

Union Calendar No. 310

117TH CONGRESS
2^D SESSION

H. R. 8294

[Report No. 117–402]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 5, 2022

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

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Transportation, and Housing and Urban

1 Development, and related agencies for the fiscal year end-
2 ing September 30, 2023, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,
8 \$176,000,000: *Provided*, That of the sums appropriated
9 under this heading—

10 (1) \$3,569,000 shall be available for the imme-
11 diate Office of the Secretary;

12 (2) \$1,277,000 shall be available for the imme-
13 diate Office of the Deputy Secretary;

14 (3) \$27,089,000 shall be available for the Office
15 of the General Counsel;

16 (4) \$17,400,000 shall be available for the Office
17 of the Under Secretary of Transportation for Policy;

18 (5) \$21,026,000 shall be available for the Office
19 of the Assistant Secretary for Budget and Pro-
20 grams;

21 (6) \$3,968,000 shall be available for the Office
22 of the Assistant Secretary for Governmental Affairs;

23 (7) \$42,402,000 shall be available for the Office
24 of the Assistant Secretary for Administration;

1 (8) \$5,727,000 shall be available for the Office
2 of Public Affairs and Public Engagement;

3 (9) \$2,312,000 shall be available for the Office
4 of the Executive Secretariat;

5 (10) \$18,533,000 shall be available for the Of-
6 fice of Intelligence, Security, and Emergency Re-
7 sponse;

8 (11) \$29,195,000 shall be available for the Of-
9 fice of the Chief Information Officer; and

10 (12) \$1,500,000 shall be available for the Office
11 of Tribal Government Affairs; and

12 (13) \$2,000,000 shall be available for the Office
13 of Multimodal Freight Infrastructure and Policy:

14 *Provided further*, That the Secretary of Transportation
15 (referred to in this title as the “Secretary”) is authorized
16 to transfer funds appropriated for any office of the Office
17 of the Secretary to any other office of the Office of the
18 Secretary: *Provided further*, That no appropriation for any
19 office shall be increased or decreased by more than 7 per-
20 cent by all such transfers: *Provided further*, That any
21 change in funding greater than 7 percent shall be subject
22 to the requirements of section 405 of this Act: *Provided*
23 *further*, That not to exceed \$70,000 shall be for allocation
24 within the Department for official reception and represen-
25 tation expenses as the Secretary may determine: *Provided*

1 *further*, That notwithstanding any other provision of law,
 2 there may be credited to this appropriation up to
 3 \$2,500,000 in funds received in user fees.

4 RESEARCH AND TECHNOLOGY

5 For necessary expenses related to the Office of the
 6 Assistant Secretary for Research and Technology,
 7 \$66,963,000, of which \$52,780,000 shall remain available
 8 until expended: *Provided*, That there may be credited to
 9 this appropriation, to be available until expended, funds
 10 received from States, counties, municipalities, other public
 11 authorities, and private sources for expenses incurred for
 12 training: *Provided further*, That any reference in law, reg-
 13 ulation, judicial proceedings, or elsewhere to the Research
 14 and Innovative Technology Administration shall continue
 15 to be deemed to be a reference to the Office of the Assist-
 16 ant Secretary for Research and Technology of the Depart-
 17 ment of Transportation.

18 NATIONAL INFRASTRUCTURE INVESTMENTS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out section 6702 of
 21 title 49, United States Code, \$775,000,000, to remain
 22 available until expended: *Provided*, That section
 23 6702(f)(2) of title 49, United States Code, shall not apply
 24 to amounts made available under this heading in this Act:
 25 *Provided further*, That of amounts made available under

1 this heading in this Act, not less than \$30,000,000 shall
2 be awarded to projects in historically disadvantaged com-
3 munities or areas of persistent poverty as such term is
4 defined under section 6702(a)(1) of title 49, United States
5 Code: *Provided further*, That section 6702(g) of title 49,
6 United States Code, shall not apply to amounts made
7 available under this heading in this Act: *Provided further*,
8 That of the amounts made available under this heading
9 in this Act not less than 5 percent shall be made available
10 for the planning, preparation, or design of eligible projects
11 and shall prioritize transit, transit oriented development,
12 multimodal, intercity passenger rail, and pedestrian
13 projects: *Provided further*, That grants awarded under this
14 heading in this Act for eligible projects for planning, prep-
15 aration, or design shall not be subject to a minimum grant
16 size: *Provided further*, That in distributing amounts made
17 available under this heading in this Act, the Secretary
18 shall take such measures so as to ensure an equitable geo-
19 graphic distribution of funds, an appropriate balance in
20 addressing the needs of urban and rural areas, including
21 Tribal areas, and the investment in a variety of transpor-
22 tation modes: *Provided further*, That section
23 6702(c)(2)(C) of title 49, United States Code, shall not
24 apply to amounts made available under this heading in
25 this Act: *Provided further*, That a grant award under this

1 heading in this Act shall be not greater than \$50,000,000:
2 *Provided further*, That section 6702(c)(3) of title 49,
3 United States Code, shall not apply to amounts made
4 available under this heading in this Act: *Provided further*,
5 That not more than 15 percent of the amounts made avail-
6 able under this heading in this Act may be awarded to
7 projects in a single state: *Provided further*, That for
8 amounts made available under this heading in this Act,
9 the Secretary shall give priority to projects that require
10 a contribution of Federal funds in order to complete an
11 overall financing package: *Provided further*, That section
12 6702(f)(1) of title 49, United States Code, shall not apply
13 to amounts made available under this heading in this Act:
14 *Provided further*, That of the amounts awarded under this
15 heading in this Act, not more than 50 percent shall be
16 allocated for eligible projects located in rural areas and
17 not more than 50 percent shall be allocated for eligible
18 projects located in urbanized areas: *Provided further*, That
19 for the purpose of determining if an award for planning,
20 preparation, or design under this heading in this Act is
21 an urban award, the project location is the location of the
22 project being planned, prepared, or designed: *Provided fur-*
23 *ther*, That the Secretary shall apply to projects under this
24 heading the Federal requirements that the Secretary de-
25 termines are appropriate based on the purpose of the Na-

1 tional Infrastructure Investments program, the require-
2 ments expressly stated under this heading, the require-
3 ments expressly stated in chapter 67 of title 49, United
4 States Code, and the Federal requirements applicable to
5 comparable projects supported by other Department of
6 Transportation financial assistance programs, including
7 domestic preference requirements, contracting opportuni-
8 ties for small and disadvantaged businesses, and labor
9 practices: *Provided further*, That the Secretary may retain
10 up to 2 percent of the amounts made available under this
11 heading in this Act, and may transfer portions of such
12 amounts to the Administrators of the Federal Aviation
13 Administration, the Federal Highway Administration, the
14 Federal Transit Administration, the Federal Railroad Ad-
15 ministration and the Maritime Administration to fund the
16 award and oversight of grants and credit assistance made
17 under the program authorized under section 6702 of title
18 49, United States Code: *Provided further*, That for
19 amounts made available under this heading in this Act,
20 the Secretary shall consider and award projects based sole-
21 ly on the selection criteria as identified under paragraphs
22 (3) and (4) of section 6702(d) of title 49, United States
23 Code.

1 THRIVING COMMUNITIES INITIATIVE

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for a thriving communities
4 program, \$100,000,000, to remain available until Sep-
5 tember 30, 2025: *Provided*, That the Secretary of Trans-
6 portation shall make such amounts available for technical
7 assistance and cooperative agreements to develop and im-
8 plement technical assistance, planning, and capacity build-
9 ing to improve and foster thriving communities through
10 transportation improvements: *Provided further*, That the
11 Secretary may enter into cooperative agreements with
12 philanthropic entities, non-profit organizations, other Fed-
13 eral agencies, state or local governments and their agen-
14 cies, Indian Tribes, or other technical assistance providers,
15 to provide such technical assistance, planning, and capac-
16 ity building to state, local, or Tribal governments, United
17 States territories, metropolitan planning organizations,
18 transit agencies, or other political subdivisions of state or
19 local governments: *Provided further*, That to be eligible for
20 a cooperative agreement under this heading, a recipient
21 shall provide assistance to entities described in the pre-
22 ceding proviso on engaging in public planning processes
23 with residents, local businesses, non-profit organizations,
24 and to the extent practicable, philanthropic organizations,
25 educational institutions, or other community stakeholders:

1 *Provided further*, That such cooperative agreements shall
2 facilitate the planning and development of transportation
3 and community revitalization activities supported by the
4 Department of Transportation under titles 23, 46, and 49,
5 United States Code, that increase mobility, reduce pollu-
6 tion from transportation sources, expand affordable trans-
7 portation options, facilitate efficient land use, preserve or
8 expand jobs, improve housing conditions, enhance connec-
9 tions to health care, education, and food security, or im-
10 prove health outcomes: *Provided further*, That the Sec-
11 retary may prioritize assistance provided with amounts
12 made available under this heading to communities that
13 have disproportionate rates of pollution and poor air qual-
14 ity, communities experiencing disproportionate effects (as
15 defined by Executive Order No. 12898), areas of per-
16 sistent poverty as defined in section 6702(a)(1) of title
17 49, United States Code, or historically disadvantaged com-
18 munities: *Provided further*, That the preceding proviso
19 shall not prevent the Secretary from providing assistance
20 with amounts made available under this heading to enti-
21 ties described in the second proviso under this heading
22 that request assistance through the thriving communities
23 program: *Provided further*, That planning and technical
24 assistance made available under this heading may include
25 pre-application assistance for capital projects eligible

1 under titles 23, 46, and 49, United States Code: *Provided*
2 *further*, That the Secretary may retain amounts made
3 available under this heading for the necessary administra-
4 tive expenses of (1) developing and disseminating best
5 practices, modeling, and cost-benefit analysis methodolo-
6 gies to assist entities described in the second proviso under
7 this heading with applications for financial assistance pro-
8 grams under titles 23, 46, and 49, United States Code,
9 and (2) award, administration, and oversight of coopera-
10 tive agreements to carry out the provisions under this
11 heading: *Provided further*, That such amounts and pay-
12 ments as may be necessary to carry out the thriving com-
13 munities program may be transferred to appropriate ac-
14 counts of other operating administrations within the De-
15 partment of Transportation: *Provided further*, That the
16 Secretary shall notify the House and Senate Committees
17 on Appropriations not later than 3 business days prior to
18 a transfer carried out under the preceding proviso.

19 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
20 FINANCE BUREAU

21 For necessary expenses of the National Surface
22 Transportation and Innovative Finance Bureau as author-
23 ized by 49 U.S.C. 116, \$3,800,000, to remain available
24 until expended: *Provided*, That the Secretary may collect
25 and spend fees, as authorized by title 23, United States

1 Code, to cover the costs of services of expert firms, includ-
2 ing counsel, in the field of municipal and project finance
3 to assist in the underwriting and servicing of Federal cred-
4 it instruments and all or a portion of the costs to the Fed-
5 eral Government of servicing such credit instruments: *Pro-*
6 *vided further*, That such fees are available until expended
7 to pay for such costs: *Provided further*, That such amounts
8 are in addition to other amounts made available for such
9 purposes and are not subject to any obligation limitation
10 or the limitation on administrative expenses under section
11 608 of title 23, United States Code.

12 RAILROAD REHABILITATION AND IMPROVEMENT

13 FINANCING PROGRAM

14 The Secretary is authorized to issue direct loans and
15 loan guarantees pursuant to chapter 224 of title 49,
16 United States Code, and such authority shall exist so long
17 as any such direct loan or loan guarantee is outstanding.

18 FINANCIAL MANAGEMENT CAPITAL

19 For necessary expenses for upgrading and enhancing
20 the Department of Transportation's financial systems and
21 re-engineering business processes, \$5,000,000, to remain
22 available through September 30, 2024.

23 CYBER SECURITY INITIATIVES

24 For necessary expenses for cyber security initiatives,
25 including necessary upgrades to network and information

1 technology infrastructure, improvement of identity man-
2 agement and authentication capabilities, securing and pro-
3 tecting data, implementation of Federal cyber security ini-
4 tiatives, and implementation of enhanced security controls
5 on agency computers and mobile devices, \$48,100,000, to
6 remain available until September 30, 2024.

7 OFFICE OF CIVIL RIGHTS

8 For necessary expenses of the Office of Civil Rights,
9 \$15,000,000.

10 TRANSPORTATION PLANNING, RESEARCH, AND
11 DEVELOPMENT

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for conducting transportation
14 planning, research, systems development, development ac-
15 tivities, and making grants, \$19,648,000, to remain avail-
16 able until expended: *Provided*, That of such amount,
17 \$7,136,000 shall be for necessary expenses of the Inter-
18 agency Infrastructure Permitting Improvement Center
19 (IIPIC): *Provided further*, That there may be transferred
20 to this appropriation, to remain available until expended,
21 amounts transferred from other Federal agencies for ex-
22 penses incurred under this heading for IIPIC activities not
23 related to transportation infrastructure: *Provided further*,
24 That the tools and analysis developed by the IIPIC shall
25 be available to other Federal agencies for the permitting

1 and review of major infrastructure projects not related to
2 transportation only to the extent that other Federal agen-
3 cies provide funding to the Department in accordance with
4 the preceding proviso.

5 WORKING CAPITAL FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for operating costs and cap-
8 ital outlays of the Working Capital Fund, not to exceed
9 \$505,285,000, shall be paid from appropriations made
10 available to the Department of Transportation: *Provided*,
11 That such services shall be provided on a competitive basis
12 to entities within the Department of Transportation: *Pro-*
13 *vided further*, That the limitation in the preceding proviso
14 on operating expenses shall not apply to entities external
15 to the Department of Transportation or for funds pro-
16 vided in Public Law 117–58: *Provided further*, That no
17 funds made available by this Act to an agency of the De-
18 partment shall be transferred to the Working Capital
19 Fund without majority approval of the Working Capital
20 Fund Steering Committee and approval of the Secretary:
21 *Provided further*, That no assessments may be levied
22 against any program, budget activity, subactivity, or
23 project funded by this Act unless notice of such assess-
24 ments and the basis therefor are presented to the House

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

3 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
4 OUTREACH

5 For necessary expenses for small and disadvantaged
6 business utilization and outreach activities, \$7,094,000, to
7 remain available until September 30, 2024: *Provided*,
8 That notwithstanding section 332 of title 49, United
9 States Code, such amounts may be used for business op-
10 portunities related to any mode of transportation: *Pro-*
11 *vided further*, That appropriations made available under
12 this heading shall be available for any purpose consistent
13 with prior year appropriations that were made available
14 under the heading “Office of the Secretary—Minority
15 Business Resource Center Program”.

