BLOCK GRANT

14 For the Native Hawaiian Housing Block Grant pro-  
15 gram, as authorized under title VIII of the Native Amer-  
16 ican Housing Assistance and Self-Determination Act of  
17 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain  
18 available until September 30, 2025: *Provided*, That not-  
19 withstanding section 812(b) of such Act, the Department  
20 of Hawaiian Home Lands may not invest grant amounts  
21 made available under this heading in investment securities  
22 and other obligations: *Provided further*, That amounts  
23 made available under this heading in this and prior fiscal  
24 years may be used to provide rental assistance to eligible

1 Native Hawaiian families both on and off the Hawaiian  
2 Home Lands, notwithstanding any other provision of law.

3           COMMUNITY PLANNING AND DEVELOPMENT

4           HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

5           For carrying out the Housing Opportunities for Per-  
6 sons with AIDS program, as authorized by the AIDS  
7 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
8 \$430,000,000, to remain available until September 30,  
9 2022, except that amounts allocated pursuant to section  
10 854(c)(5) of such Act shall remain available until Sep-  
11 tember 30, 2023: *Provided*, That the Secretary shall renew  
12 all expiring contracts for permanent supportive housing  
13 that initially were funded under section 854(c)(5) of such  
14 Act from funds made available under this heading in fiscal  
15 year 2010 and prior fiscal years that meet all program  
16 requirements before awarding funds for new contracts  
17 under such section: *Provided further*, That the Depart-  
18 ment shall notify grantees of their formula allocation with-  
19 in 60 days of enactment of this Act.

20           COMMUNITY DEVELOPMENT FUND

21           For carrying out the community development block  
22 grant program under title I of the Housing and Commu-  
23 nity Development Act of 1974, as amended (42 U.S.C.  
24 5301 et seq.)(in this heading “the Act”), \$3,525,000,000,  
25 to remain available until September 30, 2023, unless oth-

1 erwise specified: *Provided*, That unless explicitly provided  
2 for under this heading, not to exceed 20 percent of any  
3 grant made with funds made available under this heading  
4 shall be expended for planning and management develop-  
5 ment and administration: *Provided further*, That a metro-  
6 politan city, urban county, unit of general local govern-  
7 ment, or insular area that directly or indirectly receives  
8 funds under this heading may not sell, trade, or otherwise  
9 transfer all or any portion of such funds to another such  
10 entity in exchange for any other funds, credits, or non-  
11 Federal considerations, but shall use such funds for activi-  
12 ties eligible under title I of the Act: *Provided further*, That  
13 notwithstanding section 105(e)(1) of the Act, no funds  
14 made available under this heading may be provided to a  
15 for-profit entity for an economic development project  
16 under section 105(a)(17) unless such project has been  
17 evaluated and selected in accordance with guidelines re-  
18 quired under subsection (e)(2) of section 105: *Provided*  
19 *further*, That of the total amount provided under this  
20 heading, \$25,000,000 shall be for activities authorized  
21 under section 8071 of the SUPPORT for Patients and  
22 Communities Act (Public Law 115-271): *Provided further*,  
23 That the funds allocated pursuant to the preceding proviso  
24 shall not adversely affect the amount of any formula as-  
25 sistance received by a State under this heading: *Provided*

1 *further*, That the Secretary shall allocate the funds for  
2 such activities based on the percentages shown in Table  
3 1 of the Notice establishing the funding formula published  
4 in Volume 84 of the Federal Register, on page 16027  
5 (April 17, 2019): *Provided further*, That the Department  
6 of Housing and Urban Development shall notify grantees  
7 of their formula allocation within 60 days of enactment  
8 of this Act: *Provided further*, That the Office of the Chief  
9 Financial Officer of the Department of Housing and  
10 Urban Development and the Office of Management and  
11 Budget shall submit reports and accompanying briefings  
12 no less frequently than monthly, on the status of funds  
13 appropriated under this heading in Public Law 115-123,  
14 to include the information specified in the report accom-  
15 panying this Act: *Provided further*, That, notwithstanding  
16 any other provision of law, amounts made available under  
17 this heading in Public Law 115-123 shall hereafter be ex-  
18 empt from apportionment under chapter 15 of title 31,  
19 United States Code: *Provided further*, That amounts  
20 repurposed pursuant to the preceding proviso that were  
21 previously designated by the Congress as an emergency  
22 requirement pursuant to the Balanced Budget and Emer-  
23 gency Deficit Control Act of 1985 are designated by the  
24 Congress as 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           COMMUNITY DEVELOPMENT LOAN GUARANTEES

4                           PROGRAM ACCOUNT

5           Subject to section 502 of the Congressional Budget  
6 Act of 1974 (2 U.S.C. 661a), during fiscal year 2021,  
7 commitments to guarantee loans under section 108 of the  
8 Housing and Community Development Act of 1974 (42  
9 U.S.C. 5308), any part of which is guaranteed, shall not  
10 exceed a total principal amount of \$300,000,000, notwith-  
11 standing any aggregate limitation on outstanding obliga-  
12 tions guaranteed in subsection (k) of such section 108:  
13 *Provided*, That the Secretary shall collect fees from bor-  
14 rowers, notwithstanding subsection (m) of such section  
15 108, to result in a credit subsidy cost of zero for guaran-  
16 teeing such loans, and any such fees shall be collected in  
17 accordance with section 502(7) of the Congressional  
18 Budget Act of 1974: *Provided further*, That such commit-  
19 ment authority funded by fees may be used to guarantee,  
20 or make commitments to guarantee, notes or other obliga-  
21 tions issued by any State on behalf of non-entitlement  
22 communities in the State in accordance with the require-  
23 ments of such section 108: *Provided further*, That any  
24 State receiving such a guarantee or commitment under the  
25 preceding proviso shall distribute all funds subject to such

1 guarantee to the units of general local government in non-  
2 entitlement areas that received the commitment.

3 HOME INVESTMENT PARTNERSHIPS PROGRAM

4 For the HOME Investment Partnerships program, as  
5 authorized under title II of the Cranston-Gonzalez Na-  
6 tional Affordable Housing Act, as amended (42 U.S.C.  
7 12721 et seq.), \$1,700,000,000, to remain available until  
8 September 30, 2024: *Provided*, That notwithstanding the  
9 amount made available under this heading, the threshold  
10 reduction requirements in sections 216(10) and 217(b)(4)  
11 of such Act shall not apply to allocations of such amount:  
12 *Provided further*, That the Department shall notify grant-  
13 ees of their formula allocations within 60 days after enact-  
14 ment of this Act: *Provided further*, That section 218(g)  
15 of such Act (42 U.S.C. 12748(g)) shall not apply with re-  
16 spect to the right of a jurisdiction to draw funds from  
17 its HOME Investment Trust Fund that otherwise expired  
18 or would expire in 2016, 2017, 2018, 2019, 2020, 2021,  
19 2022, or 2023 under that section: *Provided further*, That  
20 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not  
21 apply to any uninvested funds that otherwise were de-  
22 ducted or would be deducted from the line of credit in  
23 the participating jurisdiction's HOME Investment Trust  
24 Fund in 2018, 2019, 2020, 2021, 2022, or 2023 under  
25 that section.

1           SELF-HELP AND ASSISTED HOMEOWNERSHIP  
2                           OPPORTUNITY PROGRAM

3           For the Self-Help and Assisted Homeownership Op-  
4 portunity Program, as authorized under section 11 of the  
5 Housing Opportunity Program Extension Act of 1996 (42  
6 U.S.C. 12805 note), \$60,000,000, to remain available  
7 until September 30, 2023: *Provided*, That of the total  
8 amount made available under this heading, \$10,000,000  
9 shall be for the Self-Help Homeownership Opportunity  
10 Program as authorized under such section 11: *Provided*  
11 *further*, That of the total amount made available under  
12 this heading, \$45,000,000 shall be for the second, third,  
13 and fourth capacity building entities specified in section  
14 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C.  
15 9816 note), of which not less than \$5,000,000 shall be  
16 for rural capacity building activities: *Provided further*,  
17 That of the total amount made available under this head-  
18 ing, \$5,000,000 shall be for capacity building by national  
19 rural housing organizations having experience assessing  
20 national rural conditions and providing financing, train-  
21 ing, technical assistance, information, and research to  
22 local nonprofit organizations, local governments, and In-  
23 dian Tribes serving high need rural communities.

## 1 HOMELESS ASSISTANCE GRANTS

2 For assistance under title IV of the McKinney-Vento  
3 Homeless Assistance Act (42 U.S.C. 11360 et seq.),  
4 \$3,415,000,000, to remain available until September 30,  
5 2023: *Provided*, That of the amounts made available  
6 under this heading—

7 (1) not less than \$290,000,000 shall be for the  
8 Emergency Solutions Grants program authorized  
9 under subtitle B of such title IV (42 U.S.C. 11371  
10 et seq.): *Provided further*, That the Department shall  
11 notify grantees of their formula allocation from  
12 amounts allocated (which may represent initial or  
13 final amounts allocated) for the Emergency Solu-  
14 tions Grant program not later than 60 days after  
15 enactment of this Act;

16 (2) not less than \$2,586,000,000 shall be for  
17 the Continuum of Care program authorized under  
18 subtitle C of such title IV (42 U.S.C. 11381 et seq.)  
19 and the Rural Housing Stability Assistance pro-  
20 grams authorized under subtitle D of such title IV  
21 (42 U.S.C. 11408): *Provided further*, That the Sec-  
22 retary shall prioritize funding under the Continuum  
23 of Care program to continuums of care that have  
24 demonstrated a capacity to reallocate funding from  
25 lower performing projects to higher performing

1 projects: *Provided further*, That the Secretary shall  
2 provide incentives to create projects that coordinate  
3 with housing providers and healthcare organizations  
4 to provide permanent supportive housing and rapid  
5 re-housing services: *Provided further*, That amounts  
6 made available for the Continuum of Care program  
7 under this heading in this and prior Acts may be  
8 used to competitively or non-competitively renew or  
9 replace grants for youth homeless demonstration  
10 projects under the Continuum of Care program, not-  
11 withstanding any conflict with the requirements of  
12 the Continuum of Care program;

13 (3) up to \$75,000,000 shall be for grants for  
14 rapid re-housing projects and supportive service  
15 projects providing coordinated entry, and for eligible  
16 activities the Secretary determines to be critical in  
17 order to assist survivors of domestic violence, dating  
18 violence, sexual assault, or stalking, except that the  
19 Secretary may make additional grants for such  
20 projects and purposes from amounts made available  
21 for such Continuum of Care program: *Provided fur-*  
22 *ther*, That such projects shall be eligible for renewal  
23 under the Continuum of Care program subject to  
24 the same terms and conditions as other renewal ap-  
25 plicants;

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

3           (5) up to \$82,000,000 shall be for grants for  
4 projects awarded to communities for the purpose of  
5 providing housing and services to unaccompanied  
6 youth who are homeless, as defined in section  
7 103(a)(6) of the McKinney-Vento Homeless Assist-  
8 ance Act (42 U.S.C. 11302(a)(6)) or any other Fed-  
9 eral statute, except that the Secretary may make ad-  
10 ditional grants for such projects and purposes from  
11 amounts made available for such Continuum of Care  
12 program;