16 PAYMENTS TO AIR CARRIERS
17 (AIRPORT AND AIRWAY TRUST FUND)

18 In addition to funds made available from any other
19 source to carry out the essential air service program under
20 sections 41731 through 41742 of title 49, United States
21 Code, \$354,827,000, to be derived from the Airport and
22 Airway Trust Fund, to remain available until expended:
23 *Provided*, That in determining between or among carriers
24 competing to provide service to a community, the Sec-
25 retary may consider the relative subsidy requirements of

1 the carriers: *Provided further*, That basic essential air
 2 service minimum requirements shall not include the 15-
 3 passenger capacity requirement under section 41732(b)(3)
 4 of title 49, United States Code: *Provided further*, That
 5 amounts authorized to be distributed for the essential air
 6 service program under section 41742(b) of title 49, United
 7 States Code, shall be made available immediately from
 8 amounts otherwise provided to the Administrator of the
 9 Federal Aviation Administration: *Provided further*, That
 10 the Administrator may reimburse such amounts from fees
 11 credited to the account established under section 45303
 12 of title 49, United States Code.

13 ELECTRIC VEHICLE FLEET

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for the Department's transi-
 16 tion to the General Services Administration's leased vehi-
 17 cle fleet, and for the purchase of zero emission passenger
 18 motor vehicles and supporting charging or fueling infra-
 19 structure, \$11,000,000, to remain available until Sep-
 20 tember 30, 2025: *Provided*, That such amounts are in ad-
 21 dition to amounts otherwise available for such purposes:
 22 *Provided further*, That amounts made available under this
 23 heading may be transferred to other accounts of the De-
 24 partment of Transportation for the purposes specified
 25 under this heading: *Provided further*, That the Secretary

1 shall notify the House and Senate Committees on Appro-
2 priations not later than 3 business days prior to a transfer
3 carried out under the preceding proviso.

4 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
5 SECRETARY OF TRANSPORTATION

6 SEC. 101. None of the funds made available by this
7 Act to the Department of Transportation may be obligated
8 for the Office of the Secretary of Transportation to ap-
9 prove assessments or reimbursable agreements pertaining
10 to funds appropriated to the operating administrations in
11 this Act, except for activities underway on the date of en-
12 actment of this Act, unless such assessments or agree-
13 ments have completed the normal reprogramming process
14 for congressional notification.

15 SEC. 102. The Secretary shall post on the web site
16 of the Department of Transportation a schedule of all
17 meetings of the Council on Credit and Finance, including
18 the agenda for each meeting, and require the Council on
19 Credit and Finance to record the decisions and actions
20 of each meeting.

21 SEC. 103. In addition to authority provided by section
22 327 of title 49, United States Code, the Department's
23 Working Capital Fund is authorized to provide partial or
24 full payments in advance and accept subsequent reim-
25 bursements from all Federal agencies from available funds

1 for transit benefit distribution services that are necessary
2 to carry out the Federal transit pass transportation fringe
3 benefit program under Executive Order No. 13150 and
4 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
5 *Provided*, That the Department shall maintain a reason-
6 able operating reserve in the Working Capital Fund, to
7 be expended in advance to provide uninterrupted transit
8 benefits to Government employees: *Provided further*, That
9 such reserve shall not exceed 1 month of benefits payable
10 and may be used only for the purpose of providing for
11 the continuation of transit benefits: *Provided further*, That
12 the Working Capital Fund shall be fully reimbursed by
13 each customer agency from available funds for the actual
14 cost of the transit benefit.

15 SEC. 104. Receipts collected in the Department's
16 Working Capital Fund, as authorized by section 327 of
17 title 49, United States Code, for unused transit and van
18 pool benefits, in an amount not to exceed 10 percent of
19 fiscal year 2023 collections, shall be available until ex-
20 pended in the Department's Working Capital Fund to pro-
21 vide contractual services in support of section 189 of this
22 Act: *Provided*, That obligations in fiscal year 2023 of such
23 collections shall not exceed \$1,000,000.

24 SEC. 105. None of the funds in this title may be obli-
25 gated or expended for retention or senior executive bo-

1 nuses for an employee of the Department of Transpor-
2 tation without the prior written approval of the Assistant
3 Secretary for Administration.

4 SEC. 106. In addition to authority provided by section
5 327 of title 49, United States Code, the Department's Ad-
6 ministrative Working Capital Fund is hereby authorized
7 to transfer information technology equipment, software,
8 and systems from Departmental sources or other entities
9 and collect and maintain a reserve at rates which will re-
10 turn full cost of transferred assets.

11 SEC. 107. None of the funds provided in this Act to
12 the Department of Transportation may be used to provide
13 credit assistance unless not less than 3 days before any
14 application approval to provide credit assistance under
15 sections 603 and 604 of title 23, United States Code, the
16 Secretary provides notification in writing to the following
17 committees: the House and Senate Committees on Appro-
18 priations; the Committee on Environment and Public
19 Works and the Committee on Banking, Housing and
20 Urban Affairs of the Senate; and the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives: *Provided*, That such notification shall include, but
23 not be limited to, the name of the project sponsor; a de-
24 scription of the project; whether credit assistance will be

1 provided as a direct loan, loan guarantee, or line of credit;
2 and the amount of credit assistance.

3 FEDERAL AVIATION ADMINISTRATION

4 OPERATIONS

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses of the Federal Aviation Ad-
7 ministration, not otherwise provided for, including oper-
8 ations and research activities related to commercial space
9 transportation, administrative expenses for research and
10 development, establishment of air navigation facilities, the
11 operation (including leasing) and maintenance of aircraft,
12 subsidizing the cost of aeronautical charts and maps sold
13 to the public, the lease or purchase of passenger motor
14 vehicles for replacement only, \$11,870,000,000, to remain
15 available until September 30, 2024, of which
16 \$9,993,821,000 to be derived from the Airport and Airway
17 Trust Fund: *Provided*, That of the amounts made avail-
18 able under this heading—

19 (1) not less than \$1,645,018,000 shall be avail-
20 able for aviation safety activities;

21 (2) \$8,760,044,000 shall be available for air
22 traffic organization activities;

23 (3) \$33,675,000 shall be available for commer-
24 cial space transportation activities;

1 (4) \$915,049,000 shall be available for finance
2 and management activities;

3 (5) \$65,581,000 shall be available for NextGen
4 and operations planning activities;

5 (6) \$153,447,000 shall be available for security
6 and hazardous materials safety; and

7 (7) \$297,186,000 shall be available for staff of-
8 fices:

9 *Provided further*, That not to exceed 5 percent of any
10 budget activity, except for aviation safety budget activity,
11 may be transferred to any budget activity under this head-
12 ing: *Provided further*, That no transfer may increase or
13 decrease any appropriation under this heading by more
14 than 5 percent: *Provided further*, That any transfer in ex-
15 cess of 5 percent shall be treated as a reprogramming of
16 funds under section 405 of this Act and shall not be avail-
17 able for obligation or expenditure except in compliance
18 with the procedures set forth in that section: *Provided fur-*
19 *ther*, That not later than 60 days after the submission of
20 the budget request, the Administrator of the Federal Avia-
21 tion Administration shall transmit to Congress an annual
22 update to the report submitted to Congress in December
23 2004 pursuant to section 221 of the Vision 100-Century
24 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
25 *Provided further*, That the amounts made available under

1 this heading shall be reduced by \$100,000 for each day
2 after 60 days after the submission of the budget request
3 that such report has not been transmitted to Congress:
4 *Provided further*, That not later than 60 days after the
5 submission of the budget request, the Administrator shall
6 transmit to Congress a companion report that describes
7 a comprehensive strategy for staffing, hiring, and training
8 flight standards and aircraft certification staff in a format
9 similar to the one utilized for the controller staffing plan,
10 including stated attrition estimates and numerical hiring
11 goals by fiscal year: *Provided further*, That the amounts
12 made available under this heading shall be reduced by
13 \$100,000 for each day after the date that is 60 days after
14 the submission of the budget request that such report has
15 not been submitted to Congress: *Provided further*, That
16 funds may be used to enter into a grant agreement with
17 a nonprofit standard-setting organization to assist in the
18 development of aviation safety standards: *Provided fur-*
19 *ther*, That none of the funds made available by this Act
20 shall be available for new applicants for the second career
21 training program: *Provided further*, That none of the
22 funds made available by this Act shall be available for the
23 Federal Aviation Administration to finalize or implement
24 any regulation that would promulgate new aviation user
25 fees not specifically authorized by law after the date of

1 the enactment of this Act: *Provided further*, That there
2 may be credited to this appropriation, as offsetting collec-
3 tions, funds received from States, counties, municipalities,
4 foreign authorities, other public authorities, and private
5 sources for expenses incurred in the provision of agency
6 services, including receipts for the maintenance and oper-
7 ation of air navigation facilities, and for issuance, renewal
8 or modification of certificates, including airman, aircraft,
9 and repair station certificates, or for tests related thereto,
10 or for processing major repair or alteration forms: *Pro-*
11 *vided further*, That of the amounts made available under
12 this heading, not less than \$187,800,000 shall be used to
13 fund direct operations of the current air traffic control
14 towers in the contract tower program, including the con-
15 tract tower cost share program, and any airport that is
16 currently qualified or that will qualify for the program
17 during the fiscal year: *Provided further*, That none of the
18 funds made available by this Act for aeronautical charting
19 and cartography are available for activities conducted by,
20 or coordinated through, the Working Capital Fund: *Pro-*
21 *vided further*, That none of the funds appropriated or oth-
22 erwise made available by this Act or any other Act may
23 be used to eliminate the Contract Weather Observers pro-
24 gram at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds made available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,900,000,000, of which \$570,000,000 is for personnel and related expenses and shall remain available until September 30, 2024, \$1,803,600,000 is for equipment and shall remain available until September 30, 2025, and \$526,400,000 is for facilities and shall remain available until September 30, 2027: *Provided*, That there may be credited to this appropriation funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources, for expenses incurred in the establish-
3 ment, improvement, and modernization of national air-
4 space systems: *Provided further*, That not later than 60
5 days after submission of the budget request, the Secretary
6 of Transportation shall transmit to the Congress an in-
7 vestment plan for the Federal Aviation Administration
8 which includes funding for each budget line item for fiscal
9 years 2024 through 2028, with total funding for each year
10 of the plan constrained to the funding targets for those
11 years as estimated and approved by the Office of Manage-
12 ment and Budget: *Provided further*, That section 405 of
13 this Act shall apply to amounts made available under this
14 heading in title VIII of the Infrastructure Investments and
15 Jobs Appropriations Act (division J of Public Law 117–
16 58): *Provided further*, That the amounts specified for each
17 Budget Line Item in the table included in the “Facilities
18 and Equipment Spend Plan for Fiscal Year 2023 Infra-
19 structure Investment and Jobs Act Funding” section of
20 the Federal Aviation Administration FY 2023 President’s
21 Budget, as submitted to the House and Senate Commit-
22 tees on Appropriations, shall be the baseline for applica-
23 tion of reprogramming and transfer authorities for the
24 current fiscal year pursuant to paragraph (7) of such sec-
25 tion 405 for amounts referred to in the preceding proviso:

1 *Provided further*, That, notwithstanding paragraphs (5)
2 and (6) of such section 405, unless prior approval is re-
3 ceived from the House and Senate Committees on Appro-
4 priations, not to exceed 10 percent of any funding level
5 specified for projects and activities in the table referred
6 to in the preceding proviso may be transferred to any
7 other funding level specified for projects and activities in
8 such table and no transfer of such funding levels may in-
9 crease or decrease any funding level in such table by more
10 than 10 percent.

11 RESEARCH, ENGINEERING, AND DEVELOPMENT

12 (AIRPORT AND AIRWAY TRUST FUND)

13 For necessary expenses, not otherwise provided for,
14 for research, engineering, and development, as authorized
15 under part A of subtitle VII of title 49, United States
16 Code, including construction of experimental facilities and
17 acquisition of necessary sites by lease or grant,
18 \$260,500,000, to be derived from the Airport and Airway
19 Trust Fund and to remain available until September 30,
20 2025: *Provided*, That there may be credited to this appro-
21 priation as offsetting collections, funds received from
22 States, counties, municipalities, other public authorities,
23 and private sources, which shall be available for expenses
24 incurred for research, engineering, and development: *Pro-*
25 *vided further*, That amounts made available under this

1 heading shall be used in accordance with the report accom-
 2 panying this Act: *Provided further*, That not to exceed 10
 3 percent of any funding level specified under this heading
 4 in the report accompanying this Act may be transferred
 5 to any other funding level specified under this heading in
 6 the report accompanying this Act: *Provided further*, That
 7 no transfer may increase or decrease any funding level by
 8 more than 10 percent: *Provided further*, That any transfer
 9 in excess of 10 percent shall be treated as a reprogram-
 10 ming of funds under section 405 of this Act and shall not
 11 be available for obligation or expenditure except in compli-
 12 ance with the procedures set forth in that section.