13           (6) up to \$70,000,000 shall be for Youth  
14 Homelessness Systems Planning Grants to support  
15 Continuum of Care communities in modernizing  
16 youth homelessness responses through systems  
17 change and capacity building:

18           (7) up to \$10,000,000 shall be for providing  
19 technical assistance on improving system responses  
20 to youth homelessness and collection, analysis, use,  
21 and reporting of data and performance measures  
22 under the comprehensive approaches to serve home-  
23 less youth, in addition to and in coordination with  
24 other technical assistance funds provided under this  
25 title;

1           (8) \$250,000,000 shall be for projects to reduce  
2           unsheltered homelessness: *Provided further*, That in  
3           making awards with the amounts provided in this  
4           paragraph, the Secretary shall give priority to  
5           projects located in areas with high numbers or rates  
6           of unsheltered homeless or high rates of increase in  
7           the number of unsheltered homeless: *Provided fur-*  
8           *ther*, That the Secretary shall provide incentives to  
9           establish projects that coordinate with housing pro-  
10          viders, healthcare organizations and social service  
11          providers to reduce unsheltered homelessness: *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;

17          (9) \$25,000,000 shall be for competitive grants  
18          to nonprofit or governmental entities to provide legal  
19          assistance (including assistance related to pretrial  
20          activities, trial activities, post-trial activities and al-  
21          ternative dispute resolution) at no cost to eligible  
22          low-income tenants at risk of or subject to eviction:  
23          *Provided further*, That in awarding grants under the  
24          preceding proviso, the Secretary shall give preference  
25          to applicants that will use funds to provide services

1 for residents of census tracts with high rates of evic-  
2 tion, have experience providing no-cost legal assist-  
3 ance to low-income individuals, including those with  
4 limited English proficiency or disabilities, and have  
5 sufficient capacity to administer such assistance:  
6 *Provided further*, That the Secretary shall ensure, to  
7 the extent practicable, that the proportion of eligible  
8 tenants living in rural areas who will receive legal  
9 assistance with grants funds made available under  
10 this section is not less than the overall proportion of  
11 eligible tenants who live in rural areas; and

12 (10) \$20,000,000 shall be for providing tech-  
13 nical assistance as authorized under section 405 of  
14 the McKinney-Vento Homeless Assistance Act (42  
15 U.S.C. 11361b):

16 *Provided further*, That youth aged 24 and under seeking  
17 assistance under this heading shall not be required to pro-  
18 vide third party documentation to establish their eligibility  
19 under subsection (a) or (b) of section 103 of the McKin-  
20 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to  
21 receive services: *Provided further*, That unaccompanied  
22 youth aged 24 and under or families headed by youth aged  
23 24 and under who are living in unsafe situations may be  
24 served by youth-serving providers funded under this head-  
25 ing: *Provided further*, That for all matching funds require-

1 ments applicable to funds made available under this head-  
2 ing for this fiscal year and prior fiscal years, a grantee  
3 may use (or could have used) as a source of match funds  
4 other funds administered by the Secretary and other Fed-  
5 eral agencies unless there is (or was) a specific statutory  
6 prohibition on any such use of any such funds: *Provided*  
7 *further*, That none of the funds made available under this  
8 heading shall be available to provide funding for new  
9 projects, except for projects created through reallocation,  
10 unless the Secretary determines that the Continuum of  
11 Care has demonstrated that projects are evaluated and  
12 ranked based on the degree to which they improve the  
13 Continuum of Care's system performance: *Provided fur-*  
14 *ther*, That any unobligated amounts remaining from funds  
15 made available under this heading in fiscal year 2012 and  
16 prior years for project-based rental assistance for rehabili-  
17 tation projects with 10-year grant terms may be used for  
18 purposes under this heading, notwithstanding the pur-  
19 poses for which such funds were appropriated: *Provided*  
20 *further*, That all balances for Shelter Plus Care renewals  
21 previously funded from the Shelter Plus Care Renewal ac-  
22 count and transferred to this account shall be available,  
23 if recaptured, for Continuum of Care renewals in fiscal  
24 year 2021: *Provided further*, That when awarding funds  
25 under the Continuum of Care program, the Secretary shall

1 not deviate from the Fiscal Year 2018 Notice of Funding  
2 Availability with respect to the tier 2 funding process, the  
3 Continuum of Care application scoring, and, for new  
4 projects, the project quality threshold requirements, ex-  
5 cept as otherwise provided under this Act or as necessary  
6 to award all available funds or consider the most recent  
7 data from each Continuum of Care: *Provided further*, That  
8 unobligated balances, including recaptures and carryover,  
9 remaining from funds transferred to or appropriated  
10 under this heading shall be available for the current pur-  
11 poses authorized under this heading in addition to the pur-  
12 poses for which such funds originally were appropriated.

## 13 HOUSING PROGRAMS

### 14 PROJECT-BASED RENTAL ASSISTANCE

15 For activities and assistance for the provision of  
16 project-based subsidy contracts under the United States  
17 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this  
18 heading “the Act”), not otherwise provided for,  
19 \$13,051,000,000, to remain available until expended,  
20 which shall be available on October 1, 2020 (in addition  
21 to the \$400,000,000 previously appropriated under this  
22 heading that became available October 1, 2020), and  
23 \$400,000,000, to remain available until expended, which  
24 shall be available on October 1, 2021: *Provided*, That the  
25 amounts made available under this heading shall be for

1 expiring or terminating section 8 project-based subsidy  
2 contracts (including section 8 moderate rehabilitation con-  
3 tracts), for amendments to section 8 project-based subsidy  
4 contracts (including section 8 moderate rehabilitation con-  
5 tracts), for contracts entered into pursuant to section 441  
6 of the McKinney-Vento Homeless Assistance Act (42  
7 U.S.C. 11401), for renewal of section 8 contracts for units  
8 in projects that are subject to approved plans of action  
9 under the Emergency Low Income Housing Preservation  
10 Act of 1987 or the Low-Income Housing Preservation and  
11 Resident Homeownership Act of 1990, and for administra-  
12 tive and other expenses associated with project-based ac-  
13 tivities and assistance funded under this heading: *Provided*  
14 *further*, That of the total amounts made available under  
15 this heading, not to exceed \$350,000,000 shall be for per-  
16 formance-based contract administrators or contractors for  
17 section 8 project-based assistance, as such term is defined  
18 in subsection (f) of such section: *Provided further*, That  
19 the Secretary may also use such amounts provided in the  
20 preceding proviso for performance-based contract adminis-  
21 trators or contractors for the administration of: (1) inter-  
22 est reduction payments pursuant to section 236(a) of the  
23 National Housing Act (12 U.S.C. 1715z-1(a)); (2) rent  
24 supplement payments pursuant to section 101 of the  
25 Housing and Urban Development Act of 1965 (12 U.S.C.

1 1701s); (3) rental assistance payments under section  
2 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–  
3 1(f)(2)); (4) project rental assistance contracts for hous-  
4 ing for the elderly under section 202(c)(2) of the Housing  
5 Act of 1959 (12 U.S.C. 1701(c)(2)); (5) project rental as-  
6 sistance contracts for supportive housing for persons with  
7 disabilities under section 811(d)(2) of the Cranston-Gon-  
8 zalez National Affordable Housing Act (42 U.S.C.  
9 8013(d)(2)); (6) project assistance contracts pursuant to  
10 section 202(h) of the Housing Act of 1959 (12 U.S.C.  
11 1701q(h)); and (7) loans under section 202 of the Housing  
12 Act of 1959 (12 U.S.C. 1701q): *Provided further*, That  
13 amounts recaptured under this heading, the heading “An-  
14 nual Contributions for Assisted Housing”, or the heading  
15 “Housing Certificate Fund”, may be used for renewals of  
16 or amendments to section 8 project-based assistance con-  
17 tracts or for performance-based contract administrators or  
18 contractors, notwithstanding the purposes for which such  
19 amounts were appropriated: *Provided further*, That, not-  
20 withstanding any other provision of law, upon the request  
21 of the Secretary, project funds that are held in residual  
22 receipts accounts for any project subject to a section 8  
23 project-based Housing Assistance Payments contract that  
24 authorizes the Department or a housing finance agency  
25 to require that surplus project funds be deposited in an

1 interest-bearing residual receipts account and that are in  
2 excess of an amount to be determined by the Secretary,  
3 shall be recaptured for use under this heading and shall  
4 be available until expended.

5 HOUSING FOR THE ELDERLY

6 For capital advances, including amendments to cap-  
7 ital advance contracts, for housing for the elderly, as au-  
8 thorized by section 202 of the Housing Act of 1959 (12  
9 U.S.C. 1701q), for project rental assistance for the elderly  
10 under section 202(c)(2) of such Act, including amend-  
11 ments to contracts for such assistance and renewal of ex-  
12 piring contracts for such assistance for up to a 1-year  
13 term, for senior preservation rental assistance contracts,  
14 including renewals, as authorized by section 811(e) of the  
15 American Homeownership and Economic Opportunity Act  
16 of 2000 (12 U.S.C. 1701q note), and for supportive serv-  
17 ices associated with the housing, \$893,000,000 to remain  
18 available until September 30, 2024: *Provided*, That of the  
19 amount made available under this heading, up to  
20 \$110,000,000 shall be for service coordinators and the  
21 continuation of existing congregate service grants for resi-  
22 dents of assisted housing projects: *Provided further*, That  
23 amounts made available under this heading shall be avail-  
24 able for Real Estate Assessment Center inspections and  
25 inspection-related activities associated with section 202

1 projects: *Provided further*, That the Secretary may waive  
2 the provisions of section 202 governing the terms and con-  
3 ditions of project rental assistance, except that the initial  
4 contract term for such assistance shall not exceed 5 years  
5 in duration: *Provided further*, That upon request of the  
6 Secretary, project funds that are held in residual receipts  
7 accounts for any project subject to a section 202 project  
8 rental assistance contract, and that upon termination of  
9 such contract are in excess of an amount to be determined  
10 by the Secretary, shall be recaptured for use for the pur-  
11 poses authorized under this heading and shall remain  
12 available until September 30, 2024: *Provided further*, That  
13 unobligated balances, including recaptures and carryover,  
14 remaining from funds transferred to or made available  
15 under this heading shall be available for the purposes au-  
16 thorized under this heading in addition to the purposes  
17 for which such funds originally were appropriated: *Pro-*  
18 *vided further*, That of the total amount made available  
19 under this heading, up to \$14,000,000 shall be used by  
20 the Secretary to continue demonstration programs to test  
21 housing with services models for the elderly that dem-  
22 onstrate the potential to delay or avoid the need for nurs-  
23 ing home care: *Provided further*, That of the total amount  
24 made available under this heading, up to \$10,000,000  
25 shall be used to expand the supply of intergenerational

1 dwelling units (as such term is defined in section 202 of  
2 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-  
3 ly caregivers raising children.