13 GRANTS-IN-AID FOR AIRPORTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (LIMITATION ON OBLIGATIONS)

16 (AIRPORT AND AIRWAY TRUST FUND)

17 (INCLUDING TRANSFER OF FUNDS)

18 For liquidation of obligations incurred for grants-in-
 19 aid for airport planning and development, and noise com-
 20 patibility planning and programs as authorized under sub-
 21 chapter I of chapter 471 and subchapter I of chapter 475
 22 of title 49, United States Code, and under other law au-
 23 thorizing such obligations; for procurement, installation,
 24 and commissioning of runway incursion prevention devices
 25 and systems at airports of such title; for grants authorized

1 under section 41743 of title 49, United States Code; and
2 for inspection activities and administration of airport safe-
3 ty programs, including those related to airport operating
4 certificates under section 44706 of title 49, United States
5 Code, \$3,350,000,000, to be derived from the Airport and
6 Airway Trust Fund and to remain available until ex-
7 pended: *Provided*, That none of the amounts made avail-
8 able under this heading shall be available for the planning
9 or execution of programs the obligations for which are in
10 excess of \$3,350,000,000, in fiscal year 2023, notwith-
11 standing section 47117(g) of title 49, United States Code:
12 *Provided further*, That none of the amounts made available
13 under this heading shall be available for the replacement
14 of baggage conveyor systems, reconfiguration of terminal
15 baggage areas, or other airport improvements that are
16 necessary to install bulk explosive detection systems: *Pro-*
17 *vided further*, That notwithstanding section 47109(a) of
18 title 49, United States Code, the Government's share of
19 allowable project costs under paragraph (2) of such sec-
20 tion for subgrants or paragraph (3) of such section shall
21 be 95 percent for a project at other than a large or me-
22 dium hub airport that is a successive phase of a multi-
23 phased construction project for which the project sponsor
24 received a grant in fiscal year 2011 for the construction
25 project: *Provided further*, That notwithstanding any other

1 provision of law, of amounts limited under this heading,
 2 not less than \$137,372,000 shall be available for adminis-
 3 tration, \$15,000,000 shall be available for the Airport Co-
 4 operative Research Program, \$40,828,000 shall be avail-
 5 able for Airport Technology Research, and \$10,000,000,
 6 to remain available until expended, shall be available and
 7 transferred to “Office of the Secretary, Salaries and Ex-
 8 penses” to carry out the Small Community Air Service De-
 9 velopment Program: *Provided further*, That in addition to
 10 airports eligible under section 41743 of title 49, United
 11 States Code, such program may include the participation
 12 of an airport that serves a community or consortium that
 13 is not larger than a small hub airport, according to FAA
 14 hub classifications effective at the time the Office of the
 15 Secretary issues a request for proposals.

16 GRANTS-IN-AID FOR AIRPORTS

17 For an additional amount for “Grants-In-Aid for Air-
 18 ports”, to enable the Secretary of Transportation to make
 19 grants for projects as authorized by subchapter 1 of chap-
 20 ter 471 and subchapter 1 of chapter 475 of title 49,
 21 United States Code, \$272,604,000, to remain available
 22 through September 30, 2025: *Provided*, That amounts
 23 made available under this heading shall be derived from
 24 the general fund, and such funds shall not be subject to
 25 apportionment formulas, special apportionment categories,

1 or minimum percentages under chapter 471 of title 49,
2 United States Code: *Provided further*, That of the amounts
3 made available under this heading, \$172,604,000 is for
4 Community Project Funding for the purposes, and in the
5 amounts, specified for this account in the table titled
6 “Transportation, Housing and Urban Development Incor-
7 poration of Community Project Funding Items” included
8 in the report accompanying this Act: *Provided further*,
9 That any funds made available under this heading in this
10 Act that remain available after the distribution of funds
11 under the preceding proviso shall be available to the Sec-
12 retary to distribute as discretionary grants to airports:
13 *Provided further*, That the amounts made available under
14 this heading shall not be subject to any limitation on obli-
15 gations for the Grants-in-Aid for Airports program set
16 forth in any Act: *Provided further*, That the Administrator
17 of the Federal Aviation Administration may retain up to
18 0.5 percent of the amounts made available under this
19 heading to fund the award and oversight by the Adminis-
20 trator of grants made under this heading.

21 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

22 ADMINISTRATION

23 SEC. 110. None of the funds made available by this
24 Act may be used to compensate in excess of 600 technical
25 staff-years under the federally funded research and devel-

1 opment center contract between the Federal Aviation Ad-
2 ministration and the Center for Advanced Aviation Sys-
3 tems Development during fiscal year 2023.

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

18 SEC. 112. The Administrator of the Federal Aviation
19 Administration may reimburse amounts made available to
20 satisfy section 41742(a)(1) of title 49, United States
21 Code, from fees credited under section 45303 of title 49,
22 United States Code, and any amount remaining in such
23 account at the close of any fiscal year may be made avail-
24 able to satisfy section 41742(a)(1) of title 49, United
25 States Code, for the subsequent fiscal year.

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

6 SEC. 114. None of the funds made available by this
7 Act shall be available for paying premium pay under sec-
8 tion 5546(a) of title 5, United States Code, to any Federal
9 Aviation Administration employee unless such employee
10 actually performed work during the time corresponding to
11 such premium pay.

12 SEC. 115. None of the funds made available by this
13 Act may be obligated or expended for an employee of the
14 Federal Aviation Administration to purchase a store gift
15 card or gift certificate through use of a Government-issued
16 credit card.

17 SEC. 116. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number, Mode S transponder code, flight identi-
25 fication, call sign, or similar identifying information from

1 any ground based display to the public that would allow
2 the real-time or near real-time flight tracking of that air-
3 craft's movements, except data made available to a Gov-
4 ernment agency, for the noncommercial flights of that
5 owner or operator.

6 SEC. 117. None of the funds made available by this
7 Act shall be available for salaries and expenses of more
8 than nine political and Presidential appointees in the Fed-
9 eral Aviation Administration.

10 SEC. 118. None of the funds made available by this
11 Act may be used to increase fees pursuant to section
12 44721 of title 49, United States Code, until the Federal
13 Aviation Administration provides to the House and Senate
14 Committees on Appropriations a report that justifies all
15 fees related to aeronautical navigation products and ex-
16 plains how such fees are consistent with Executive Order
17 No. 13642.

18 SEC. 119. None of the funds made available by this
19 Act may be used to close a regional operations center of
20 the Federal Aviation Administration or reduce its services
21 unless the Administrator notifies the House and Senate
22 Committees on Appropriations not less than 90 full busi-
23 ness days in advance.

24 SEC. 119A. None of the funds made available by or
25 limited by this Act may be used to change weight restric-

1 tions or prior permission rules at Teterboro airport in
2 Teterboro, New Jersey.

3 SEC. 119B. None of the funds made available by this
4 Act may be used by the Administrator of the Federal Avia-
5 tion Administration to withhold from consideration and
6 approval any new application for participation in the Con-
7 tract Tower Program, or for reevaluation of Cost-share
8 Program participants so long as the Federal Aviation Ad-
9 ministration has received an application from the airport,
10 and so long as the Administrator determines such tower
11 is eligible using the factors set forth in Federal Aviation
12 Administration published establishment criteria.

13 SEC. 119C. None of the funds made available by this
14 Act may be used to open, close, redesignate as a lesser
15 office, or reorganize a regional office, the aeronautical cen-
16 ter, or the technical center unless the Administrator sub-
17 mits a request for the reprogramming of funds under sec-
18 tion 405 of this Act.

19 SEC. 119D. The Federal Aviation Administration Ad-
20 ministrative Services Franchise Fund may be reimbursed
21 after performance or paid in advance from funds available
22 to the Federal Aviation Administration and other Federal
23 agencies for which the Fund performs services.

24 SEC. 119E. None of the funds appropriated or other-
25 wise made available to the FAA may be used to carry out

1 the FAA’s obligations under section 44502(e) of title 49,
2 United States Code, unless the eligible air traffic system
3 or equipment to be transferred to the FAA under section
4 44502(e) of title 49, United States Code, was purchased
5 by the transferor airport—

6 (1) during the period of time beginning on Oc-
7 tober 5, 2018 and ending on December 31, 2021; or

8 (2) on or after January 1, 2022 for transferor
9 airports located in a non-contiguous states.

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

1 *vided further*, That losses incurred as a result of violations
 2 of law, or through fault or negligence, of such operators
 3 and service providers or of third parties (including air-
 4 ports) are not eligible for reimbursements: *Provided fur-*
 5 *ther*, That obligation and expenditure of funds are condi-
 6 tional upon full release of the United States Government
 7 for all claims for financial losses resulting from such ac-
 8 tions.

9 FEDERAL HIGHWAY ADMINISTRATION

10 LIMITATION ON ADMINISTRATIVE EXPENSES

11 (HIGHWAY TRUST FUND)

12 (INCLUDING TRANSFER OF FUNDS)

13 Not to exceed \$476,783,991 together with advances
 14 and reimbursements received by the Federal Highway Ad-
 15 ministration, shall be obligated for necessary expenses for
 16 administration and operation of the Federal Highway Ad-
 17 ministration or transferred to the Appalachian Regional
 18 Commission for administrative activities associated with
 19 the Appalachian Development Highway System.

20 FEDERAL-AID HIGHWAYS

21 (LIMITATION ON OBLIGATIONS)

22 (HIGHWAY TRUST FUND)

23 Funds available for the implementation or execution
 24 of authorized Federal-aid highway and highway safety
 25 construction programs shall not exceed total obligations

1 of \$58,764,510,674 for fiscal year 2023: *Provided*, That
 2 the limitation on obligations under this heading shall only
 3 apply to contract authority authorized from the Highway
 4 Trust Fund (other than the Mass Transit Account), un-
 5 less otherwise specified in law.

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 For the payment of obligations incurred in carrying
 9 out authorized Federal-aid highway and highway safety
 10 construction programs, \$59,503,510,674 derived from the
 11 Highway Trust Fund (other than the Mass Transit Ac-
 12 count), to remain available until expended.

13 HIGHWAY INFRASTRUCTURE PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

15 There is hereby appropriated to the Secretary
 16 \$1,755,060,641: *Provided*, That the funds made available
 17 under this heading shall be derived from the general fund,
 18 shall be in addition to any funds provided for fiscal year
 19 2023 in this or any other Act for: (1) “Federal-aid High-
 20 ways” under chapter 1 of title 23, United States Code;
 21 or (2) the Appalachian Development Highway System as
 22 authorized under section 1069(y) of Public Law 102–240,
 23 and shall not affect the distribution or amount of funds
 24 provided in any other Act: *Provided further*, That section
 25 11101(e) of Public Law 117-58 shall apply to amounts

1 made available under this heading: *Provided further*, That
2 unless otherwise specified, amounts made available under
3 this heading shall be available until September 30, 2026,
4 and shall not be subject to any limitation on obligations
5 for Federal-aid highways or highway safety construction
6 programs set forth in any Act making annual appropria-
7 tions: *Provided further*, That of the funds made available
8 under this heading, the Federal Highway Administration
9 may retain an amount of \$3,000,000, to remain available
10 until expended, to fund the oversight of projects carried
11 out with funds made available under this heading: *Pro-*
12 *vided further*, That of the funds made available under this
13 heading—

14 (1) \$1,275,060,641 shall be made available for
15 Community Project Funding for the purposes, and
16 in the amounts, specified for this account in the
17 table titled “Transportation, Housing and Urban
18 Development Incorporation of Community Project
19 Funding Items” included in the report accom-
20 panying this Act: *Provided*, That, except as other-
21 wise provided under this heading, the funds made
22 available under this paragraph shall be administered
23 as if apportioned under chapter 1 of title 23, United
24 States Code: *Provided further*, That funds made
25 available under this paragraph that are used for

1 Tribal projects shall be administered as if allocated
2 under chapter 2 of title 23, United States Code, ex-
3 cept that the set-asides described in subparagraph
4 (C) of section 202(b)(3) of title 23, United States
5 Code, and subsections (a)(6), (c), and (e) of section
6 202 of such title, and section 1123(h)(1) of MAP-
7 21 (as amended by Public Law 117-58), shall not
8 apply to such funds;

9 (2) \$100,000,000 shall be for necessary ex-
10 penses for construction of the Appalachian Develop-
11 ment Highway System as authorized under section
12 1069(y) of Public Law 102–240: *Provided*, That for
13 the purposes of funds made available under this
14 paragraph, the term “Appalachian State” means a
15 State that contains 1 or more counties (including
16 any political subdivision located within the area) in
17 the Appalachian region as defined in section
18 14102(a) of title 40, United States Code: *Provided*
19 *further*, That funds made available under this head-
20 ing for construction of the Appalachian Development
21 Highway System shall remain available until ex-
22 pended: *Provided further*, That, except as provided
23 in the following proviso, funds made available under
24 this heading for construction of the Appalachian De-
25 velopment Highway System shall be administered as

1 if apportioned under chapter 1 of title 23, United
2 States Code: *Provided further*, That a project carried
3 out with funds made available under this heading for
4 construction of the Appalachian Development High-
5 way System shall be carried out in the same manner
6 as a project under section 14501 of title 40, United
7 States Code: *Provided further*, That subject to the
8 following proviso, funds made available under this
9 heading for construction of the Appalachian Devel-
10 opment Highway System shall be apportioned to the
11 Appalachian States according to the percentages de-
12 rived from the 2021 Appalachian Development
13 Highway System Cost-to-Complete Estimate, adopt-
14 ed in Appalachian Regional Commission Resolution
15 Number 788, and confirmed as each Appalachian
16 State's relative share of the estimated remaining
17 need to complete the Appalachian Development
18 Highway System, adjusted to exclude those corridors
19 that such States have no current plans to complete,
20 as reported in the 2013 Appalachian Development
21 Highway System Completion Report, unless those
22 States have modified and assigned a higher priority
23 for completion of an Appalachian Development
24 Highway System corridor, as reported in the 2021
25 Appalachian Development Highway System Future

1 Outlook: *Provided further*, That the Secretary shall
2 adjust apportionments made under the preceding
3 proviso so that no Appalachian State shall be appor-
4 tioned an amount in excess of 30 percent of the
5 amount made available for construction of the Appa-
6 lachian Development Highway System under this
7 heading: *Provided further*, That the Secretary shall
8 consult with the Appalachian Regional Commission
9 in making adjustments under the preceding two pro-
10 visos: *Provided further*, That the Federal share of
11 the costs for which an expenditure is made for con-
12 struction of the Appalachian Development Highway
13 System under this heading shall be up to 100 per-
14 cent;

15 (3) \$75,000,000 shall be for the nationally sig-
16 nificant Federal lands and Tribal projects program
17 under section 1123 of the FAST Act (23 U.S.C. 201
18 note), of which not less than \$37,500,000 shall be
19 for competitive grants to tribal governments;

20 (4) \$12,000,000 shall be for the regional infra-
21 structure accelerator demonstration program author-
22 ized under section 1441 of the FAST Act (23
23 U.S.C. 601 note): *Provided*, That for funds made
24 available under this paragraph, the Federal share of

1 the costs shall be, at the option of the recipient, up
2 to 100 percent;

3 (5) \$30,000,000 shall be for the national scenic
4 byways program under section 162 of title 23,
5 United States Code: *Provided*, That, except as other-
6 wise provided under this heading, the funds made
7 available under this paragraph shall be administered
8 as if apportioned under chapter 1 of title 23, United
9 States Code;

10 (6) \$100,000,000 shall be for the safe streets
11 and roads for all grant program under section
12 24112 of the Infrastructure Investment and Jobs
13 Act (23 U.S.C. 402 note), to remain available until
14 expended: *Provided*, That notwithstanding section
15 24112(c)(2)(B) of Pub. L. 117-58, of the total
16 amount made available under this paragraph in this
17 Act, the Secretary may award less than 40 percent
18 to eligible projects described in 24112(a)(3)(A) of
19 Pub. L. 117-58, but shall award not less than 20
20 percent to such projects: *Provided further*, That
21 amounts made available under this paragraph in this
22 Act may be transferred to and merged with the ap-
23 propriations for “Office of the Secretary”;

24 (7) \$100,000,000 shall be for the active trans-
25 portation infrastructure investment program under

1 section 11529 of the Infrastructure Investment and
2 Jobs Act (23 U.S.C. 217 note), to remain available
3 until expended: *Provided*, That, except as otherwise
4 provided under such section or this heading, the
5 funds made available under this paragraph shall be
6 administered as if apportioned under chapter 1 of
7 title 23, United States Code;

8 (8) \$55,000,000 shall be for the healthy streets
9 program under section 11406 of the Infrastructure
10 Investment and Jobs Act (23 U.S.C. 149 note): *Pro-*
11 *vided*, That, except as otherwise provided under such
12 section or this heading, the funds made available
13 under this paragraph shall be administered as if ap-
14 portioned under chapter 1 of title 23, United States
15 Code; and

16 (9) \$5,000,000 shall be for a cooperative series
17 of agreements to examine the impacts of culverts,
18 roads, and bridges on threatened or endangered
19 salmon populations.

20 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

21 ADMINISTRATION

22 SEC. 120. (a) For fiscal year 2023, the Secretary of
23 Transportation shall—

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

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

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

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

9 (A) made available from the Highway
10 Trust Fund (other than the Mass Transit Ac-
11 count) for Federal-aid highway and highway
12 safety construction programs for previous fiscal
13 years the funds for which are allocated by the
14 Secretary (or apportioned by the Secretary
15 under sections 202 or 204 of title 23, United
16 States Code); and

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

19 (3) determine the proportion that—

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

24 (B) the total of the sums authorized to be
25 appropriated for the Federal-aid highway and

1 highway safety construction programs (other
2 than sums authorized to be appropriated for
3 provisions of law described in paragraphs (1)
4 through (11) of subsection (b) and sums au-
5 thorized to be appropriated for section 119 of
6 title 23, United States Code, equal to the
7 amount referred to in subsection (b)(12) for
8 such fiscal year), less the aggregate of the
9 amounts not distributed under paragraphs (1)
10 and (2) of this subsection;

11 (4) distribute the obligation limitation for Fed-
12 eral-aid highways, less the aggregate amounts not
13 distributed under paragraphs (1) and (2), for each
14 of the programs (other than programs to which
15 paragraph (1) applies) that are allocated by the Sec-
16 retary under authorized Federal-aid highway and
17 highway safety construction programs, or appor-
18 tioned by the Secretary under sections 202 or 204
19 of title 23, United States Code, by multiplying—

20 (A) the proportion determined under para-
21 graph (3); by

22 (B) the amounts authorized to be appro-
23 priated for each such program for such fiscal
24 year; and

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

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

18 (B) the total of the amounts authorized to
19 be appropriated for the programs that are ap-
20 portioned under title 23, United States Code, to
21 all States for such fiscal year.

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

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

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

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

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

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

12 (6) sections 1103 through 1108 of the Inter-
13 modal Surface Transportation Efficiency Act of
14 1991 (105 Stat. 2027);

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

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

21 (9) Federal-aid highway programs for which ob-
22 ligation authority was made available under the
23 Transportation Equity Act for the 21st Century
24 (112 Stat. 107) or subsequent Acts for multiple
25 years or to remain available until expended, but only

1 to the extent that the obligation authority has not
2 lapsed or been used;

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

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

13 (12) section 119 of title 23, United States Code
14 (but, for each of fiscal years 2013 through 2023,
15 only in an amount equal to \$639,000,000).

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

19 (1) revise a distribution of the obligation limita-
20 tion made available under subsection (a) if an
21 amount distributed cannot be obligated during that
22 fiscal year; and

23 (2) redistribute sufficient amounts to those
24 States able to obligate amounts in addition to those
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-
2 ances of funds apportioned under sections 144 (as in
3 effect on the day before the date of enactment of
4 Public Law 112–141) and 104 of title 23, United
5 States Code.

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

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

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

14 (B) title VI of the Fixing America’s Sur-
15 face Transportation Act; and

16 (C) title III of division A of the Infrastruc-
17 ture Investment and Jobs Act (Public Law
18 117–58).

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

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

23 (B) be in addition to the amount of any
24 limitation imposed on obligations for Federal-

1 aid highway and highway safety construction
2 programs for future fiscal years.

3 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
4 FUNDS.—

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

11 (A) are authorized to be appropriated for
12 such fiscal year for Federal-aid highway pro-
13 grams; and

14 (B) the Secretary determines will not be
15 allocated to the States (or will not be appor-
16 tioned to the States under section 204 of title
17 23, United States Code), and will not be avail-
18 able for obligation, for such fiscal year because
19 of the imposition of any obligation limitation for
20 such fiscal year.

21 (2) RATIO.—Funds shall be distributed under
22 paragraph (1) in the same proportion as the dis-
23 tribution of obligation authority under subsection
24 (a)(5).

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

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

14 SEC. 122. Not less than 15 days prior to waiving,
15 under his or her statutory authority, any Buy America re-
16 quirement for Federal-aid highways projects, the Sec-
17 retary of Transportation shall make an informal public no-
18 tice and comment opportunity on the intent to issue such
19 waiver and the reasons therefor: *Provided*, That the Sec-
20 retary shall provide an annual report to the House and
21 Senate Committees on Appropriations on any waivers
22 granted under the Buy America requirements.

23 SEC. 123. None of the funds made available in this
24 Act may be used to make a grant for a project under sec-
25 tion 117 of title 23, United States Code, unless the Sec-

1 retary, at least 60 days before making a grant under that
2 section, provides written notification to the House and
3 Senate Committees on Appropriations of the proposed
4 grant, including an evaluation and justification for the
5 project and the amount of the proposed grant award: *Pro-*
6 *vided*, That the written notification required in the pre-
7 ceding proviso shall be made not later than 180 days after
8 the date of enactment of this Act.

9 SEC. 124. (a) A State or territory, as defined in sec-
10 tion 165 of title 23, United States Code, may use for any
11 project eligible under section 133(b) of title 23 or section
12 165 of title 23 and located within the boundary of the
13 State or territory any earmarked amount, and any associ-
14 ated obligation limitation: *Provided*, That the Department
15 of Transportation for the State or territory for which the
16 earmarked amount was originally designated or directed
17 notifies the Secretary of its intent to use its authority
18 under this section and submits an annual report to the
19 Secretary identifying the projects to which the funding
20 would be applied. Notwithstanding the original period of
21 availability of funds to be obligated under this section,
22 such funds and associated obligation limitation shall re-
23 main available for obligation for a period of 3 fiscal years
24 after the fiscal year in which the Secretary is notified. The
25 Federal share of the cost of a project carried out with

1 funds made available under this section shall be the same
2 as associated with the earmark.

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

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

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

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

1 such authority to unexpended balances of funds from
2 projects or activities the State or territory certifies have
3 been closed and for which payments have been made under
4 a final voucher.

5 (d) The Secretary shall submit consolidated reports
6 of the information provided by the States and territories
7 annually to the House and Senate Committees on Appro-
8 priations.

9 SEC. 125. Until final guidance is published, the Ad-
10 ministrator of the Federal Highway Administration shall
11 adjudicate requests for Buy America waivers under the
12 criteria that were in effect prior to April 17, 2018.

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in the implemen-
19 tation, execution, and administration of motor carrier
20 safety operations and programs pursuant to section 31110
21 of title 49, United States Code, \$367,500,000, to be de-
22 rived from the Highway Trust Fund (other than the Mass
23 Transit Account), together with advances and reimburse-
24 ments received by the Federal Motor Carrier Safety Ad-
25 ministration, the sum of which shall remain available until

1 expended: *Provided*, That funds available for implementa-
 2 tion, execution, or administration of motor carrier safety
 3 operations and programs authorized under title 49, United
 4 States Code, shall not exceed total obligations of
 5 \$367,500,000, for “Motor Carrier Safety Operations and
 6 Programs” for fiscal year 2023, of which \$14,073,000, to
 7 remain available for obligation until September 30, 2025,
 8 is for the research and technology program, and of which
 9 not less than \$63,098,000, to remain available for obliga-
 10 tion until September 30, 2025, is for development, mod-
 11 ernization, enhancement, and continued operation and
 12 maintenance of information technology and information
 13 management.

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, \$506,150,000, to be derived from the
 21 Highway Trust Fund (other than the Mass Transit Ac-
 22 count) and to remain available until expended: *Provided*,
 23 That funds available for the implementation or execution
 24 of motor carrier safety programs shall not exceed total ob-
 25 ligations of \$506,150,000 in fiscal year 2023 for “Motor

1 Carrier Safety Grants’’: *Provided further*, That of the
2 amounts made available under this heading—

3 (1) \$398,500,000, to remain available for obli-
4 gation until September 30, 2024, shall be for the
5 motor carrier safety assistance program;

6 (2) \$42,650,000, to remain available for obliga-
7 tion until September 30, 2024, shall be for the com-
8 mercial driver’s license program implementation pro-
9 gram;

10 (3) \$58,800,000, to remain available for obliga-
11 tion until September 30, 2024, shall be for the high
12 priority program;

13 (4) \$1,200,000, to remain available for obliga-
14 tion until September 30, 2024, shall be for the com-
15 mercial motor vehicle operators grant program; and

16 (5) \$5,000,000, to remain available for obliga-
17 tion until September 30, 2024, shall be for the com-
18 mercial motor vehicle enforcement training and sup-
19 port grant program.

20 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

21 CARRIER SAFETY ADMINISTRATION

22 SEC. 130. The Federal Motor Carrier Safety Admin-
23 istration shall update annual inspection regulations under
24 Appendix G to subchapter B of chapter III of title 49,

15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
16 OPERATIONS AND RESEARCH

•HR 8294 RH

1 OPERATIONS AND RESEARCH
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 the provisions of section 403 of title 23, United States
7 Code, including behavioral research on Automated Driving
8 Systems and Advanced Driver Assistance Systems and im-
9 proving consumer responses to safety recalls, section
10 25024 of the Infrastructure Investment and Jobs Act
11 (Public Law 117–58), and chapter 303 of title 49, United
12 States Code, \$197,000,000, to be derived from the High-
13 way Trust Fund (other than the Mass Transit Account)
14 and to remain available until expended: *Provided*, That
15 none of the funds in this Act shall be available for the
16 planning or execution of programs the total obligations for
17 which, in fiscal year 2023, are in excess of \$197,000,000:
18 *Provided further*, That of the sums appropriated under
19 this heading—

20 (1) \$190,000,000 shall be for programs author-
21 ized under section 403 of title 23, United States
22 Code, including behavioral research on Automated
23 Driving Systems and Advanced Driver Assistance
24 Systems and improving consumer responses to safety

1 recalls, and section 25024 of the Infrastructure In-
 2 vestment and Jobs Act (Public Law 117–58); and

3 (2) \$7,000,000 shall be for the National Driver
 4 Register authorized under chapter 303 of title 49,
 5 United States Code:

6 *Provided further*, That within the \$197,000,000 obligation
 7 limitation for operations and research, \$57,500,000 shall
 8 remain available until September 30, 2024: *Provided fur-*
 9 *ther*, That amounts for behavioral research on Automated
 10 Driving Systems and Advanced Driver Assistance Systems
 11 and improving consumer responses to safety recalls are in
 12 addition to any other funds provided for those purposes
 13 for fiscal year 2023 in this Act.

14 HIGHWAY TRAFFIC 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 provisions of sections 402, 404, and 405 of title 23,
 20 United States Code, and grant administration expenses
 21 under chapter 4 of title 23, United States Code, to remain
 22 available until expended, \$795,220,000, to be derived from
 23 the Highway Trust Fund (other than the Mass Transit
 24 Account): *Provided*, That none of the funds in this Act
 25 shall be available for the planning or execution of pro-

1 grams for which the total obligations in fiscal year 2023
2 are in excess of \$795,220,000 for programs authorized
3 under sections 402, 404, and 405 of title 23, United
4 States Code, and grant administration expenses under
5 chapter 4 of title 23, United States Code: *Provided further*,
6 That of the sums appropriated under this heading—

7 (1) \$370,900,000 shall be for “Highway Safety
8 Programs” under section 402 of title 23, United
9 States Code;

10 (2) \$346,500,000 shall be for “National Pri-
11 ority Safety Programs” under section 405 of title
12 23, United States Code;

13 (3) \$38,300,000 shall be for the “High Visi-
14 bility Enforcement Program” under section 404 of
15 title 23, United States Code; and

16 (4) \$39,520,000 shall be for grant administra-
17 tive expenses under chapter 4 of title 23, United
18 States Code:

19 *Provided further*, That none of these funds shall be used
20 for construction, rehabilitation, or remodeling costs, or for
21 office furnishings and fixtures for State, local or private
22 buildings or structures: *Provided further*, That not to ex-
23 ceed \$500,000 of the funds made available for “National
24 Priority Safety Programs” under section 405 of title 23,
25 United States Code, for “Impaired Driving Counter-

1 measures” (as described in subsection (d) of that section)
2 shall be available for technical assistance to the States:
3 *Provided further*, That with respect to the “Transfers”
4 provision under section 405(a)(8) of title 23, United
5 States Code, any amounts transferred to increase the
6 amounts made available under section 402 shall include
7 the obligation authority for such amounts: *Provided fur-*
8 *ther*, That the Administrator shall notify the House and
9 Senate Committees on Appropriations of any exercise of
10 the authority granted under the preceding proviso or
11 under section 405(a)(8) of title 23, United States Code,
12 within 5 days.