4 HOUSING FOR PERSONS WITH DISABILITIES

5 For capital advances, including amendments to cap-  
6 ital advance contracts, for supportive housing for persons  
7 with disabilities, as authorized by section 811 of the Cran-  
8 ston-Gonzalez National Affordable Housing Act (42  
9 U.S.C. 8013), for project rental assistance for supportive  
10 housing for persons with disabilities under section  
11 811(d)(2) of such Act, for project assistance contracts  
12 pursuant to subsection (h) of section 202 of the Housing  
13 Act of 1959, as added by section 205(a) of the Housing  
14 and Community Development Amendments of 1978 (Pub-  
15 lic Law 95-557: 92 Stat. 2090), including amendments to  
16 contracts for such assistance and renewal of expiring con-  
17 tracts for such assistance for up to a 1-year term, for  
18 project rental assistance to State housing finance agencies  
19 and other appropriate entities as authorized under section  
20 811(b)(3) of the Cranston-Gonzalez National Affordable  
21 Housing Act, and for supportive services associated with  
22 the housing for persons with disabilities as authorized by  
23 section 811(b)(1) of such Act, \$227,000,000, to remain  
24 available until September 30, 2024: *Provided*, That  
25 amounts made available under this heading shall be avail-

1 able for Real Estate Assessment Center inspections and  
2 inspection-related activities associated with section 811  
3 projects: *Provided further*, That, upon the request of the  
4 Secretary, project funds that are held in residual receipts  
5 accounts for any project subject to a section 811 project  
6 rental assistance contract, and that upon termination of  
7 such contract are in excess of an amount to be determined  
8 by the Secretary, shall be recaptured for use for the pur-  
9 poses authorized under this heading and shall remain  
10 available until September 30, 2024: *Provided further*, That  
11 unobligated balances, including recaptures and carryover,  
12 remaining from funds transferred to or appropriated  
13 under this heading shall be used for the purposes author-  
14 ized under this heading in addition to the purposes for  
15 which such funds originally were appropriated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance, excluding  
18 loans, as authorized under section 106 of the Housing and  
19 Urban Development Act of 1968 (12 U.S.C. 1701x),  
20 \$75,000,000, to remain available until September 30,  
21 2022, of which up to \$4,500,000 shall be for administra-  
22 tive contract services: *Provided*, That grants using  
23 amounts made available under this heading shall be  
24 awarded within 180 days of enactment of this Act: *Pro-*  
25 *vided further*, That funds shall be used for providing coun-

1 seling and advice to tenants and homeowners, current and  
2 prospective, with respect to property maintenance, finan-  
3 cial management and literacy, foreclosure and eviction  
4 mitigation, and such other matters as may be appropriate  
5 to assist them in improving their housing conditions, meet-  
6 ing their financial needs, and fulfilling the responsibilities  
7 of tenancy or homeownership; for program administration;  
8 and for housing counselor training: *Provided further*, That  
9 amounts made available under this heading may be used  
10 to purchase equipment and technology to deliver services  
11 through use of the Internet or other electronic or virtual  
12 means in response to the public health emergency related  
13 to the Coronavirus Disease 2019 (COVID-19) pandemic:  
14 *Provided further*, That for purposes of providing such  
15 grants from amounts made available under this heading,  
16 the Secretary may enter into multiyear agreements, as ap-  
17 propriate, subject to the availability of annual appropria-  
18 tions.

19 PAYMENT TO MANUFACTURED HOUSING FEES TRUST  
20 FUND

21 For necessary expenses as authorized by the National  
22 Manufactured Housing Construction and Safety Stand-  
23 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to  
24 \$13,000,000, to remain available until expended, of which  
25 \$13,000,000 shall be derived from the Manufactured

1 Housing Fees Trust Fund (established under section  
2 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That  
3 not to exceed the total amount appropriated under this  
4 heading shall be available from the general fund of the  
5 Treasury to the extent necessary to incur obligations and  
6 make expenditures pending the receipt of collections to the  
7 Fund pursuant to section 620 of such Act: *Provided fur-*  
8 *ther*, That the amount made available under this heading  
9 from the general fund shall be reduced as such collections  
10 are received during fiscal year 2021 so as to result in a  
11 final fiscal year 2021 appropriation from the general fund  
12 estimated at zero, and fees pursuant to such section 620  
13 shall be modified as necessary to ensure such a final fiscal  
14 year 2021 appropriation: *Provided further*, That the Sec-  
15 retary shall issue a final rule to complete rulemaking initi-  
16 ated by the proposed rule entitled “Manufactured Housing  
17 Program: Minimum Payments to the States” published in  
18 the Federal Register on December 16, 2016 (81 Fed. Reg.  
19 91083): *Provided further*, That for the dispute resolution  
20 and installation programs, the Secretary may assess and  
21 collect fees from any program participant: *Provided fur-*  
22 *ther*, That such collections shall be deposited into the  
23 Trust Fund, and the Secretary, as provided herein, may  
24 use such collections, as well as fees collected under section  
25 620 of such Act, for necessary expenses of such Act: *Pro-*

1 *vided further*, That, notwithstanding the requirements of  
2 section 620 of such Act, the Secretary may carry out re-  
3 sponsibilities of the Secretary under such Act through the  
4 use of approved service providers that are paid directly  
5 by the recipients of their services.

6 FEDERAL HOUSING ADMINISTRATION

7 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

8 New commitments to guarantee single family loans  
9 insured under the Mutual Mortgage Insurance Fund (es-  
10 tablished under section 202(a) of the National Housing  
11 Act (12 U.S.C. 1708(a)) shall not exceed  
12 \$400,000,000,000 in aggregate loan principal, to remain  
13 available until September 30, 2022: *Provided*, That during  
14 fiscal year 2021, obligations to make direct loans to carry  
15 out the purposes of section 204(g) of the National Hous-  
16 ing Act (12 U.S.C. 1710(g)) shall not exceed \$1,000,000:  
17 *Provided further*, That the amount in the preceding pro-  
18 viso shall be for loans to nonprofit and governmental enti-  
19 ties in connection with sales of single family real prop-  
20 erties owned by the Secretary and formerly insured under  
21 the Mutual Mortgage Insurance Fund: *Provided further*,  
22 That for administrative contract expenses of the Federal  
23 Housing Administration, \$130,000,000, to remain avail-  
24 able until September 30, 2022: *Provided further*, That to  
25 the extent guaranteed loan commitments exceed

1 \$200,000,000,000 on or before April 1, 2021, an addi-  
2 tional \$1,400 for administrative contract expenses shall be  
3 available for each \$1,000,000 in additional guaranteed  
4 loan commitments (including a pro rata amount for any  
5 amount below \$1,000,000), but in no case shall funds  
6 made available by this proviso exceed \$30,000,000: *Pro-*  
7 *vided further*, That notwithstanding the limitation in the  
8 first sentence of section 255(g) of the National Housing  
9 Act (12 U.S.C. 1715z–20(g)), during fiscal year 2021 the  
10 Secretary may insure and enter into new commitments to  
11 insure mortgages under section 255 of such Act only to  
12 the extent that the net credit subsidy cost for such insur-  
13 ance does not exceed zero: *Provided further*, That for fiscal  
14 year 2021, the Secretary shall not take any action against  
15 a lender solely on the basis of compare ratios that have  
16 been adversely affected by defaults on mortgages secured  
17 by properties in areas where a major disaster was declared  
18 in 2017 or 2018 pursuant to the Robert T. Stafford Dis-  
19 aster Relief and Emergency Assistance Act (42 U.S.C.  
20 5121 et seq.).

21 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

22 New commitments to guarantee loans insured under  
23 the General and Special Risk Insurance Funds, as author-  
24 ized by sections 238 and 519 of the National Housing Act  
25 (12 U.S.C. 1715z–3 and 1735c), shall not exceed

1 \$30,000,000,000 in aggregate loan principal, any part of  
2 which is to be guaranteed, to remain available until Sep-  
3 tember 30, 2022: *Provided*, That during fiscal year 2021,  
4 gross obligations for the principal amount of direct loans,  
5 as authorized by sections 204(g), 207(l), 238, and 519(a)  
6 of the National Housing Act, shall not exceed \$1,000,000,  
7 which shall be for loans to nonprofit and governmental en-  
8 tities in connection with the sale of single family real prop-  
9 erties owned by the Secretary and formerly insured under  
10 such Act.

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

14 New commitments to issue guarantees to carry out  
15 the purposes of section 306(g) of the National Housing  
16 Act, as amended (12 U.S.C. 1721(g)), shall not exceed  
17 \$1,500,000,000,000 in aggregate principal, to remain  
18 available until September 30, 2022: *Provided*, That  
19 \$55,500,000, to remain available until September 30,  
20 2022, shall be for necessary salaries and expenses of the  
21 Office of Government National Mortgage Association: *Pro-*  
22 *vided further*, That to the extent that guaranteed loan  
23 commitments exceed \$155,000,000,000 on or before April  
24 1, 2021, an additional \$100 for necessary salaries and ex-  
25 penses shall be available until expended for each

1 \$1,000,000 in additional guaranteed loan commitments  
2 (including a pro rata amount for any amount below  
3 \$1,000,000), but in no case shall funds made available by  
4 this proviso exceed \$3,000,000: *Provided further*, That re-  
5 ceipts from Commitment and Multiclass fees collected pur-  
6 suant to title III of the National Housing Act (12 U.S.C.  
7 1716 et seq.) shall be credited as offsetting collections to  
8 this account.

9 POLICY DEVELOPMENT AND RESEARCH

10 RESEARCH AND TECHNOLOGY

11 For contracts, grants, and necessary expenses of pro-  
12 grams of research and studies relating to housing and  
13 urban problems, not otherwise provided for, as authorized  
14 by title V of the Housing and Urban Development Act  
15 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
16 out the functions of the Secretary of Housing and Urban  
17 Development under section 1(a)(1)(i) of Reorganization  
18 Plan No. 2 of 1968, and for technical assistance,  
19 \$118,000,000, to remain available until September 30,  
20 2022: *Provided*, That with respect to amounts made avail-  
21 able under this heading, notwithstanding section 203 of  
22 this title, the Secretary may enter into cooperative agree-  
23 ments with philanthropic entities, other Federal agencies,  
24 State or local governments and their agencies, Indian  
25 tribes, tribally designated housing entities, or colleges or

1 universities for research projects: *Provided further*, That  
2 with respect to the preceding proviso, such partners to the  
3 cooperative agreements shall contribute at least a 50 per-  
4 cent match toward the cost of the project: *Provided fur-*  
5 *ther*, That for non-competitive agreements entered into in  
6 accordance with the preceding two provisos, the Secretary  
7 shall comply with section 2(b) of the Federal Funding Ac-  
8 countability and Transparency Act of 2006 (Public Law  
9 109-282, 31 U.S.C. note) in lieu of compliance with sec-  
10 tion 102(a)(4)(C) of the Department of Housing and  
11 Urban Development Reform Act of 1989 (42 U.S.C.  
12 3545(a)(4)(C)) with respect to documentation of award  
13 decisions: *Provided further*, That prior to obligation of  
14 technical assistance funding, the Secretary shall submit a  
15 plan to the House and Senate Committees on Appropria-  
16 tions on how the Secretary will allocate funding for this  
17 activity at least 30 days prior to obligation: *Provided fur-*  
18 *ther*, That none of the funds provided under this heading  
19 may be available for the doctoral dissertation research  
20 grant program.

21           FAIR HOUSING AND EQUAL OPPORTUNITY

22                           FAIR HOUSING ACTIVITIES

23           For contracts, grants, and other assistance, not oth-  
24 erwise provided for, as authorized by title VIII of the Civil  
25 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section

1 561 of the Housing and Community Development Act of  
2 1987 (42 U.S.C. 3616a), \$80,300,000, to remain available  
3 until September 30, 2022: *Provided*, That grants from  
4 amounts made available under this heading shall be  
5 awarded not later than 180 days after enactment of this  
6 Act: *Provided further*, That notwithstanding section 3302  
7 of title 31, United States Code, the Secretary may assess  
8 and collect fees to cover the costs of the Fair Housing  
9 Training Academy, and may use such funds to develop on-  
10 line courses and provide such training: *Provided further*,  
11 That none of the funds made available under this heading  
12 may be used to lobby the executive or legislative branches  
13 of the Federal Government in connection with a specific  
14 contract, grant, or loan: *Provided further*, That of the  
15 funds made available under this heading, \$350,000 shall  
16 be available to the Secretary for the creation and pro-  
17 motion of translated materials and other programs that  
18 support the assistance of persons with limited English pro-  
19 ficiency in utilizing the services provided by the Depart-  
20 ment of Housing and Urban Development.

1 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

2 HOMES

3 LEAD HAZARD REDUCTION

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Lead Hazard Reduction Program, as author-  
6 ized by section 1011 of the Residential Lead-Based Paint  
7 Hazard Reduction Act of 1992 (42 U.S.C. 4852),  
8 \$340,000,000, to remain available until September 30,  
9 2023, of which \$70,000,000 shall be for the Healthy  
10 Homes Initiative, pursuant to sections 501 and 502 of the  
11 Housing and Urban Development Act of 1970 (42 U.S.C.  
12 1701z-1, 1701z-2), which shall include research, studies,  
13 testing, and demonstration efforts, including education  
14 and outreach concerning lead-based paint poisoning and  
15 other housing related diseases and hazards: *Provided*,  
16 That for purposes of environmental review, pursuant to  
17 the National Environmental Policy Act of 1969 (42 U.S.C.  
18 4321 et seq.) and other provisions of law that further the  
19 purposes of such Act, a grant under the Healthy Homes  
20 Initiative, or the Lead Technical Studies program under  
21 this heading or under prior appropriations Acts for such  
22 purposes under this heading, shall be considered to be  
23 funds for a special project for purposes of section 305(c)  
24 of the Multifamily Housing Property Disposition Reform  
25 Act of 1994 (42 U.S.C. 3547(c)): *Provided further*, That

1 not less than \$95,000,000 of the amounts made available  
2 under this heading for the award of grants pursuant to  
3 section 1011 of the Residential Lead-Based Paint Hazard  
4 Reduction Act of 1992 shall be provided to areas with the  
5 highest lead-based paint abatement needs: *Provided fur-*  
6 *ther*, That of the amounts made available for the Healthy  
7 Homes Initiative, \$5,000,000 shall be for the implementa-  
8 tion of projects in up to 5 communities that are served  
9 by both the Healthy Homes Initiative and the Department  
10 of Energy Weatherization Assistance Program to dem-  
11 onstrate whether the coordination of Healthy Homes re-  
12 mediation activities with weatherization activities achieves  
13 cost savings and better outcomes in improving the safety  
14 and quality of homes: *Provided further*, That \$30,000,000  
15 of the amounts made available under this heading shall  
16 be for a lead risk assessment demonstration for public  
17 housing agencies to conduct lead hazard screenings or lead  
18 risk assessments during housing quality standards inspec-  
19 tions of units in which a family receiving assistance under  
20 section 8(o) of the U.S. Housing Act of 1937 (42 U.S.C.  
21 1437f(o)) resides or expects to reside, and has or expects  
22 to have a child under age 6 residing in the unit, while  
23 preserving rental housing availability and affordability:  
24 *Provided further*, That each applicant shall certify ade-  
25 quate capacity that is acceptable to the Secretary to carry

1 out the proposed use of funds pursuant to a notice of  
2 funding availability: *Provided further*, That amounts made  
3 available under this heading in this or prior appropriations  
4 Acts, still remaining available, may be used for any pur-  
5 pose under this heading notwithstanding the purpose for  
6 which such amounts were appropriated if a program com-  
7 petition is undersubscribed and there are other program  
8 competitions under this heading that are oversubscribed:  
9 *Provided further*, That up to \$2,000,000 of the amounts  
10 made available under this heading may be transferred to  
11 the heading “Policy Development and Research” for the  
12 purposes of conducting research and studies and for use  
13 in accordance with the provisos under that heading for  
14 non-competitive agreements.

15 CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For the mitigation against the exploitation of infor-  
18 mation technology systems and personal identifiable infor-  
19 mation and for the development, modernization, and en-  
20 hancement of, modifications to, and infrastructure for De-  
21 partment-wide and program-specific information tech-  
22 nology systems, for the continuing operation and mainte-  
23 nance of both Department-wide and program-specific in-  
24 formation systems, and for program-related maintenance  
25 activities, \$293,000,000, of which \$269,800,000 shall re-

1 main available until September 30, 2022, \$20,000,000  
2 shall remain available until September 30, 2023, and  
3 \$3,200,000 shall remain available until September 30,  
4 2024: *Provided*, That any amounts transferred to this  
5 Fund under this Act shall remain available until expended:  
6 *Provided further*, That any amounts transferred to this  
7 Fund from amounts appropriated by previously enacted  
8 appropriations Acts may be used for the purposes specified  
9 under this Fund, in addition to any other information  
10 technology purposes for which such amounts were appro-  
11 priated: *Provided further*, That not more than 10 percent  
12 of the funds made available under this heading for devel-  
13 opment, modernization and enhancement may be obligated  
14 until the Secretary submits a performance plan to the  
15 House and Senate Committees on Appropriations for ap-  
16 proval.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary salaries and expenses of the Office of  
19 Inspector General in carrying out the Inspector General  
20 Act of 1978, as amended, \$145,514,000: *Provided*, That  
21 the Inspector General shall have independent authority  
22 over all personnel issues within this office.

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

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

23 SEC. 202. None of the funds made available by this  
24 Act may be used during fiscal year 2021 to investigate  
25 or prosecute under the Fair Housing Act any otherwise

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

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

12       SEC. 204. Funds of the Department of Housing and  
13 Urban Development subject to chapter 91 of title 31,  
14 United States Code, commonly known as the Government  
15 Corporation Control Act, shall be available, without regard  
16 to the limitations on administrative expenses, for legal  
17 services on a contract or fee basis, and for utilizing and  
18 making payment for services and facilities of the Federal  
19 National Mortgage Association, Government National  
20 Mortgage Association, Federal Home Loan Mortgage Cor-  
21 poration, Federal Financing Bank, Federal Reserve banks  
22 or any member thereof, Federal Home Loan banks, and  
23 any insured bank within the meaning of the Federal De-  
24 posit Insurance Act (12 U.S.C. 1811 et seq.).

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

7       SEC. 206. Corporations and agencies of the Depart-  
8 ment of Housing and Urban Development that are subject  
9 to chapter 91 of title 31, United States Code, commonly  
10 known as the Government Corporation Control Act, are  
11 hereby authorized to make such expenditures, within the  
12 limits of funds and borrowing authority available to each  
13 such corporation or agency and in accordance with law,  
14 and to make such contracts and commitments without re-  
15 gard to fiscal year limitations as provided by section 9104  
16 of title 31 as may be necessary in carrying out the pro-  
17 grams set forth in the budget for 2021 for such corpora-  
18 tion or agency except as hereinafter provided: *Provided*,  
19 That collections of these corporations and agencies may  
20 be used for new loan or mortgage purchase commitments  
21 only to the extent expressly provided for in this Act (unless  
22 such loans are in support of other forms of assistance pro-  
23 vided for in this or prior appropriations Acts), except that  
24 this proviso shall not apply to the mortgage insurance or  
25 guaranty operations of such corporations, or to loans or

1 mortgage purchases that are necessary to protect the fi-  
2 nancial interest of the United States Government.

3       SEC. 207. The Secretary shall provide quarterly re-  
4 ports to the House and Senate Committees on Appropria-  
5 tions regarding all uncommitted, unobligated, recaptured  
6 and excess funds in each program and activity within the  
7 jurisdiction of the Department and shall submit addi-  
8 tional, updated budget information to these Committees  
9 upon request.

10       SEC. 208. None of the funds made available by this  
11 title may be used for an audit of the Government National  
12 Mortgage Association that makes applicable requirements  
13 under the Federal Credit Reform Act of 1990 (2 U.S.C.  
14 661 et seq.).

15       SEC. 209. (a) Notwithstanding any other provision  
16 of law, subject to the conditions under this section, for  
17 fiscal years 2021 and 2022, the Secretary may authorize  
18 the transfer of some or all project-based assistance, debt  
19 held or insured by the Secretary and statutorily required  
20 low-income and very low-income use restrictions if any, as-  
21 sociated with one or more multifamily housing project or  
22 projects to another multifamily housing project or  
23 projects.

24       (b) PHASED TRANSFERS.—Transfers of project-  
25 based assistance under this section may be done in phases

1 to accommodate the financing and other requirements re-  
2 lated to rehabilitating or constructing the project or  
3 projects to which the assistance is transferred, to ensure  
4 that such project or projects meet the standards under  
5 subsection (c).

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

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

9 (A) For occupied units in the transferring  
10 project, the number of low-income and very low-  
11 income units and the configuration (i.e., bed-  
12 room size) provided by the transferring project  
13 shall be no less than when transferred to the re-  
14 ceiving project or projects and the net dollar  
15 amount of Federal assistance provided to the  
16 transferring project shall remain the same in  
17 the receiving project or projects.

18 (B) For unoccupied units in the transfer-  
19 ring project, the Secretary may authorize a re-  
20 duction in the number of dwelling units in the  
21 receiving project or projects to allow for a re-  
22 configuration of bedroom sizes to meet current  
23 market demands, as determined by the Sec-  
24 retary and provided there is no increase in the  
25 project-based assistance budget authority.

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

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

7           (4) The owner or mortgagor of the transferring  
8           project shall notify and consult with the tenants re-  
9           siding in the transferring project and provide a cer-  
10          tification of approval by all appropriate local govern-  
11          mental officials.

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

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

20          (7) If either the transferring project or the re-  
21          ceiving project or projects meets the condition speci-  
22          fied in subsection (d)(2)(A), any lien on the receiv-  
23          ing project resulting from additional financing ob-  
24          tained by the owner shall be subordinate to any  
25          FHA-insured mortgage lien transferred to, or placed

1 on, such project by the Secretary, except that the  
2 Secretary may waive this requirement upon deter-  
3 mination that such a waiver is necessary to facilitate  
4 the financing of acquisition, construction, and/or re-  
5 habilitation of the receiving project or projects.