13 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

14 TRAFFIC SAFETY ADMINISTRATION

15 SEC. 140. An additional \$130,000 shall be made
16 available to the National Highway Traffic Safety Adminis-
17 tration, out of the amount limited for section 402 of title
18 23, United States Code, to pay for travel and related ex-
19 penses for State management reviews and to pay for core
20 competency development training and related expenses for
21 highway safety staff.

22 SEC. 141. The limitations on obligations for the pro-
23 grams of the National Highway Traffic Safety Adminis-
24 tration set in this Act shall not apply to obligations for
25 which obligation authority was made available in previous

1 public laws but only to the extent that the obligation au-
2 thority has not lapsed or been used.

3 SEC. 142. None of the funds in this Act or any other
4 Act shall be used to enforce the requirements of section
5 405(a)(9) of title 23, United States Code.

6 FEDERAL RAILROAD ADMINISTRATION

7 SAFETY AND OPERATIONS

8 For necessary expenses of the Federal Railroad Ad-
9 ministration, not otherwise provided for, \$250,449,000, of
10 which \$25,000,000 shall remain available until expended.

11 RAILROAD RESEARCH AND DEVELOPMENT

12 For necessary expenses for railroad research and de-
13 velopment, \$47,000,000, to remain available until ex-
14 pended: *Provided*, That of the amounts made available
15 under this heading, up to \$3,000,000 shall be available
16 pursuant to section 20108(d) of title 49, United States
17 Code, for the construction, alteration, and repair of build-
18 ings and improvements at the Transportation Technology
19 Center.

20 FEDERAL-STATE PARTNERSHIP FOR INTERCITY

21 PASSENGER RAIL

22 For necessary expenses related to Federal-State
23 Partnership for Intercity Passenger Rail grants as author-
24 ized by section 24911 of title 49, United States Code,
25 \$555,000,000, to remain available until expended: *Pro-*

1 *vided*, That amounts made available under the heading
 2 “Northeast Corridor Grants to the National Railroad Pas-
 3 senger Corporation” in this Act may be used as non-Fed-
 4 eral share for projects located on the Northeast Corridor
 5 selected for award under section 24911 of title 49, United
 6 States Code, notwithstanding subsection (f) of such sec-
 7 tion: *Provided further*, That amounts made available under
 8 the heading “National Network Grants to the National
 9 Railroad Passenger Corporation” in this Act may be used
 10 as non-Federal share for projects not located on the
 11 Northeast Corridor selected for award under section
 12 24911 of title 49, United States Code, notwithstanding
 13 subsection (f) of such section: *Provided further*, That the
 14 Secretary may withhold up to 2 percent of the amounts
 15 made available under this heading in this Act for the costs
 16 of award and project management oversight of grants car-
 17 ried out under title 49, United States Code.

18 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

19 IMPROVEMENTS

20 For necessary expenses related to Consolidated Rail
 21 Infrastructure and Safety Improvements grants, as au-
 22 thorized by section 22907 of title 49, United States Code,
 23 \$630,000,000, to remain available until expended: *Pro-*
 24 *vided*, That of the amounts made available under this
 25 heading in this Act—

1 (1) not less than \$150,000,000 shall be for
2 projects eligible under section 22907(c)(2) of title
3 49, United States Code, that support the develop-
4 ment of new intercity passenger rail service routes
5 including alignments for existing routes;

6 (2) not less than \$25,000,000 shall be for
7 projects eligible under section 22907(c)(11) of title
8 49, United States Code: *Provided*, That for amounts
9 made available in this paragraph, the Secretary shall
10 give preference to projects that are located in coun-
11 ties with the most pedestrian trespasser casualties;
12 and

13 (3) \$5,000,000 shall be for preconstruction
14 planning activities and capital costs related to the
15 deployment of magnetic levitation transportation
16 projects:

17 *Provided further*, That for amounts made available under
18 this heading, eligible projects under section 22907(c)(8)
19 of title 49, United States Code, shall also include railroad
20 systems planning (including the preparation of regional
21 intercity passenger rail plans and State Rail Plans) and
22 railroad project development activities (including railroad
23 project planning, preliminary engineering, design, environ-
24 mental analysis, feasibility studies, and the development
25 and analysis of project alternatives): *Provided further*,

1 That section 22907(e)(1)(A) of title 49, United States
2 Code, shall not apply to amounts made available under
3 this heading: *Provided further*, That section
4 22907(e)(1)(A) of title 49, United States Code, shall not
5 apply to amounts made available under this heading in
6 previous fiscal years if such funds are announced in a no-
7 tice of funding opportunity that includes funds made avail-
8 able under this heading: *Provided further*, That unobli-
9 gated balances remaining after 6 years after the date of
10 enactment of this Act may be used for any eligible project
11 under section 22907(c) of title 49, United States Code:
12 *Provided further*, That the Secretary may withhold up to
13 2 percent of the amounts made available under this head-
14 ing in this Act for the costs of award and project manage-
15 ment oversight of grants carried out under title 49, United
16 States Code.

17 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
18 RAILROAD PASSENGER CORPORATION

19 To enable the Secretary of Transportation to make
20 grants to the National Railroad Passenger Corporation for
21 activities associated with the Northeast Corridor as au-
22 thorized by section 22101(a) of the Infrastructure Invest-
23 ment and Jobs Act (Public Law 117–58), \$882,000,000,
24 to remain available until expended: *Provided*, That the
25 Secretary may retain up to one-half of 1 percent of the

1 amounts made available under both this heading in this
 2 Act and the “National Network Grants to the National
 3 Railroad Passenger Corporation” heading in this Act to
 4 fund the costs of project management and oversight of ac-
 5 tivities authorized by section 22101(c) of the Infrastruc-
 6 ture Investment and Jobs Act (Public Law 117–58): *Pro-*
 7 *vided further*, That in addition to the project management
 8 oversight funds authorized under section 22101(c) of the
 9 Infrastructure Investment and Jobs Act (Public Law 117–
 10 58), the Secretary may retain up to an additional
 11 \$1,000,000 of the amounts made available under this
 12 heading in this Act to fund expenses associated with the
 13 Northeast Corridor Commission established under section
 14 24905 of title 49, United States Code: *Provided further*,
 15 That notwithstanding section 24911(f) of title 49, United
 16 States Code, amounts made available under this heading
 17 in this Act may be used as non-Federal share for projects
 18 located on the Northeast Corridor selected for award
 19 under section 24911 of title 49, United States Code.

20 NATIONAL NETWORK GRANTS TO THE NATIONAL
 21 RAILROAD PASSENGER CORPORATION

22 To enable the Secretary of Transportation to make
 23 grants to the National Railroad Passenger Corporation for
 24 activities associated with the National Network as author-
 25 ized by section 22101(b) of the Infrastructure Investment

1 and Jobs Act (Public Law 117–58), \$1,463,000,000, to
2 remain available until expended: *Provided*, That the Na-
3 tional Railroad Passenger Corporation may use up to 10
4 percent of the amounts made available under this heading
5 in this Act to support planning and capital costs, and op-
6 erating assistance consistent with the Federal funding lim-
7 itations under section 22908 of title 49, United States
8 Code, of corridors selected under section 25101 of title
9 49, United States Code, that are operated by the National
10 Railroad Passenger Corporation: *Provided further*, That
11 notwithstanding section 24911(f) of title 49, United
12 States Code, amounts made available under this heading
13 in this Act may be used as non-Federal share for projects
14 not located on the Northeast Corridor selected for award
15 under section 24911 of title 49, United States Code: *Pro-*
16 *vided further*, That none of the funds made available under
17 this heading in this Act shall be used by Amtrak to give
18 notice under subsection (a) or (c) of section 24706 of title
19 49, United States Code, with respect to long-distance
20 routes (as defined in section 24102 of title 49, United
21 States Code) on which Amtrak is the sole operator on a
22 host railroad’s line and a positive train control system is
23 not required by law or regulation, or, except in an emer-
24 gency or during maintenance or construction outages im-
25 pacting such routes, to otherwise discontinue, reduce the

1 frequency of, suspend, or substantially alter the route of
2 rail service on any portion of such route operated in fiscal
3 year 2018, including implementation of service permitted
4 by section 24305(a)(3)(A) of title 49, United States Code,
5 in lieu of rail service.

6 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

7 ADMINISTRATION

8 (INCLUDING RESCISSION)

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 150. None of the funds made available by this
11 Act may be used by the National Railroad Passenger Cor-
12 poration in contravention of the Worker Adjustment and
13 Retraining Notification Act (29 U.S.C. 2101 et seq.).

14 SEC. 151. Amounts made available in this and prior
15 Acts to the Secretary or to the Federal Railroad Adminis-
16 tration for the costs of award, administration, and project
17 management oversight of financial assistance which are
18 administered by the Federal Railroad Administration may
19 be transferred to the Federal Railroad Administration’s
20 “Financial Assistance Oversight and Technical Assist-
21 ance” account for necessary expenses to support the
22 award, administration, project management oversight, and
23 technical assistance of financial assistance administered
24 by the Federal Railroad Administration, in the same man-
25 ner as appropriated in this and prior Acts: *Provided*, That

1 this section shall not apply to amounts that were pre-
2 viously designated by the Congress as an emergency re-
3 quirement pursuant to a concurrent resolution on the
4 budget or the Balanced Budget and Emergency Deficit
5 Control Act of 1985.

6 SEC. 152. Amounts made available under the heading
7 “Department of Transportation—Federal Railroad Ad-
8 ministration—Restoration and Enhancement” in any
9 prior fiscal years are subject to the requirements of section
10 22908 of title 49, United States Code, as in effect on the
11 effective date of the Infrastructure Investment and Jobs
12 Act (Public Law 117–58): *Provided*, That the limitation
13 in subsection (e)(2) of section 22908 of title 49, United
14 States Code, shall not apply to amounts made available
15 for grants under such section in any prior Act.

16 SEC. 153. Amounts transferred to a “Financial As-
17 sistance Oversight and Technical Assistance” account pur-
18 suant to section 802 of title VIII of the Infrastructure
19 Investment and Jobs Appropriations Act (division J of
20 Public Law 117-58), as amended by section 156 of this
21 title, from amounts appropriated for fiscal year 2023 may
22 also be used by the Federal Railroad Administration for
23 the Northeast Corridor Commission established under sec-
24 tion 24905 of title 49, United States Code, and for the
25 State-Supported Route Committee established under sec-

tion 24712(a) of title 49, United States Code, including to assist the Federal Railroad Administration with the delivery of projects carried out with amounts made available under the headings “Department of Transportation—Federal Railroad Administration—Northeast Corridor Grants to the National Railroad Passenger Corporation”, “Department of Transportation—Federal Railroad Administration—National Network Grants to the National Railroad Passenger Corporation”, and “Department of Transportation—Federal Railroad Administration—Federal-State Partnership for Intercity Passenger Rail Grants” in such title: *Provided*, That the Federal Railroad Administration shall notify the House and Senate Committees on Appropriations not less than 15 days prior to making any amounts available to the Northeast Corridor Commission or State-Supported Route Committee pursuant to this section: *Provided further*, That amounts repurposed by this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e)

1 of H. Res. 1151 (117th Congress) as engrossed in the
2 House of Representatives on June 8, 2022.

3 SEC. 154. The matter under the heading “Depart-
4 ment of Transportation—Federal Railroad Administra-
5 tion—Northeast Corridor Grants to the National Railroad
6 Passenger Corporation” in title VIII of division J of Pub-
7 lic Law 117-58 is amended—

8 (1) in the fourth proviso, by striking “Secretary
9 of Transportation shall submit” and inserting “Sec-
10 retary of Transportation, in consultation with Am-
11 trak, shall submit”;

12 (2) in the fifth proviso, by striking “Secretary
13 of Transportation shall submit” and inserting “Sec-
14 retary of Transportation, in consultation with Am-
15 trak, shall prepare and submit”; and

16 (3) in the tenth proviso, by striking “, to facili-
17 tate a coordinated and efficient delivery of projects
18 carried out under this heading in this Act”:

19 *Provided*, That amounts repurposed by the amendments
20 made by this section that were previously designated by
21 the Congress as an emergency requirement pursuant to
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985 or a concurrent resolution on the budget are des-
24 ignated as an emergency requirement pursuant to section
25 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-

1 current resolution on the budget for fiscal year 2022, and
2 section 1(e) of H. Res. 1151 (117th Congress) as en-
3 grossed in the House of Representatives on June 8, 2022.

4 SEC. 155. The matter under the heading “Depart-
5 ment of Transportation—Federal Railroad Administra-
6 tion—National Network Grants to the National Railroad
7 Passenger Corporation” in title VIII of division J of Pub-
8 lic Law 117-58 is amended—

9 (1) in the third proviso, by striking “Secretary
10 of Transportation shall submit” and inserting “Sec-
11 retary of Transportation, in consultation with Am-
12 trak, shall submit”; and

13 (2) in the fourth proviso, by striking “Secretary
14 of Transportation shall submit” and inserting “Sec-
15 retary of Transportation, in consultation with Am-
16 trak, shall prepare and submit”:

17 *Provided*, That amounts repurposed by the amendments
18 made by this section that were previously designated by
19 the Congress as an emergency requirement pursuant to
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985 or a concurrent resolution on the budget are des-
22 ignated as an emergency requirement pursuant to section
23 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
24 current resolution on the budget for fiscal year 2022, and

1 section 1(e) of H. Res. 1151 (117th Congress) as en-
2 grossed in the House of Representatives on June 8, 2022.