6 (8) If the transferring project meets the re-  
7 quirements of subsection (d)(2), the owner or mort-  
8 gator of the receiving project or projects shall exe-  
9 cute and record either a continuation of the existing  
10 use agreement or a new use agreement for the  
11 project, in either case, any use restrictions in such  
12 agreement are of no lesser duration than the exist-  
13 ing use restrictions.

14 (9) The transfer does not increase the cost (as  
15 defined in section 502 of the Congressional Budget  
16 Act of 1974(2 U.S.C. 661a)) of any FHA-insured  
17 mortgage, except to the extent that appropriations  
18 are provided in advance for the amount of any such  
19 increased cost.

20 (d) For purposes of this section—

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

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

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

5           (B) housing that has project-based assist-  
6 ance attached to the structure including  
7 projects undergoing mark to market debt re-  
8 structuring under the Multifamily Assisted  
9 Housing Reform and Affordability Housing Act;

10          (C) housing that is assisted under section  
11 202 of the Housing Act of 1959 (12 U.S.C.  
12 1701q);

13          (D) housing that is assisted under section  
14 202 of the Housing Act of 1959 (12 U.S.C.  
15 1701q), as such section existed before the en-  
16 actment of the Cranston-Gonzales National Af-  
17 fordable Housing Act;

18          (E) housing that is assisted under section  
19 811 of the Cranston-Gonzales National Afford-  
20 able Housing Act (42 U.S.C. 8013); or

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

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

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

4 (B) assistance for housing constructed or  
5 substantially rehabilitated pursuant to assist-  
6 ance provided under section 8(b)(2) of such Act  
7 (as such section existed immediately before Oc-  
8 tober 1, 1983);

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

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

16 (E) assistance payments made under sec-  
17 tion 202(e)(2) of the Housing Act of 1959 (12  
18 U.S.C. 1701q(e)(2)); and

19 (F) assistance payments made under sec-  
20 tion 811(d)(2) of the Cranston-Gonzalez Na-  
21 tional Affordable Housing Act (42 U.S.C.  
22 8013(d)(2));

23 (4) the term “receiving project or projects”  
24 means the multifamily housing project or projects to  
25 which some or all of the project-based assistance,

1 debt, and statutorily required low-income and very  
2 low-income use restrictions are to be transferred;

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

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

11 (e) RESEARCH REPORT.—The Secretary shall con-  
12 duct an evaluation of the transfer authority under this sec-  
13 tion, including the effect of such transfers on the oper-  
14 ational efficiency, contract rents, physical and financial  
15 conditions, and long-term preservation of the affected  
16 properties.

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

20 (1) is enrolled as a student at an institution of  
21 higher education (as defined under section 102 of  
22 the Higher Education Act of 1965 (20 U.S.C.  
23 1002));

24 (2) is under 24 years of age;

25 (3) is not a veteran;

1 (4) is unmarried;

2 (5) does not have a dependent child;

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

8 (7) is not a youth who left foster care at age  
9 14 or older and is at risk of becoming homeless; and

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

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

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

8        SEC. 212. Notwithstanding any other provision of  
9        law, in fiscal year 2021, in managing and disposing of any  
10       multifamily property that is owned or has a mortgage held  
11       by the Secretary of Housing and Urban Development, and  
12       during the process of foreclosure on any property with a  
13       contract for rental assistance payments under section 8  
14       of the United States Housing Act of 1937 (42 U.S.C.  
15       1437f) or any other Federal programs, the Secretary shall  
16       maintain any rental assistance payments under section 8  
17       of the United States Housing Act of 1937 and other pro-  
18       grams that are attached to any dwelling units in the prop-  
19       erty. To the extent the Secretary determines, in consulta-  
20       tion with the tenants and the local government that such  
21       a multifamily property owned or having a mortgage held  
22       by the Secretary is not feasible for continued rental assist-  
23       ance payments under such section 8 or other programs,  
24       based on consideration of (1) the costs of rehabilitating  
25       and operating the property and all available Federal,

1 State, and local resources, including rent adjustments  
2 under section 524 of the Multifamily Assisted Housing  
3 Reform and Affordability Act of 1997 (“MAHRAA”) (42  
4 U.S.C. 1437f note), and (2) environmental conditions that  
5 cannot be remedied in a cost-effective fashion, the Sec-  
6 retary may, in consultation with the tenants of that prop-  
7 erty, contract for project-based rental assistance payments  
8 with an owner or owners of other existing housing prop-  
9 erties, or provide other rental assistance. The Secretary  
10 shall also take appropriate steps to ensure that project-  
11 based contracts remain in effect prior to foreclosure, sub-  
12 ject to the exercise of contractual abatement remedies to  
13 assist relocation of tenants for imminent major threats to  
14 health and safety after written notice to and informed con-  
15 sent of the affected tenants and use of other available rem-  
16 edies, such as partial abatements or receivership. After  
17 disposition of any multifamily property described in this  
18 section, the contract and allowable rent levels on such  
19 properties shall be subject to the requirements under sec-  
20 tion 524 of MAHRAA.

21       SEC. 213. Public housing agencies that own and oper-  
22 ate 400 or fewer public housing units may elect to be ex-  
23 empt from any asset management requirement imposed by  
24 the Secretary in connection with the operating fund rule:  
25 *Provided*, That an agency seeking a discontinuance of a

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

3       SEC. 214. With respect to the use of amounts pro-  
4 vided in this Act and in future Acts for the operation, cap-  
5 ital improvement, and management of public housing as  
6 authorized by sections 9(d) and 9(e) of the United States  
7 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-  
8 retary shall not impose any requirement or guideline relat-  
9 ing to asset management that restricts or limits in any  
10 way the use of capital funds for central office costs pursu-  
11 ant to paragraph (1) or (2) of section 9(g) of the United  
12 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):  
13 *Provided*, That a public housing agency may not use cap-  
14 ital funds authorized under section 9(d) for activities that  
15 are eligible under section 9(e) for assistance with amounts  
16 from the operating fund in excess of the amounts per-  
17 mitted under paragraph (1) or (2) of section 9(g).

18       SEC. 215. No official or employee of the Department  
19 of Housing and Urban Development shall be designated  
20 as an allotment holder unless the Office of the Chief Fi-  
21 nancial Officer has determined that such allotment holder  
22 has implemented an adequate system of funds control and  
23 has received training in funds control procedures and di-  
24 rectives. The Chief Financial Officer shall ensure that  
25 there is a trained allotment holder for each HUD appro-

1 priation under the accounts “Executive Offices”, “Admin-  
2 istrative Support Offices”, “Program Offices”, “Govern-  
3 ment National Mortgage Association—Guarantees of  
4 Mortgage-Backed Securities Loan Guarantee Program  
5 Account”, and “Office of Inspector General” within the  
6 Department of Housing and Urban Development.

7       SEC. 216. The Secretary shall, for fiscal year 2021,  
8 notify the public through the Federal Register and other  
9 means, as determined appropriate, of the issuance of a no-  
10 tice of the availability of assistance or notice of funding  
11 availability (NOFA) for any program or discretionary  
12 fund administered by the Secretary that is to be competi-  
13 tively awarded. Notwithstanding any other provision of  
14 law, for fiscal year 2021, the Secretary may make the  
15 NOFA available only on the Internet at the appropriate  
16 Government web site or through other electronic media,  
17 as determined by the Secretary.

18       SEC. 217. Payment of attorney fees in program-re-  
19 lated litigation shall be paid from the individual program  
20 office and Office of General Counsel salaries and expenses  
21 appropriations. The annual budget submission for the pro-  
22 gram offices and the Office of General Counsel shall in-  
23 clude any such projected litigation costs for attorney fees  
24 as a separate line item request.

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

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

20        (b) The Secretary is authorized to transfer up to 10  
21 percent of funds appropriated for any office under the  
22 headings “Administrative Support Offices” or “Program  
23 Offices” to the Office of Fair Housing and Equal Oppor-  
24 tunity, the Office of Lead Hazard Control and Healthy  
25 Homes, or the Office of Departmental Equal Employment

1 Opportunity: *Provided*, That no amounts may be trans-  
2 ferred pursuant to this subparagraph unless the Secretary  
3 shall provide notification to such Committees not less 3  
4 business days in advance of any such transfers under this  
5 subsection.

6       SEC. 219. (a) Any entity receiving housing assistance  
7 payments shall maintain decent, safe, and sanitary condi-  
8 tions, as determined by the Secretary, and comply with  
9 any standards under applicable State or local laws, rules,  
10 ordinances, or regulations relating to the physical condi-  
11 tion of any property covered under a housing assistance  
12 payment contract.

13       (b) The Secretary shall take action under subsection  
14 (c) when a multifamily housing project with a contract  
15 under section 8 of the United States Housing Act of 1937  
16 (42 U.S.C. 1437f) or a contract for similar project-based  
17 assistance—

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

20             (2) fails to certify in writing to the Secretary  
21 within 3 days that all Exigent Health and Safety de-  
22 ficiencies identified by the inspector at the project  
23 have been corrected.

24 Such requirements shall apply to insured and noninsured  
25 projects with assistance attached to the units under sec-

1 tion 8 of the United States Housing Act of 1937 (42  
2 U.S.C. 1437f), but shall not apply to such units assisted  
3 under section 8(o)(13) of such Act (42 U.S.C.  
4 1437f(o)(13)) or to public housing units assisted with cap-  
5 ital or operating funds under section 9 of the United  
6 States Housing Act of 1937 (42 U.S.C. 1437g).

7 (c)(1) Within 15 days of the issuance of the Real Es-  
8 tate Assessment Center (“REAC”) inspection, the Sec-  
9 retary shall provide the owner with a Notice of Default  
10 with a specified timetable, determined by the Secretary,  
11 for correcting all deficiencies. The Secretary shall provide  
12 a copy of the Notice of Default to the tenants, the local  
13 government, any mortgagees, and any contract adminis-  
14 trator. If the owner’s appeal results in a UPCS score of  
15 60 or above, the Secretary may withdraw the Notice of  
16 Default.

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

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

23 (B) impose civil money penalties, which shall be  
24 used solely for the purpose of supporting safe and  
25 sanitary conditions at applicable properties, as des-

1       ignated by the Secretary, with priority given to the  
2       tenants of the property affected by the penalty;

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

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

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

13              (F) pursue exclusionary sanctions, including  
14      suspensions or debarments from Federal programs;

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

19              (H) work with the owner, lender, or other re-  
20      lated party to stabilize the property in an attempt  
21      to preserve the property through compliance, trans-  
22      fer of ownership, or an infusion of capital provided  
23      by a third-party that requires time to effectuate; or

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

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

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

18           (2) environmental conditions that cannot be  
19           remedied in a cost-effective fashion, the Secretary  
20           may contract for project-based rental assistance pay-  
21           ments with an owner or owners of other existing  
22           housing properties, or provide other rental assist-  
23           ance.

24           (e) The Secretary shall report quarterly on all prop-  
25          erties covered by this section that are assessed through

1 the Real Estate Assessment Center and have UPCS phys-  
2 ical inspection scores of less than 60 or have received an  
3 unsatisfactory management and occupancy review within  
4 the past 36 months. The report shall include—

5           (1) identification of the enforcement actions  
6           being taken to address such conditions, including  
7           imposition of civil money penalties and termination  
8           of subsidies, and identification of properties that  
9           have such conditions multiple times;

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

13           (3) any administrative or legislative rec-  
14           ommendations to further improve the living condi-  
15           tions at properties covered under a housing assist-  
16           ance payment contract.

17 This report shall be submitted to the Senate and House  
18 Committees on Appropriations not later than 30 days  
19 after the enactment of this Act, and on the first business  
20 day of each Federal fiscal year quarter thereafter while  
21 this section remains in effect.

22           SEC. 220. None of the funds made available by this  
23 Act, or any other Act, for purposes authorized under sec-  
24 tion 8 (only with respect to the tenant-based rental assist-  
25 ance program) and section 9 of the United States Housing

1 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by  
2 any public housing agency for any amount of salary, in-  
3 cluding bonuses, for the chief executive officer of which,  
4 or any other official or employee of which, that exceeds  
5 the annual rate of basic pay payable for a position at level  
6 IV of the Executive Schedule at any time during any pub-  
7 lic housing agency fiscal year 2021.

8       SEC. 221. None of the funds made available by this  
9 Act and provided to the Department of Housing and  
10 Urban Development may be used to make a grant award  
11 unless the Secretary notifies the House and Senate Com-  
12 mittees on Appropriations not less than 3 full business  
13 days before any project, State, locality, housing authority,  
14 tribe, nonprofit organization, or other entity selected to  
15 receive a grant award is announced by the Department  
16 or its offices.

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

20       SEC. 223. None of the funds made available by this  
21 Act shall be used by the Federal Housing Administration,  
22 the Government National Mortgage Administration, or the  
23 Department of Housing and Urban Development to in-  
24 sure, securitize, or establish a Federal guarantee of any  
25 mortgage or mortgage backed security that refinances or

1 otherwise replaces a mortgage that has been subject to  
2 eminent domain condemnation or seizure, by a State, mu-  
3 nicipality, or any other political subdivision of a State.

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

10       SEC. 225. Amounts made available by this Act that  
11 are appropriated, allocated, advanced on a reimbursable  
12 basis, or transferred to the Office of Policy Development  
13 and Research of the Department of Housing and Urban  
14 Development and functions thereof, for research, evalua-  
15 tion, or statistical purposes, and that are unexpended at  
16 the time of completion of a contract, grant, or cooperative  
17 agreement, may be deobligated and shall immediately be-  
18 come available and may be reobligated in that fiscal year  
19 or the subsequent fiscal year for the research, evaluation,  
20 or statistical purposes for which the amounts are made  
21 available to that Office subject to reprogramming require-  
22 ments in section 405 of this Act.

23       SEC. 226. Funds made available by this title under  
24 the heading “Homeless Assistance Grants” may be used  
25 by the Secretary to participate in Performance Partner-

1 ship Pilots authorized under section 526 of division H of  
2 Public Law 113–76 (42 U.S.C. 12301 note), section 524  
3 of division G of Public Law 113–235, section 525 of divi-  
4 sion H of Public Law 114–113, section 525 of division  
5 H of Public Law 115–31, section 525 of division H of  
6 Public Law 115–141, section 524 of division B of Public  
7 Law 115–245, and such authorities as are enacted for  
8 Performance Partnership Pilots in an appropriations Act  
9 for fiscal year 2021: *Provided*, That such participation  
10 shall be limited to not more than 10 continuums of care  
11 and housing activities to improve outcomes for discon-  
12 nected youth.

13       SEC. 227. In this fiscal year and in each fiscal year  
14 thereafter, with respect to grant amounts awarded for the  
15 Continuum of Care (CoC) program authorized under sub-  
16 title C of title IV of the McKinney-Vento Homeless Assist-  
17 ance Act (42 U.S.C. 11381 et seq.) with amounts made  
18 available under the heading “Homeless Assistance  
19 Grants”, costs paid by program income of grant recipients  
20 may be counted toward meeting the recipient’s matching  
21 requirements, provided the costs are eligible CoC costs  
22 that supplement the recipient’s CoC program.

23       SEC. 228. (a) In this fiscal year and in each fiscal  
24 year thereafter, from amounts made available by this title  
25 under the heading “Homeless Assistance Grants”, the

1 Secretary may award 1-year transition grants to recipients  
2 of funds for activities under subtitle C of the McKinney-  
3 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)  
4 to transition from one Continuum of Care program compo-  
5 nent to another.

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

10 SEC. 229. None of the funds made available by this  
11 Act may be used by the Department of Housing and  
12 Urban Development to direct a grantee to undertake spe-  
13 cific changes to existing zoning laws as part of carrying  
14 out the final rule entitled “Affirmatively Furthering Fair  
15 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the  
16 notice entitled “Affirmatively Furthering Fair Housing  
17 Assessment Tool” (79 Fed. Reg. 57949 (September 26,  
18 2014)).

19 SEC. 230. The Promise Zone designations and Prom-  
20 ise Zone Designation Agreements entered into pursuant  
21 to such designations, made by the Secretary in prior fiscal  
22 years, shall remain in effect in accordance with the terms  
23 and conditions of such agreements.

24 SEC. 231. None of the funds made available by this  
25 Act may be used to establish and apply review criteria,

1 including rating factors or preference points, for participa-  
2 tion in or coordination with EnVision Centers, in the eval-  
3 uation, selection, and award of any funds made available  
4 and requiring competitive selection under this Act, except  
5 with respect to any such funds otherwise authorized for  
6 EnVision Center purposes under this Act.

7       SEC. 232. None of the funds made available by this  
8 or any prior Act may be used to require or enforce any  
9 changes to the terms and conditions of the public housing  
10 annual contributions contract between the Secretary and  
11 any public housing agency, as such contract was in effect  
12 as of December 31, 2017, unless such changes are mutu-  
13 ally agreed upon by the Secretary and such agency: *Pro-*  
14 *vided*, That such agreement by an agency may be indi-  
15 cated only by a written amendment to the terms and con-  
16 ditions containing the duly authorized signature of its  
17 chief executive: *Provided further*, That the Secretary may  
18 not withhold funds to compel such agreement by an agen-  
19 cy which certifies to its compliance with its contract.

20       SEC. 233. Any public housing agency designated as  
21 a Moving to Work agency pursuant to section 239 of divi-  
22 sion L of Public Law 114–113 (42 U.S.C. 1437f note;  
23 129 Stat. 2897) may, upon such designation, use funds  
24 (except for special purpose funding, including special pur-  
25 pose vouchers) previously allocated to any such public

1 housing agency under section 8 or 9 of the United States  
2 Housing Act of 1937, including any reserve funds held by  
3 the public housing agency or funds held by the Depart-  
4 ment of Housing and Urban Development, pursuant to the  
5 authority for use of section 8 or 9 funding provided under  
6 such section and section 204 of title II of the Departments  
7 of Veterans Affairs and Housing and Urban Development  
8 and Independent Agencies Appropriations Act, 1996  
9 (Public Law 104–134; 110 Stat. 1321-28), notwith-  
10 standing the purposes for which such funds were appro-  
11 priated.

12       SEC. 234. None of the amounts made available by  
13 this Act, by Public Law 116-94, or by Public Law 116–  
14 6 may be used to prohibit any public housing agency under  
15 receivership or the direction of a Federal monitor from  
16 applying for, receiving, or using funds made available  
17 under the heading “Public Housing Capital Fund” for  
18 competitive grants to evaluate and reduce lead-based paint  
19 hazards in this Act or that remain available and not  
20 awarded from prior Acts, or be used to prohibit a public  
21 housing agency from using such funds to carry out any  
22 required work pursuant to a settlement agreement, con-  
23 sent decree, voluntary agreement, or similar document for  
24 a violation of the Lead Safe Housing or Lead Disclosure  
25 Rules.

1        SEC. 235. None of the funds made available to the  
2 Department of Housing and Urban Development by this  
3 or any other Act may be used to implement, administer,  
4 enforce, or in any way make effective the proposed rule  
5 entitled “Making Admission or Placement Determinations  
6 Based on Sex in Facilities Under Community Planning  
7 and Development Housing Programs”, transmitted to  
8 Congress for review by the Department of Housing and  
9 Urban Development on June 12, 2020 (Docket No. FR-  
10 6152-P-01), or any final rule based substantially on such  
11 proposed rule.

12        SEC. 236. Notwithstanding any other provision of  
13 law, the notice issued by the Department of Housing and  
14 Urban Development on February 20, 2015, and entitled  
15 “Appropriate Placement for Transgender Persons in Sin-  
16 gle-Sex Emergency Shelters and Other Facilities” (Notice  
17 CPD-15-02) shall have the force and effect of law.

18        SEC. 237. None of the funds made available to the  
19 Department of Housing and Urban Development by this  
20 or any other Act may be used to implement, administer,  
21 enforce, or in any way make effective the proposed rule  
22 entitled “Housing and Community Development Act of  
23 1980: Verification of Eligible Status”, issued by the De-  
24 partment of Housing and Urban Development on May 10,

1 2019 (Docket No. FR-6124-P-01), or any final rule based  
2 substantially on such proposed rule.

3 SEC. 238. There are hereby rescinded, from funds ap-  
4 propriated under the heading “Department of Housing  
5 and Urban Development—Housing Programs—Rental  
6 Housing Assistance”—

7 (a) all unobligated balances from recaptured amounts  
8 appropriated prior to fiscal year 2006 from terminated  
9 contracts under section 236(f)(2) of the National Housing  
10 Act (12 U.S.C. 1715z-1(f)(2)), and any unobligated bal-  
11 ances, including recaptures and carryover, remaining from  
12 funds appropriated under such heading after fiscal year  
13 2005; and

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

16 SEC. 239. (a) Amounts made available under the  
17 heading “Department of Housing and Urban Develop-  
18 ment—Community Planning and Development—Commu-  
19 nity Development Fund” in chapter 9 of title X of the  
20 Disaster Relief Appropriations Act, 2013 (Public Law  
21 113-2, division A; 127 Stat. 36) shall remain available  
22 through September 30, 2025 for the liquidation of valid  
23 obligations of such funding.

24 (b) Notwithstanding any other provision of law, in the  
25 case of any grantee of funds referred to in subsection (a)

1 of this section that provides assistance that duplicates  
2 benefits available to a person for the same purpose from  
3 another source, the grantee itself shall—

4 (1) be subject to remedies for noncompliance; or

5 (2) bear responsibility for absorbing such cost  
6 of duplicative benefits and returning an amount  
7 equal to any duplicative benefits paid to the grant-  
8 ee's funds available for use under such heading, un-  
9 less the Secretary, upon the request of a grantee  
10 issues a public determination by publication in the  
11 Federal Register that it is not in the best interest  
12 of the Federal Government to pursue such remedies.