3 SEC. 156. Section 802 of title VIII of division J of
4 Public Law 117-58 is amended—

5 (1) in the first proviso, by inserting “that could
6 be” after “amounts”; and

7 (2) in the second proviso, by inserting “that
8 could be” after “amounts”:

9 *Provided*, That amounts repurposed by the amendments
10 made by this section that were previously designated by
11 the Congress as an emergency requirement pursuant to
12 the Balanced Budget and Emergency Deficit Control Act
13 of 1985 or a concurrent resolution on the budget are des-
14 ignated as an emergency requirement pursuant to section
15 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
16 current resolution on the budget for fiscal year 2022, and
17 section 1(e) of H. Res. 1151 (117th Congress) as en-
18 grossed in the House of Representatives on June 8, 2022.

19 SEC. 157. Of the unobligated balances of funds re-
20 maining from the “Rail Line Relocation and Improvement
21 Program” account totaling \$1,811,124.16 appropriated by
22 Public Law 112-10 is hereby permanently rescinded.

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

6 For payment of obligations incurred in the Federal
7 Public Transportation Assistance Program in this ac-
8 count, and for payment of obligations incurred in carrying
9 out the provisions of sections 5305, 5307, 5310, 5311,
10 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339,
11 and 5340 of title 49, United States Code, section
12 20005(b) of MAP-21 (Public Law 112–141), and section
13 3006(b) of the Fixing America’s Surface Transportation
14 Act (Public Law 114-94), \$13,634,000,000, to be derived
15 from the Mass Transit Account of the Highway Trust
16 Fund and to remain available until expended: *Provided*,
17 That funds available for the implementation or execution
18 of programs authorized under sections 5305, 5307, 5310,
19 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337,
20 5339, and 5340 of title 49, United States Code, section
21 20005(b) of MAP-21 (Public Law 112–141), and section
22 3006(b) of the Fixing America’s Surface Transportation
23 Act (Public Law 114-94), shall not exceed total obligations
24 of \$13,634,000,000 in fiscal year 2023.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities competitive grants under section 5339(b) of title 49, United States Code, low or no emission grants under section 5339(c) of such title, passenger ferry grants under section 5307(h) of such title, bus testing facilities under section 5318 of such title, Community Project Funding for projects and activities eligible under chapter 53 of such title, administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(c)(2) of such title, ferry service for rural communities under section 71103 of the Infrastructure Investment and Jobs Act (Public Law 117–58), and competitive integrated smart mobility grants, \$646,428,324, to remain available until expended: *Provided*, That of the amounts made available under this heading in this Act—

(1) \$200,000,000 shall be for buses and bus facilities competitive grants as authorized under section 5339(b) of such title;

(2) \$75,000,000 shall be for low or no emission grants as authorized under section 5339(c) of such title: *Provided*, That for amounts made available in this paragraph, the minimum grant award shall be not less than \$750,000;

1 (3) \$20,000,000 shall be for passenger ferry
2 grants as authorized under section 5307(h) of such
3 title;

4 (4) \$2,000,000 shall be for the operation and
5 maintenance of the bus testing facilities selected
6 under section 5318 of such title: *Provided*, That for
7 amounts made available in this paragraph, the Fed-
8 eral cost share shall be 100 percent;

9 (5) \$267,428,324 shall be for Community
10 Project Funding for the purposes, and in the
11 amounts, specified for this account in the table titled
12 “Transportation, Housing and Urban Development
13 Incorporation of Community Project Funding
14 Items” included in the report accompanying this
15 Act: *Provided*, That unless otherwise specified, appli-
16 cable requirements under chapter 53 of title 49,
17 United States Code, shall apply to amounts made
18 available in this paragraph, except that the Federal
19 share of the costs for a project in this paragraph
20 shall be in an amount equal to 80 percent of the net
21 costs of the project, unless the Secretary approves a
22 higher maximum Federal share of the net costs of
23 the project consistent with administration of similar
24 projects funded under chapter 53 of title 49, United
25 States Code;

1 (6) \$2,000,000 shall be for administrative ex-
2 penses and ongoing program management oversight
3 as authorized under sections 5334 and 5338(c)(2) of
4 title 49, United States Code, including for admin-
5 istering amounts made available for Community
6 Project Funding in paragraph (5) under this head-
7 ing in this Act, and shall be in addition to any other
8 appropriations available for such purpose;

9 (7) \$30,000,000 shall be for ferry service for
10 rural communities under section 71103 of the Infra-
11 structure Investment and Jobs Act (Public Law
12 117–58): *Provided*, That for amounts made available
13 in this paragraph, notwithstanding section
14 71103(a)(2)(B), eligible service shall include pas-
15 senger ferry service that serves at least two rural
16 areas with a single segment over 20 miles between
17 the two rural areas and is not otherwise eligible
18 under section 5307(h) of title 49, United States
19 Code: *Provided further*, That entities that provide el-
20 igible service pursuant to the preceding proviso may
21 use amounts made available in this paragraph for
22 public transportation capital projects to support any
23 ferry service between two rural areas: *Provided fur-*
24 *ther*, That entities eligible for amounts made avail-

1 able in this paragraph shall only provide ferry serv-
2 ice to rural areas; and

3 (8) \$50,000,000 shall be for integrated smart
4 mobility grants to recipients eligible under sections
5 5307 and 5311 of title 49, United States Code, for
6 planning and capital projects eligible under chapter
7 53 of such title that support the adoption of innova-
8 tive approaches to mobility that will improve safety,
9 accessibility, air-quality, and equity in access to com-
10 munity services and economic opportunities: *Pro-*
11 *vided*, That such innovative approaches may include
12 changes to service frequencies, patterns, areas of
13 coverage, and first and last mile options such as op-
14 timizing transit route planning and using integrated
15 travel planning and payment systems; fare improve-
16 ment projects; deployment of transit ambassadors;
17 data and systems integration; and other activities
18 designed to improve public transportation services:
19 *Provided further*, That the Secretary shall give pref-
20 erence to projects that will improve access to jobs
21 and affordable housing; enhance connections to
22 health care, education, and food security; improve
23 health outcomes; address how individuals without ac-
24 cess to advanced technology will benefit from such
25 innovative solutions; or include job retention and re-

1 training for current employees: *Provided further,*
2 That the Secretary shall award not less than 5 but
3 not more than 10 integrated smart mobility grants
4 with amounts made available in this paragraph: *Pro-*
5 *vided further,* That the Secretary shall award, to not
6 less than 3 distinct recipients, not less than 1 such
7 grant to a recipient eligible under section 5307 of
8 title 49, United States Code, not less than 1 such
9 grant to a recipient eligible under section 5311 of
10 title 49, United States Code, and not less than 1
11 such grant to a recipient eligible under sections
12 5307 or 5311 of title 49, United States Code, that
13 provides commuter rail passenger transportation:
14 *Provided further,* That capital and operating ex-
15 penses shall be eligible for amounts made available
16 in this paragraph: *Provided further,* That an eligible
17 subrecipient under section 5307 or 5311 of title 49,
18 United States Code, shall be eligible to be a direct
19 recipient: *Provided further,* That the Federal share
20 for planning and capital projects funded with
21 amounts made available in this paragraph shall not
22 exceed 80 percent of the net project cost: *Provided*
23 *further,* That the Federal share for operating ex-
24 penses funded with amounts made available in this
25 paragraph shall not exceed 50 percent of the net

1 project cost: *Provided further*, That the Secretary
2 shall not waive requirements in section 5333 of title
3 49, United States Code, for projects funded with
4 amounts made available in this paragraph: *Provided*
5 *further*, That unless otherwise specified, applicable
6 requirements under chapter 53 of title 49, United
7 States Code, shall apply to amounts made available
8 in this paragraph:
9 *Provided further*, That amounts made available under this
10 heading in this Act shall be derived from the general fund:
11 *Provided further*, That amounts made available under this
12 heading in this Act shall not be subject to any limitation
13 on obligations for transit programs set forth in this or any
14 other Act.

15 TECHNICAL ASSISTANCE AND TRAINING

16 For necessary expenses to carry out section 5314 of
17 title 49, United States Code, \$8,000,000, to remain avail-
18 able until September 30, 2024: *Provided*, That the assist-
19 ance provided under this heading does not duplicate the
20 activities of section 5311(b) or section 5312 of title 49,
21 United States Code: *Provided further*, That amounts made
22 available under this heading are in addition to any other
23 amounts made available for such purposes: *Provided fur-*
24 *ther*, That amounts made available under this heading

1 shall not be subject to any limitation on obligations set
2 forth in this or any other Act.

3 CAPITAL INVESTMENT GRANTS

4 For necessary expenses to carry out fixed guideway
5 capital investment grants under section 5309 of title 49,
6 United States Code, and section 3005(b) of the Fixing
7 America's Surface Transportation Act (Public Law 114–
8 94), \$3,012,000,000, to remain available until expended:
9 *Provided*, That of the amounts made available under this
10 heading in this Act, \$1,897,166,000 shall be available for
11 projects authorized under section 5309(d) of title 49,
12 United States Code, \$40,714,000 shall be available for
13 projects authorized under section 5309(e) of title 49,
14 United States Code, \$94,000,000 shall be available for
15 projects authorized under section 5309(h) of title 49,
16 United States Code, and \$350,000,000 shall be available
17 for projects authorized under section 3005(b) of the Fix-
18 ing America's Surface Transportation Act (Public Law
19 114-94): *Provided further*, That the Secretary shall con-
20 tinue to administer the capital investment grants program
21 in accordance with the procedural and substantive require-
22 ments of section 5309 of title 49, United States Code, and
23 of section 3005(b) of the Fixing America's Surface Trans-
24 portation Act (Public Law 114-94): *Provided further*, That
25 projects that receive a grant agreement under the Expe-

1 dited Project Delivery for Capital Investment Grants Pilot
2 Program under section 3005(b) of the Fixing America's
3 Surface Transportation Act (Public Law 114-94) shall be
4 deemed eligible for funding provided for projects under
5 section 5309 of title 49, United States Code, without fur-
6 ther evaluation or rating under such section: *Provided fur-*
7 *ther*, That such funding shall not exceed the Federal share
8 under section 3005(b) of the Fixing America's Surface
9 Transportation Act (Public Law 114-94): *Provided fur-*
10 *ther*, That upon submission to the Congress of the fiscal
11 year 2024 President's budget, the Secretary of Transpor-
12 tation shall transmit to Congress the annual report on
13 capital investment grants, including proposed allocations
14 for fiscal year 2024.

15 GRANTS TO THE WASHINGTON METROPOLITAN AREA

16 TRANSIT AUTHORITY

17 For grants to the Washington Metropolitan Area
18 Transit Authority as authorized under section 601 of divi-
19 sion B of the Passenger Rail Investment and Improvement
20 Act of 2008 (Public Law 110-432), \$150,000,000, to re-
21 main available until expended: *Provided*, That the Sec-
22 retary of Transportation shall approve grants for capital
23 and preventive maintenance expenditures for the Wash-
24 ington Metropolitan Area Transit Authority only after re-
25 ceiving and reviewing a request for each specific project:

1 *Provided further*, That the Secretary shall determine that
2 the Washington Metropolitan Area Transit Authority has
3 placed the highest priority on those investments that will
4 improve the safety of the system before approving such
5 grants.

6 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

7 ADMINISTRATION

8 SEC. 160. The limitations on obligations for the pro-
9 grams of the Federal Transit Administration shall not
10 apply to any authority under section 5338 of title 49,
11 United States Code, previously made available for obliga-
12 tion, or to any other authority previously made available
13 for obligation.

14 SEC. 161. Notwithstanding any other provision of
15 law, funds appropriated or limited by this Act under the
16 heading “Capital Investment Grants” of the Federal
17 Transit Administration for projects specified in this Act
18 or identified in the report accompanying this Act not obli-
19 gated by September 30, 2026, and other recoveries, shall
20 be directed to projects eligible to use the funds for the
21 purposes for which they were originally provided.

22 SEC. 162. Notwithstanding any other provision of
23 law, any funds appropriated before October 1, 2022, under
24 any section of chapter 53 of title 49, United States Code,
25 that remain available for expenditure, may be transferred

1 to and administered under the most recent appropriation
2 heading for any such section.

3 SEC. 163. None of the funds made available by this
4 Act or any other Act shall be used to adjust apportion-
5 ments or withhold funds from apportionments pursuant
6 to section 9503(e)(4) of the Internal Revenue Code of
7 1986 (26 U.S.C. 9503(e)(4)).

8 SEC. 164. None of the funds made available by this
9 Act or any other Act shall be used to impede or hinder
10 project advancement or approval for any project seeking
11 a Federal contribution from the capital investment grants
12 program of greater than 40 percent of project costs as
13 authorized under section 5309 of title 49, United States
14 Code.

15 SEC. 165. Of the amounts made available under the
16 heading “Department of Transportation—Federal Transit
17 Administration—Capital Investment Grants” in this Act,
18 \$600,000,000 shall be made available for allocation to re-
19 cipients with existing full funding grant agreements under
20 sections 5309(d) and 5309(e) of title 49, United States
21 Code, that received allocations for fiscal year 2022 and
22 have either (1) a capital investment grant share of 40 per-
23 cent or less; or (2) signed a full funding grant agreement
24 between January 20, 2017 and January 20, 2021: *Pro-*
25 *vided*, That recipients with projects open for revenue serv-

1 ice shall not be eligible to receive an allocation of funding
2 under this section: *Provided further*, That amounts shall
3 be provided to recipients proportionally based on the non-
4 capital investment grant share of the project: *Provided*
5 *further*, That no project may receive an allocation of more
6 than 40 percent of the total amount in this section: *Pro-*
7 *vided further*, That the Secretary shall proportionally dis-
8 tribute funds in excess of such 40 percent to recipients
9 for which the percent of funds does not exceed 40 percent:
10 *Provided further*, That a recipient may not receive an allo-
11 cation of funding under this section if the recipient has
12 (1) expended less than 75 percent of the allocations re-
13 ceived under paragraph (4) of section 3401(b) of the
14 American Rescue Plan Act of 2021 (Public Law 117-2);
15 and (2) expended less than 50 percent of the federal oper-
16 ating assistance allocations received under section 5307
17 of title 49, United States Code, in the Coronavirus Aid,
18 Relief, and Economic Security Act (Public Law 116-136),
19 the Coronavirus Response and Relief Supplemental Appro-
20 priations Act, 2021 (Public Law 116-260), or the Amer-
21 ican Rescue Plan Act of 2021 (Public Law 117-2): *Pro-*
22 *vided further*, That amounts allocated pursuant to this sec-
23 tion shall be provided to eligible recipients notwithstanding
24 the limitation of any calculation of the maximum amount
25 of Federal financial assistance for the project under sec-

tion 5309(k)(2)(C)(ii) of title 49, United States Code:
Provided further, That the Federal Transit Administration
shall allocate amounts under this section no later than 30
days after the date of enactment of this Act.