13 (c) Notwithstanding any other provision of law, any  
14 grantee of funds referred to in subsection (a) of this sec-  
15 tion may request a waiver from the Secretary of Housing  
16 and Urban Development of any recoupment by the Sec-  
17 retary of such funds for amounts owed by persons who  
18 have received such assistance from such funds and who  
19 have been defrauded, or after receiving assistance, have  
20 filed for bankruptcy, gone through a foreclosure procedure  
21 on property that received such assistance, or are deceased.  
22 If the grantee self-certifies to the Secretary in such re-  
23 quest that it has verified that the individual conditions of  
24 each person it is requesting a waiver for meets one of the  
25 conditions specified in the preceding sentence, the Sec-

1   retary may grant such waivers on the basis of grantee self-  
2   certification, issue a public determination by publication  
3   in the Federal Register that it is not in the best interest  
4   of the Federal Government to pursue such recoupment,  
5   and may conduct oversight to verify grantee self-certifi-  
6   cation and subject the grantee to remedies for noncompli-  
7   ance for any amounts that have not met such require-  
8   ments.

9       (d) Amounts repurposed pursuant to this section that  
10   were previously designated by the Congress as an emer-  
11   gency requirement pursuant to the Balanced Budget and  
12   Emergency Deficit Control Act of 1985 are designated by  
13   the Congress as an emergency requirement pursuant to  
14   section 251(b)(2)(A)(i) of the Balanced Budget and  
15   Emergency Deficit Control Act of 1985.

16       This title may be cited as the “Department of Hous-  
17   ing and Urban Development Appropriations Act, 2021”.

### 18                                   TITLE III

#### 19                                   RELATED AGENCIES

##### 20                                   ACCESS BOARD

##### 21                                   SALARIES AND EXPENSES

22       For expenses necessary for the Access Board, as au-  
23   thorized by section 502 of the Rehabilitation Act of 1973  
24   (29 U.S.C. 792), \$9,200,000: *Provided*, That, notwith-  
25   standing any other provision of law, there may be credited

1 to this appropriation funds received for publications and  
2 training expenses.

3 FEDERAL MARITIME COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Maritime  
6 Commission as authorized by section 201(d) of the Mer-  
7 chant Marine Act, 1936 (46 U.S.C. 307), including serv-  
8 ices as authorized by section 3109 of title 5, United States  
9 Code; hire of passenger motor vehicles as authorized by  
10 section 1343(b) of title 31, United States Code; and uni-  
11 forms or allowances therefore, as authorized by sections  
12 5901 and 5902 of title 5, United States Code,  
13 \$29,800,000: *Provided*, That not to exceed \$5,000 shall  
14 be for official reception and representation expenses.

15 NATIONAL RAILROAD PASSENGER CORPORATION

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector  
19 General for the National Railroad Passenger Corporation  
20 to carry out the provisions of the Inspector General Act  
21 of 1978 (5 U.S.C. App. 3), \$26,248,000: *Provided*, That  
22 the Inspector General shall have all necessary authority,  
23 in carrying out the duties specified in such Act, to inves-  
24 tigate allegations of fraud, including false statements to  
25 the Government under section 1001 of title 18, United

1 States Code, by any person or entity that is subject to  
2 regulation by the National Railroad Passenger Corpora-  
3 tion: *Provided further*, That the Inspector General may  
4 enter into contracts and other arrangements for audits,  
5 studies, analyses, and other services with public agencies  
6 and with private persons, subject to the applicable laws  
7 and regulations that govern the obtaining of such services  
8 within the National Railroad Passenger Corporation: *Pro-*  
9 *vided further*, That the Inspector General may select, ap-  
10 point, and employ such officers and employees as may be  
11 necessary for carrying out the functions, powers, and du-  
12 ties of the Office of Inspector General, subject to the appli-  
13 cable laws and regulations that govern such selections, ap-  
14 pointments, and employment within the National Railroad  
15 Passenger Corporation: *Provided further*, That concurrent  
16 with the President's budget request for fiscal year 2022,  
17 the Inspector General shall submit to the House and Sen-  
18 ate Committees on Appropriations a budget request for  
19 fiscal year 2022 in similar format and substance to budget  
20 requests submitted by executive agencies of the Federal  
21 Government.

22 NATIONAL TRANSPORTATION SAFETY BOARD  
23 SALARIES AND EXPENSES

24 For necessary expenses of the National Transpor-  
25 tation Safety Board, including hire of passenger motor ve-

1 hicles and aircraft; services as authorized by 5 U.S.C.  
2 3109, but at rates for individuals not to exceed the per  
3 diem rate equivalent to the rate for a GS-15; uniforms,  
4 or allowances therefor, as authorized by law (5 U.S.C.  
5 5901-5902), \$118,400,000, of which not to exceed \$2,000  
6 may be used for official reception and representation ex-  
7 penses. The amounts made available to the National  
8 Transportation Safety Board in this Act include amounts  
9 necessary to make lease payments on an obligation in-  
10 curred in fiscal year 2001 for a capital lease.

11 NEIGHBORHOOD REINVESTMENT CORPORATION  
12 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
13 CORPORATION

14 For payment to the Neighborhood Reinvestment Cor-  
15 poration for use in neighborhood reinvestment activities,  
16 as authorized by the Neighborhood Reinvestment Corpora-  
17 tion Act (42 U.S.C. 8101-8107), \$208,500,000, of which  
18 \$5,000,000 shall be for a multi-family rental housing pro-  
19 gram: *Provided*, That of the total amount made available  
20 under this heading, \$25,000,000 shall be for competitive  
21 grants to: redevelop abandoned or distressed properties;  
22 provide homeownership and financing assistance to house-  
23 holds with income of not more than 120 percent of the  
24 area median income; purchase properties that are aban-  
25 doned or distressed to sell, rent, or redevelop; establish

1 or operate land banks to acquire, redevelop, or sell prop-  
2 erties that are abandoned or distressed; demolish aban-  
3 doned or distressed structures, as part of a redevelopment  
4 effort to increase affordable rental and owner-occupied  
5 housing; or engage in community development activities  
6 in areas with high rates of abandoned or distressed prop-  
7 erties.

8 SURFACE TRANSPORTATION BOARD

9 SALARIES AND EXPENSES

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

1 UNITED STATES INTERAGENCY COUNCIL ON  
2 HOMELESSNESS  
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-  
5 ries, authorized travel, hire of passenger motor vehicles,  
6 and rental of conference rooms) of the United States  
7 Interagency Council on Homelessness in carrying out the  
8 functions pursuant to title II of the McKinney-Vento  
9 Homeless Assistance Act (42 U.S.C. 11311 et. seq.), as  
10 amended, \$3,800,000, to remain available until September  
11 30, 2022: *Provided*, That not more than \$15,000 may be  
12 used for travel expenses by the Executive Director: *Pro-*  
13 *vided further*, That the Executive Director may not engage  
14 in any official travel except for travel paid out of such  
15 amounts: *Provided further*, That no funds may be used  
16 to promote homelessness interventions unless those inter-  
17 ventions include support for evidence-based interventions  
18 including the Housing First model and Permanent Sup-  
19 portive Housing.

20 TITLE IV  
21 GENERAL PROVISIONS—THIS ACT

22 SEC. 401. None of the funds in this Act shall be used  
23 for the planning or execution of any program to pay the  
24 expenses of, or otherwise compensate, non-Federal parties

1 intervening in regulatory or adjudicatory proceedings  
2 funded in this Act.

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

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

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

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

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

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

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

9           (5) is offensive to, or designed to change, par-  
10          ticipants’ personal values or lifestyle outside the  
11          workplace.

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

15          SEC. 405. Except as otherwise provided in this Act,  
16          none of the funds provided in this Act, provided by pre-  
17          vious appropriations Acts to the agencies or entities fund-  
18          ed in this Act that remain available for obligation or ex-  
19          penditure in fiscal year 2021, or provided from any ac-  
20          counts in the Treasury derived by the collection of fees  
21          and available to the agencies funded by this Act, shall be  
22          available for obligation or expenditure through a re-  
23          programming of funds that—

24                  (1) creates a new program;

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

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

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

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

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

13          (7) creates, reorganizes, or restructures a  
14          branch, division, office, bureau, board, commission,  
15          agency, administration, or department different from  
16          the budget justifications submitted to the Commit-  
17          tees on Appropriations or the table accompanying  
18          the report accompanying this Act, whichever is more  
19          detailed, unless prior approval is received from the  
20          House and Senate Committees on Appropriations:  
21          *Provided*, That not later than 60 days after the date  
22          of enactment of this Act, each agency funded by this  
23          Act shall submit a report to the Committees on Ap-  
24          propriations of the Senate and of the House of Rep-  
25          resentatives to establish the baseline for application

1 of reprogramming and transfer authorities for the  
2 current fiscal year: *Provided further*, That the report  
3 shall include—

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

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

24 (C) an identification of items of special  
25 congressional interest.

1        SEC. 406. Except as otherwise specifically provided  
2 by law, not to exceed 50 percent of unobligated balances  
3 remaining available at the end of fiscal year 2021 from  
4 appropriations made available for salaries and expenses  
5 for fiscal year 2021 in this Act, shall remain available  
6 through September 30, 2022, for each such account for  
7 the purposes authorized: *Provided*, That a request shall  
8 be submitted to the House and Senate Committees on Ap-  
9 propriations for approval prior to the expenditure of such  
10 funds: *Provided further*, That these requests shall be made  
11 in compliance with reprogramming guidelines under sec-  
12 tion 405 of this Act.

13        SEC. 407. No funds in this Act may be used to sup-  
14 port any Federal, State, or local projects that seek to use  
15 the power of eminent domain, unless eminent domain is  
16 employed only for a public use: *Provided*, That for pur-  
17 poses of this section, public use shall not be construed to  
18 include economic development that primarily benefits pri-  
19 vate entities: *Provided further*, That any use of funds for  
20 mass transit, railroad, airport, seaport or highway  
21 projects, as well as utility projects which benefit or serve  
22 the general public (including energy-related, communica-  
23 tion-related, water-related and wastewater-related infra-  
24 structure), other structures designated for use by the gen-  
25 eral public or which have other common-carrier or public-

1 utility functions that serve the general public and are sub-  
2 ject to regulation and oversight by the government, and  
3 projects for the removal of an immediate threat to public  
4 health and safety or brownfields as defined in the Small  
5 Business Liability Relief and Brownfields Revitalization  
6 Act (Public Law 107–118) shall be considered a public  
7 use for purposes of eminent domain.

8       SEC. 408. None of the funds made available in this  
9 Act may be transferred to any department, agency, or in-  
10 strumentality of the United States Government, except  
11 pursuant to a transfer made by, or transfer authority pro-  
12 vided in, this Act or any other appropriations Act.

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

1       SEC. 410. No funds appropriated pursuant to this  
2 Act may be expended by an entity unless the entity agrees  
3 that in expending the assistance the entity will comply  
4 with sections 2 through 4 of the Act of March 3, 1933  
5 (41 U.S.C. 8301–8305, popularly known as the “Buy  
6 American Act”).

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

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

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

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

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

21 SEC. 415. None of the funds appropriated or other-  
22 wise made available under this Act may be used by the  
23 Surface Transportation Board to charge or collect any fil-  
24 ing fee for rate or practice complaints filed with the Board  
25 in an amount in excess of the amount authorized for dis-

1 strict court civil suit filing fees under section 1914 of title  
2 28, United States Code.

3       SEC. 416. None of the funds made available by this  
4 Act may be used by the Department of Transportation,  
5 the Department of Housing and Urban Development, or  
6 any other Federal agency to lease or purchase new light  
7 duty vehicles for any executive fleet, or for an agency's  
8 fleet inventory, except in accordance with Presidential  
9 Memorandum—Federal Fleet Performance, dated May  
10 24, 2011.

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

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

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

1 to such records, documents, or other materials, under any  
2 provision of law, except a provision of law that expressly  
3 refers to the Inspector General and expressly limits the  
4 Inspector General's right of access.

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

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

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

18 SEC. 419. None of the funds appropriated or other-  
19 wise made available by this Act may be used to pay award  
20 or incentive fees for contractors whose performance has  
21 been judged to be below satisfactory, behind schedule, over  
22 budget, or has failed to meet the basic requirements of  
23 a contract, unless the Agency determines that any such  
24 deviations are due to unforeseeable events, government-  
25 driven scope changes, or are not significant within the

1 overall scope of the project and/or program unless such  
2 awards or incentive fees are consistent with 16.401(e)(2)  
3 of the Federal Acquisition Regulations.

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

7 SEC. 421. (a) For the duration of the national emer-  
8 gency declared by the President under the National Emer-  
9 gencies Act (50 U.S.C. 1601 et seq.) related to the pan-  
10 demic of SARS-CoV-2 or coronavirus disease 2019  
11 (COVID-19), an air carrier operating under part 121 of  
12 title 14, Code of Federal Regulations, shall—

13 (1) require each passenger and cabin crew-  
14 member to wear a mask or protective face covering  
15 while on board an aircraft of the air carrier;

16 (2) require each flight crewmember to wear a  
17 mask or protective face covering while on board an  
18 aircraft but outside the flight deck;

19 (3) submit to the Administrator of the Federal  
20 Aviation Administration a proposal to permit flight  
21 crew members of the air carrier to wear a mask or  
22 protective face covering while at their stations in the  
23 flight deck, including a safety risk assessment with  
24 respect to such proposal;

1           (4) provide flight and cabin crewmembers, air-  
2           port customer service agents, and other employees  
3           whose job responsibilities involve interaction with  
4           passengers with masks or protective face coverings,  
5           gloves, and hand sanitizer and wipes with sufficient  
6           alcohol content;

7           (5) ensure aircraft, including the cockpit and  
8           cabin, operated by such carrier are cleaned, dis-  
9           infected, and sanitized after each use in accordance  
10          with Centers for Disease Control and Prevention  
11          guidance;

12          (6) ensure enclosed facilities owned, operated,  
13          or used by such air carrier, including facilities used  
14          for flight or cabin crewmember training or perform-  
15          ance of indoor maintenance, repair, or overhaul  
16          work, are cleaned, disinfected, and sanitized fre-  
17          quently in accordance with Centers for Disease Con-  
18          trol and Prevention guidance;

19          (7) provide air carrier employees whose job re-  
20          sponsibilities involve cleaning, disinfecting, and sani-  
21          tizing aircraft or enclosed facilities described in  
22          paragraphs (5) and (6) with masks or protective  
23          face coverings and gloves, and ensure that each con-  
24          tractor of the air carrier provides employees of such  
25          contractor with such materials; and

1           (8) establish guidelines, or adhere to applicable  
2 guidelines, for notifying employees of a confirmed  
3 COVID–19 diagnosis of an employee of such air car-  
4 rier and for identifying other air carrier employees  
5 whom such employee contacted in the 48-hour period  
6 before the employee developed symptoms.

7           (b)(1) IN GENERAL.—For the duration of the na-  
8 tional emergency declared by the President under the Na-  
9 tional Emergencies Act (50 U.S.C. 1601 et seq.) related  
10 to the pandemic of SARS–CoV–2 or coronavirus disease  
11 (COVID–19), Amtrak shall—

12           (A) require each passenger and employee of  
13 Amtrak, including engineers, conductors, and on-  
14 board service workers, to wear a mask or other pro-  
15 tective face covering while onboard an Amtrak train;

16           (B) take such actions as are reasonable to en-  
17 sure passenger compliance with the requirement  
18 under subparagraph (A);

19           (C) provide masks or protective face coverings,  
20 gloves, and hand sanitizer and sanitizing wipes with  
21 sufficient alcohol content to—

22                   (i) conductors, engineers, and onboard  
23 service workers;

24                   (ii) ticket agents, station agents, and red  
25 cap agents; and

1           (iii) any other employees whose job respon-  
2           sibilities include interaction with passengers;

3           (D) ensure Amtrak trains, including the loco-  
4           motive cab and passenger cars, are cleaned, dis-  
5           infected, and sanitized frequently in accordance with  
6           guidance issued by the Centers for Disease Control  
7           and Prevention and ensure that employees whose job  
8           responsibilities include such cleaning, disinfecting, or  
9           sanitizing are provided masks or protective face cov-  
10          erings and gloves;

11          (E) ensure stations and enclosed facilities that  
12          Amtrak owns and operates including facilities used  
13          for training or the performance of indoor mainte-  
14          nance, repair, or overhaul work, are cleaned, dis-  
15          infected, and sanitized frequently in accordance with  
16          guidance issued by the Centers for Disease Control  
17          and Prevention and ensure that employees whose job  
18          responsibilities include such cleaning, disinfecting, or  
19          sanitizing are provided masks or protective face cov-  
20          erings and gloves;

21          (F) take such actions as are reasonable to en-  
22          sure that stations or facilities served or used by Am-  
23          trak that Amtrak does not own are cleaned, dis-  
24          infected, and sanitized frequently in accordance with

1 Centers for Disease Control and Prevention guid-  
2 ance;

3 (G) ensure that each contractor of Amtrak pro-  
4 vides masks or protective face coverings and gloves  
5 to employees of such contractor whose job respon-  
6 sibilities include those described in subparagraphs  
7 (D) and (E); and

8 (H) establish guidelines, or adhere to existing  
9 applicable guidelines, for notifying employees of a  
10 confirmed diagnosis of COVID–19 of an employee of  
11 Amtrak.

12 (2) AVAILABILITY.—If Amtrak is unable to acquire  
13 any of the items necessary to comply with subparagraphs  
14 (C), (D), and (E) of paragraph (1) due to market unavail-  
15 ability, Amtrak shall—

16 (A) prepare and make public documentation  
17 demonstrating what actions have been taken to ac-  
18 quire such items; and

19 (B) continue efforts to acquire such items until  
20 such items become available.

21 (c)(1) IN GENERAL.—For the duration of the na-  
22 tional emergency declared by the President under the Na-  
23 tional Emergencies Act (50 U.S.C. 1601 et seq.) related  
24 to the pandemic of SARS–CoV–2 or coronavirus disease  
25 2019 (COVID–19), recipients of funds under section 5307

1 of title 49, United States Code, that serve an urbanized  
2 area with a population of at least 500,000 individuals and  
3 that provided a minimum of 20,000,000 unlinked pas-  
4 senger trips in the most recent year for which data is  
5 available shall—

6 (A) require each passenger to wear a mask or  
7 protective face covering while on board a public  
8 transportation vehicle;

9 (B) provide masks or protective face coverings,  
10 gloves, and hand sanitizer and wipes with sufficient  
11 alcohol content to operators, station managers, and  
12 other employees or contractors whose job respon-  
13 sibilities include interaction with passengers;

14 (C) ensure public transportation vehicles oper-  
15 ated by such public transportation provider are  
16 cleaned, disinfected, and sanitized frequently in ac-  
17 cordance with Centers for Disease Control and Pre-  
18 vention guidance and ensure that employees or con-  
19 tractors whose job responsibilities involve such clean-  
20 ing, disinfecting, or sanitizing are provided masks or  
21 protective face coverings and gloves;

22 (D) ensure stations and enclosed facilities  
23 owned, operated, or used by such public transpor-  
24 tation provider, including facilities used for training  
25 or performance of indoor maintenance, repair, or

1 overhaul work, are cleaned, disinfected, and sani-  
2 tized frequently in accordance with Centers for Dis-  
3 ease Control and Prevention guidance and ensure  
4 that employees or contractors whose job responsibil-  
5 ities include such cleaning, disinfecting, or sanitizing  
6 are provided masks or other protective face cov-  
7 erings and gloves; and

8 (E) establish guidelines, or adhere to applicable  
9 guidelines, for notifying employees of a confirmed  
10 COVID-19 diagnosis of an employee of such public  
11 transportation provider.

12 (2) IMPLEMENTATION.—The implementation of the  
13 requirement under paragraph (1)(A) shall be carried out  
14 in a manner determined by the provider of public trans-  
15 portation.

16 (3) AVAILABILITY.—If a provider of public transpor-  
17 tation is unable to acquire a subparagraphs (B), (C), or  
18 (D) of paragraph (1) due to market unavailability, such  
19 provider shall—

20 (A) prepare and make public documentation  
21 demonstrating what actions have been taken to ac-  
22 quire such items; and

23 (B) continue efforts to acquire such items until  
24 they become available.

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 \$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 ignated 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                                   RELATED AGENCY  
2           NEIGHBORHOOD REINVESTMENT CORPORATION  
3           PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
4                                   CORPORATION

5           For an additional payment to the “Neighborhood Re-  
6 investment Corporation” for use in neighborhood reinvest-  
7 ment activities, as authorized by the Neighborhood Rein-  
8 vestment Corporation Act (42 U.S.C. 8101-8107),  
9 \$300,000,000 to remain available until expended, for  
10 grants to its charter member organization and affiliated  
11 capital corporations for neighborhood reinvestment activi-  
12 ties intended to spur economic stabilization and recovery,  
13 including: construction of affordable single-family and  
14 multifamily housing, rehabilitation of existing single-fam-  
15 ily and multifamily housing, activities that improve water  
16 and energy efficiency, or reduce the risk of harm to occu-  
17 pants or property from natural hazards, rental assistance,  
18 housing counseling, and support to ongoing economic de-  
19 velopment efforts: *Provided*, That such additional amount  
20 shall be subject to the provisions under this heading in  
21 title III of this Act, except as modified by this heading  
22 in this title: *Provided further*, That of the total amount  
23 made available under this heading in this title, up to  
24 \$1,500,000 may be used for associated administrative ex-  
25 penses for the Neighborhood Reinvestment Corporation to

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       SEC. 503. Each amount designated in this Act by the  
15 Congress as being for an emergency requirement pursuant  
16 to section 251(b)(2)(A)(i) of the Balanced Budget and  
17 Emergency Deficit Control Act of 1985 shall be available  
18 (or rescinded or transferred, if applicable) only if the  
19 President subsequently so designates all such amounts  
20 and transmits such designations to the Congress.

21       This Act may be cited as the “Transportation, Hous-  
22 ing and Urban Development, and Related Agencies Appro-  
23 priations Act, 2021”.

Union Calendar No. 363

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 7616**

[Report No. 116-452]

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## **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.

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JULY 16, 2020

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