SEC. 166. The remaining unobligated balances, as of
September 30, 2023, from amounts made available to the
Department of Transportation under the heading “Federal
Transit Administration—Capital Investment Grants”
in division H of the Further Consolidated Appropriations
Act, 2020 (Public Law 116–94) are hereby rescinded, and
an amount of additional new budget authority equivalent
to the amount rescinded is hereby appropriated on Sep-
tember 30, 2023, for an additional amount for fiscal year
2023, to remain available until September 30, 2024, and
shall be available for the same purposes and under the
same authorities for which such amounts were originally
provided in Public Law 116–94.

SEC. 167. Notwithstanding section 5302(4)(L) of
title 49, United States Code, fuel for vehicle operations,
including the cost of utilities used for the propulsion of
electrically driven vehicles, may be treated, at the option
of the recipient, as an associated capital maintenance item
for purposes of grants made under sections 5307 and
5311 of such title in fiscal year 2023: *Provided*, That an
amount equal to not more than 5 percent of the total fund-

1 ing allocated under sections 5307 or 5311 of such title
 2 to an urbanized area, state, or territory in fiscal year 2023
 3 may be obligated for such purpose from available amounts
 4 allocated in fiscal year 2023 or prior years.

5 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
 6 CORPORATION

7 The Great Lakes St. Lawrence Seaway Development
 8 Corporation is hereby authorized to make such expendi-
 9 tures, within the limits of funds and borrowing authority
 10 available to the Corporation, and in accord with law, and
 11 to make such contracts and commitments without regard
 12 to fiscal year limitations, as provided by section 9104 of
 13 title 31, United States Code, as may be necessary in car-
 14 rying out the programs set forth in the Corporation's
 15 budget for the current fiscal year.

16 OPERATIONS AND MAINTENANCE
 17 (HARBOR MAINTENANCE TRUST FUND)

18 For necessary expenses to conduct the operations,
 19 maintenance, and capital infrastructure activities on por-
 20 tions of the St. Lawrence Seaway owned, operated, and
 21 maintained by the Great Lakes St. Lawrence Seaway De-
 22 velopment Corporation, \$41,500,000, to be derived from
 23 the Harbor Maintenance Trust Fund, pursuant to section
 24 210 of the Water Resources Development Act of 1986 (33
 25 U.S.C. 2238): *Provided*, That of the amounts made avail-

1 able under this heading, not less than \$14,800,000 shall
 2 be for the seaway infrastructure program: *Provided fur-*
 3 *ther*, That not more than \$1,000,000 of the unobligated
 4 balances from the amounts made available for capital
 5 asset renewal activities under this heading or under the
 6 heading “Saint Lawrence Seaway Development Corpora-
 7 tion—Operations and Maintenance” in any prior Act shall
 8 be for activities pursuant to section 984(a)(12) of title 33,
 9 United States Code.

10 MARITIME ADMINISTRATION

11 MARITIME SECURITY PROGRAM

12 For necessary expenses to maintain and preserve a
 13 U.S.-flag merchant fleet as authorized under chapter 531
 14 of title 46, United States Code, to serve the national secu-
 15 rity needs of the United States, \$318,000,000, to remain
 16 available until expended.

17 CABLE SECURITY FLEET

18 For the cable security fleet program, as authorized
 19 under chapter 532 of title 46, United States Code,
 20 \$10,000,000, to remain available until expended.

21 TANKER SECURITY PROGRAM

22 For the tanker security fleet program, as authorized
 23 under chapter 534 of title 46, United States Code,
 24 \$60,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$192,000,000: *Provided*, That of the amounts made available under this heading—

(1) \$87,848,000, to remain available until September 30, 2024, shall be for the operations of the United States Merchant Marine Academy;

(2) \$11,900,000, to remain available until expended, shall be for facilities maintenance and repair, and equipment, at the United States Merchant Marine Academy;

(3) \$6,000,000, to remain available until September 30, 2024 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code; and

(4) \$14,819,000, to remain available until expended, shall be for the America's Marine Highway Program to make grants for the purposes authorized under paragraphs (1) and (3) of section 55601(b) of title 46, United States Code:

Provided further, That the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Mer-

1 chant Marine Academy as required pursuant to section
2 3510 of the National Defense Authorization Act for fiscal
3 year 2017 (46 U.S.C. 51318): *Provided further*, That
4 available balances under this heading for the Short Sea
5 Transportation Program (now known as the America's
6 Marine Highway Program) from prior year recoveries
7 shall be available to carry out activities authorized under
8 paragraphs (1) and (3) of section 55601(b) of title 46,
9 United States Code.

10 STATE MARITIME ACADEMY OPERATIONS

11 For necessary expenses of operations, support, and
12 training activities for State Maritime Academies,
13 \$77,700,000: *Provided*, That of the amounts made avail-
14 able under this heading—

15 (1) \$30,500,000, to remain available until ex-
16 pended, shall be for maintenance, repair, life exten-
17 sion, insurance, and capacity improvement of Na-
18 tional Defense Reserve Fleet training ships, and for
19 support of training ship operations at the State
20 Maritime Academies, of which not more than
21 \$8,000,000, to remain available until expended, shall
22 be for expenses related to training mariners; and for
23 costs associated with training vessel sharing pursu-
24 ant to section 51504(g)(3) of title 46, United States
25 Code, for costs associated with mobilizing, operating

1 and demobilizing the vessel, including travel costs
2 for students, faculty and crew, the costs of the gen-
3 eral agent, crew costs, fuel, insurance, operational
4 fees, and vessel hire costs, as determined by the Sec-
5 retary;

6 (2) \$35,000,000, to remain available until ex-
7 pended, shall be for the National Security Multi-Mis-
8 sion Vessel Program, including funds for construc-
9 tion, planning, administration, design of school
10 ships, and necessary expenses to construct infra-
11 structure to berth such ships;

12 (3) \$2,400,000, to remain available until Sep-
13 tember 30, 2027, shall be for the Student Incentive
14 Program;

15 (4) \$3,800,000, to remain available until ex-
16 pended, shall be for training ship fuel assistance;
17 and

18 (5) \$6,000,000, to remain available until Sep-
19 tember 30, 2024, shall be for direct payments for
20 State Maritime Academies.

21 ASSISTANCE TO SMALL SHIPYARDS

22 To make grants to qualified shipyards as authorized
23 under section 54101 of title 46, United States Code,
24 \$20,000,000, to remain available until expended.

1 SHIP DISPOSAL

2 For necessary expenses related to the disposal of ob-
3 solete vessels in the National Defense Reserve Fleet of the
4 Maritime Administration, \$6,000,000, to remain available
5 until expended.

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

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

13 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

14 To make grants to improve port facilities as author-
15 ized under section 54301 of title 46, United States Code,
16 \$300,000,000, to remain available until expended: *Pro-*
17 *vided*, That projects eligible for amounts made available
18 under this heading in this Act shall be projects for coastal
19 seaports, inland river ports, or Great Lakes ports: *Pro-*
20 *vided further*, That of the amounts made available under
21 this heading in this Act, not less than \$275,000,000 shall
22 be for coastal seaports or Great Lakes ports: *Provided fur-*
23 *ther*, That amounts made available under this heading in
24 this Act may not be used for the purchase or installation
25 of fully automated cargo handling equipment or terminal

1 infrastructure that is designed for fully automated cargo
 2 handling equipment: *Provided further*, That for the pur-
 3 poses of the preceding proviso, “fully automated cargo
 4 handling equipment” means cargo handling equipment
 5 that is remotely operated or remotely monitored and does
 6 not require the exercise of human intervention or control:
 7 *Provided further*, That for grants awarded under this
 8 heading in this Act, the minimum grant size shall be
 9 \$1,000,000: *Provided further*, That the proceeds of Fed-
 10 eral credit assistance under chapter 6 of title 23, United
 11 States Code, or chapter 224 of title 49, United States
 12 Code, shall be considered to be part of the non-Federal
 13 share of project costs if the loan is repayable from non-
 14 Federal funds, unless otherwise requested.

15 ADMINISTRATIVE PROVISION—MARITIME

16 ADMINISTRATION

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

1 That rental payments under any such lease, contract, or
 2 occupancy for items other than such utilities, services, or
 3 repairs shall be deposited into the Treasury as miscella-
 4 neous receipts.

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 \$30,150,000, of which \$4,500,000 shall remain available
 11 until September 30, 2025.

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, \$70,710,500, to remain
 16 available until September 30, 2025, of which \$1,000,000
 17 shall be made available for carrying out section 5107(i)
 18 of title 49, United States Code: *Provided*, That up to
 19 \$800,000 in fees collected under section 5108(g) of title
 20 49, United States Code, shall be deposited in the general
 21 fund of the Treasury as offsetting receipts: *Provided fur-*
 22 *ther*, That there may be credited to this appropriation, to
 23 be available until expended, funds received from States,
 24 counties, municipalities, other public authorities, and pri-
 25 vate sources for expenses incurred for training, for reports

1 publication and dissemination, and for travel expenses in-
2 curred in performance of hazardous materials exemptions
3 and approvals functions.

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

7 For expenses necessary to carry out a pipeline safety
8 program, as authorized by section 60107 of title 49,
9 United States Code, and to discharge the pipeline program
10 responsibilities of the Oil Pollution Act of 1990 (Public
11 Law 101–380), \$187,800,000, to remain available until
12 September 30, 2025, of which \$29,000,000 shall be de-
13 rived from the Oil Spill Liability Trust Fund; of which
14 \$151,400,000 shall be derived from the Pipeline Safety
15 Fund; of which \$400,000 shall be derived from the fees
16 collected under section 60303 of title 49, United States
17 Code, and deposited in the Liquefied Natural Gas Siting
18 Account for compliance reviews of liquefied natural gas
19 facilities; and of which \$7,000,000 shall be derived from
20 fees collected under section 60302 of title 49, United
21 States Code, and deposited in the Underground Natural
22 Gas Storage Facility Safety Account for the purpose of
23 carrying out section 60141 of title 49, United States Code:
24 *Provided*, That not less than \$1,058,000 of the amounts
25 made available under this heading shall be for the One-

1 Call State grant program: *Provided further*, That any
2 amounts made available under this heading in this Act or
3 in prior Acts for research contracts, grants, cooperative
4 agreements or research other transactions agreements
5 (“OTAs”) shall require written notification to the House
6 and Senate Committees on Appropriations not less than
7 3 full business days before such research contracts, grants,
8 cooperative agreements, or research OTAs are announced
9 by the Department of Transportation: *Provided further*,
10 That the Secretary shall transmit to the House and Sen-
11 ate Committees on Appropriations the report on pipeline
12 safety testing enhancement as required pursuant to sec-
13 tion 105 of the Protecting our Infrastructure of Pipelines
14 and Enhancing Safety Act of 2020 (division R of Public
15 Law 116–260): *Provided further*, That the Secretary may
16 obligate amounts made available under this heading to en-
17 gineer, erect, alter, and repair buildings or make any other
18 public improvements for research facilities at the Trans-
19 portation Technology Center after the Secretary submits
20 an updated research plan and the report in the preceding
21 proviso to the House and Senate Committees on Appro-
22 priations and after such plan and report in the preceding
23 proviso are approved by the House and Senate Commit-
24 tees on Appropriations.

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 2025, 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 the administrative costs
13 of carrying out sections 5116, 5107(e), and 5108(g)(2)
14 of title 49, United States Code: *Provided further*, That
15 notwithstanding subsections (b) and (c) of section 5128
16 of title 49, United States Code, and the limitation on obli-
17 gations provided under this heading, prior year recoveries
18 recognized in the current year shall be available to develop
19 and deliver hazardous materials emergency response train-
20 ing for emergency responders, including response activities
21 for the transportation of crude oil, ethanol, flammable liq-
22 uids, and other hazardous commodities by rail, consistent
23 with National Fire Protection Association standards, and
24 to make such training available through an electronic for-
25 mat: *Provided further*, That the prior year recoveries made

1 available under this heading shall also be available to carry
2 out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j),
3 and 5107(e) of title 49, United States Code.

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Inspector
7 General to carry out the provisions of the Inspector Gen-
8 eral Act of 1978, as amended, \$108,073,000: *Provided*,
9 That the Inspector General shall have all necessary au-
10 thority, in carrying out the duties specified in the Inspec-
11 tor General Act, as amended (5 U.S.C. App.), to inves-
12 tigate allegations of fraud, including false statements to
13 the government (18 U.S.C. 1001), by any person or entity
14 that is subject to regulation by the Department of Trans-
15 portation.

16 GENERAL PROVISIONS—DEPARTMENT OF

17 TRANSPORTATION

18 SEC. 180. (a) During the current fiscal year, applica-
19 ble appropriations to the Department of Transportation
20 shall be available for maintenance and operation of air-
21 craft; hire of passenger motor vehicles and aircraft; pur-
22 chase of liability insurance for motor vehicles operating
23 in foreign countries on official department business; and
24 uniforms or allowances therefor, as authorized by sections
25 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. None of the funds made available by this
25 Act or in title VIII of division J of the Infrastructure In-

1 vestment and Jobs Act (Public Law 117–58) to the De-
2 partment of Transportation may be used to make a loan,
3 loan guarantee, line of credit, letter of intent, federally
4 funded cooperative agreement, full funding grant agree-
5 ment, or discretionary grant unless the Secretary of
6 Transportation notifies the House and Senate Committees
7 on Appropriations not less than 3 full business days before
8 any project competitively selected to receive any discre-
9 tionary grant award, letter of intent, loan commitment,
10 loan guarantee commitment, line of credit commitment,
11 federally funded cooperative agreement, or full funding
12 grant agreement is announced by the Department or its
13 operating administrations: *Provided*, That the Secretary
14 of Transportation shall provide the House and Senate
15 Committees on Appropriations with a comprehensive list
16 of all such loans, loan guarantees, lines of credit, letters
17 of intent, federally funded cooperative agreements, full
18 funding grant agreements, and discretionary grants prior
19 to the notification required under the preceding proviso:
20 *Provided further*, That the Secretary gives concurrent noti-
21 fication to the House and Senate Committees on Appro-
22 priations for any “quick release” of funds from the emer-
23 gency relief program: *Provided further*, That no notifica-
24 tion shall involve funds that are not available for obliga-
25 tion.

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

10 SEC. 187. Notwithstanding any other provision of
11 law, if any funds provided by or limited by this Act are
12 subject to a reprogramming action that requires notice to
13 be provided to the House and Senate Committees on Ap-
14 propriations, transmission of such reprogramming notice
15 shall be provided solely to the House and Senate Commit-
16 tees on Appropriations, and such reprogramming action
17 shall be approved or denied solely by the House and Sen-
18 ate Committees on Appropriations: *Provided*, That the
19 Secretary of Transportation may provide notice to other
20 congressional committees of the action of the House and
21 Senate Committees on Appropriations on such reprogram-
22 ming but not sooner than 30 days after the date on which
23 the reprogramming action has been approved or denied by
24 the House and Senate Committees on Appropriations.

1 SEC. 188. Funds appropriated by this Act to the op-
2 erating administrations may be obligated for the Office of
3 the Secretary for the costs related to assessments or reim-
4 bursable agreements only when such amounts are for the
5 costs of goods and services that are purchased to provide
6 a direct benefit to the applicable operating administration
7 or administrations.

8 SEC. 189. The Secretary of Transportation is author-
9 ized to carry out a program that establishes uniform
10 standards for developing and supporting agency transit
11 pass and transit benefits authorized under section 7905
12 of title 5, United States Code, including distribution of
13 transit benefits by various paper and electronic media.

14 SEC. 190. The Department of Transportation may
15 use funds provided by this Act, or any other Act, to assist
16 a contract under title 49 or 23 of the United States Code
17 utilizing geographic, economic, or any other hiring pref-
18 erence not otherwise authorized by law, or to amend a
19 rule, regulation, policy or other measure that forbids a re-
20 cipient of a Federal Highway Administration or Federal
21 Transit Administration grant from imposing such hiring
22 preference on a contract or construction project with
23 which the Department of Transportation is assisting, only
24 if the grant recipient certifies the following:

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

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

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

17 SEC. 191. The Secretary of Transportation shall co-
18 ordinate with the Secretary of Homeland Security to en-
19 sure that best practices for Industrial Control Systems
20 Procurement are up-to-date and shall ensure that systems
21 procured with funds provided under this title were pro-
22 cured using such practices.

23 This title may be cited as the “Department of Trans-
24 portation Appropriations Act, 2023”.

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 \$18,000,000, to remain available until September 30,
13 2024: *Provided*, That not to exceed \$25,000 of the amount
14 made available under this heading shall be available to the
15 Secretary of Housing and Urban Development (referred
16 to in this title as “the Secretary”) for official reception
17 and representation expenses as the Secretary may deter-
18 mine.

19 ADMINISTRATIVE SUPPORT OFFICES

20 For necessary salaries and expenses for Administra-
21 tive Support Offices, \$690,900,000, to remain available
22 until September 30, 2024: *Provided*, That of the sums ap-
23 propriated under this heading—

24 (1) \$97,000,000 shall be available for the Office
25 of the Chief Financial Officer;

1 (2) \$126,100,000 shall be available for the Of-
2 fice of the General Counsel, of which not less than
3 \$18,500,000 shall be for the Departmental Enforce-
4 ment Center;

5 (3) \$239,566,000 shall be available for the Of-
6 fice of Administration, of which not less than
7 \$3,500,000 may be for modernization and deferred
8 maintenance of the Weaver Building;

9 (4) \$54,776,000 shall be available for the Office
10 of the Chief Human Capital Officer;

11 (5) \$32,058,000 shall be available for the Office
12 of the Chief Procurement Officer;

13 (6) \$66,200,000 shall be available for the Office
14 of Field Policy and Management;

15 (7) \$5,000,000 shall be available for the Office
16 of Departmental Equal Employment Opportunity;
17 and

18 (8) \$70,200,000 shall be available for the Office
19 of the Chief Information Officer:

20 *Provided further,* That funds made available under this
21 heading may be used for necessary administrative and
22 non-administrative expenses of the Department, not other-
23 wise provided for, including purchase of uniforms, or al-
24 lowances therefor, as authorized by sections 5901 and
25 5902 of title 5, United States Code; hire of passenger

1 motor vehicles; and services as authorized by section 3109
 2 of title 5, United States Code: *Provided further*, That not-
 3 withstanding any other provision of law, funds appro-
 4 priated under this heading may be used for advertising
 5 and promotional activities that directly support program
 6 activities funded in this title: *Provided further*, That the
 7 Secretary shall provide the House and Senate Committees
 8 on Appropriations quarterly written notification regarding
 9 the status of pending congressional reports: *Provided fur-*
 10 *ther*, That the Secretary shall provide in electronic form
 11 all signed reports required by Congress.

12 PROGRAM OFFICES

13 For necessary salaries and expenses for Program Of-
 14 fices, \$1,091,200,000, to remain available until September
 15 30, 2024: *Provided*, That of the sums appropriated under
 16 this heading—

17 (1) \$285,900,000 shall be available for the Of-
 18 fice of Public and Indian Housing;

19 (2) \$158,100,000 shall be available for the Of-
 20 fice of Community Planning and Development;

21 (3) \$488,500,000 shall be available for the Of-
 22 fice of Housing, of which not less than \$13,000,000
 23 shall be for the Office of Recapitalization;

24 (4) \$41,600,000 shall be available for the Office
 25 of Policy Development and Research;

1 (5) \$105,800,000 shall be available for the Of-
2 fice of Fair Housing and Equal Opportunity; and

3 (6) \$11,300,000 shall be available for the Office
4 of Lead Hazard Control and Healthy Homes.

5 WORKING CAPITAL FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For the working capital fund for the Department of
8 Housing and Urban Development (referred to in this para-
9 graph as the “Fund”), pursuant, in part, to section 7(f)
10 of the Department of Housing and Urban Development
11 Act (42 U.S.C. 3535(f)), amounts transferred, including
12 reimbursements pursuant to section 7(f), to the Fund
13 under this heading shall be available only for Federal
14 shared services used by offices and agencies of the Depart-
15 ment, and for any such portion of any office or agency’s
16 printing, records management, space renovation, fur-
17 niture, or supply services the Secretary has determined
18 shall be provided through the Fund, and the operational
19 expenses of the Fund: *Provided*, That amounts within the
20 Fund shall not be available to provide services not specifi-
21 cally authorized under this heading: *Provided further*,
22 That upon a determination by the Secretary that any
23 other service (or portion thereof) authorized under this
24 heading shall be provided through the Fund, amounts
25 made available in this title for salaries and expenses under

1 the headings “Executive Offices”, “Administrative Sup-
2 port Offices”, “Program Offices”, and “Government Na-
3 tional Mortgage Association”, for such services shall be
4 transferred to the Fund, to remain available until ex-
5 pended: *Provided further*, That the Secretary shall notify
6 the House and Senate Committees on Appropriations of
7 its plans for executing such transfers at least 15 days in
8 advance of such transfers.

9 PUBLIC AND INDIAN HOUSING

10 TENANT-BASED RENTAL ASSISTANCE

11 For activities and assistance for the provision of ten-
12 ant-based rental assistance authorized under the United
13 States Housing Act of 1937, as amended (42 U.S.C. 1437
14 et seq.) (in this title “the Act”), not otherwise provided
15 for, \$27,042,932,000, to remain available until expended,
16 which shall be available on October 1, 2022 (in addition
17 to the \$4,000,000,000 previously appropriated under this
18 heading that shall be available on October 1, 2022), and
19 \$4,000,000,000, to remain available until expended, which
20 shall be available on October 1, 2023: *Provided*, That the
21 amounts made available under this heading are provided
22 as follows:

23 (1) \$26,184,000,000 shall be available for re-
24 newals of expiring section 8 tenant-based annual
25 contributions contracts (including renewals of en-

1 hanced vouchers under any provision of law author-
2 izing such assistance under section 8(t) of the Act)
3 and including renewal of other special purpose incre-
4 mental vouchers: *Provided*, That notwithstanding
5 any other provision of law, from amounts provided
6 under this paragraph and any carryover, the Sec-
7 retary for the calendar year 2023 funding cycle shall
8 provide renewal funding for each public housing
9 agency based on validated voucher management sys-
10 tem (VMS) leasing and cost data for the prior cal-
11 endar year and by applying an inflation factor as es-
12 tablished by the Secretary, by notice published in
13 the Federal Register, and by making any necessary
14 adjustments for the costs associated with the first-
15 time renewal of vouchers under this paragraph in-
16 cluding tenant protection and Choice Neighborhoods
17 vouchers: *Provided further*, That funds provided
18 under this paragraph and prior Acts may be used to
19 fund a total number of unit months under lease
20 which exceeds a public housing agency's authorized
21 level of units under contract, except for public hous-
22 ing agencies participating in the Moving to Work
23 (MTW) demonstration, which are instead governed
24 in accordance with the requirements of the MTW
25 demonstration program or their MTW agreements,

1 if any: *Provided further*, That amounts repurposed
2 pursuant to the preceding proviso that were pre-
3 viously designated by the Congress as an emergency
4 requirement pursuant to the Balanced Budget and
5 Emergency Deficit Control Act of 1985 or a concur-
6 rent resolution on the budget are designated as an
7 emergency requirement pursuant to section
8 4001(a)(1) of S. Con. Res. 14 (117th Congress), the
9 concurrent resolution on the budget for fiscal year
10 2022, and section 1(e) of H. Res. 1151 (117th Con-
11 gress) as engrossed in the House of Representatives
12 on June 8, 2022: *Provided further*, That costs asso-
13 ciated with any forgone increases in tenant rent pay-
14 ments due to the implementation of rent incentives
15 as authorized pursuant to waivers or alternative re-
16 quirements of the Jobs-Plus initiative as described
17 under the heading “Self-Sufficiency Programs” shall
18 be renewed: *Provided further*, That costs associated
19 with any forgone increases in tenant rent payments
20 due to the implementation of rent incentives as au-
21 thorized pursuant to waivers or alternative require-
22 ments of the Jobs-Plus initiative as described under
23 the heading “Self-Sufficiency Programs” shall be re-
24 newed: *Provided further*, That the Secretary shall, to
25 the extent necessary to stay within the amount spec-

1 ified under this paragraph (except as otherwise
2 modified under this paragraph), prorate each public
3 housing agency's allocation otherwise established
4 pursuant to this paragraph: *Provided further*, That
5 except as provided in the following provisos, the en-
6 tire amount specified under this paragraph (except
7 as otherwise modified under this paragraph) shall be
8 obligated to the public housing agencies based on the
9 allocation and pro rata method described above, and
10 the Secretary shall notify public housing agencies of
11 their annual budget by the latter of 60 days after
12 the date of enactment of this Act or March 1, 2023:
13 *Provided further*, That the Secretary may extend the
14 notification period with the prior written approval of
15 the House and Senate Committees on Appropria-
16 tions: *Provided further*, That public housing agencies
17 participating in the MTW demonstration shall be
18 funded in accordance with the requirements of the
19 MTW demonstration program or their MTW agree-
20 ments, if any, and shall be subject to the same pro
21 rata adjustments under the preceding provisos: *Pro-*
22 *vided further*, That the Secretary may offset public
23 housing agencies' calendar year 2023 allocations
24 based on the excess amounts of public housing agen-
25 cies' net restricted assets accounts, including HUD-

1 held programmatic reserves (in accordance with
2 VMS data in calendar year 2022 that is verifiable
3 and complete), as determined by the Secretary: *Pro-*
4 *vided further*, That public housing agencies partici-
5 pating in the MTW demonstration shall also be sub-
6 ject to the offset, as determined by the Secretary,
7 excluding amounts subject to the single fund budget
8 authority provisions of their MTW agreements, from
9 the agencies' calendar year 2023 MTW funding allo-
10 cation: *Provided further*, That the Secretary shall
11 use any offset referred to in the preceding two pro-
12 visos throughout the calendar year to prevent the
13 termination of rental assistance for families as the
14 result of insufficient funding, as determined by the
15 Secretary, and to avoid or reduce the proration of
16 renewal funding allocations: *Provided further*, That
17 up to \$100,000,000 shall be available only: (1) for
18 adjustments in the allocations for public housing
19 agencies, after application for an adjustment by a
20 public housing agency that experienced a significant
21 increase, as determined by the Secretary, in renewal
22 costs of vouchers resulting from unforeseen cir-
23 cumstances or from portability under section 8(r) of
24 the Act; (2) for vouchers that were not in use during
25 the previous 12-month period in order to be avail-

1 able to meet a commitment pursuant to section
2 8(o)(13) of the Act, or an adjustment for a funding
3 obligation not yet expended in the previous calendar
4 year for a MTW-eligible activity to develop afford-
5 able housing for an agency added to the MTW dem-
6 onstration under the expansion authority provided in
7 section 239 of the Transportation, Housing and
8 Urban Development, and Related Agencies Appro-
9 priations Act, 2016 (division L of Public Law 114–
10 113); (3) for adjustments for costs associated with
11 HUD–Veterans Affairs Supportive Housing (HUD–
12 VASH) vouchers; (4) for public housing agencies
13 that despite taking reasonable cost savings meas-
14 ures, as determined by the Secretary, would other-
15 wise be required to terminate rental assistance as a
16 result of insufficient funding; (5) for adjustments in
17 the allocations for public housing agencies that (i)
18 are leasing a lower-than-average percentage of their
19 authorized vouchers, (ii) have low amounts of budget
20 authority in their net restricted assets accounts and
21 HUD-held programmatic reserves, relative to other
22 agencies, and (iii) are not participating in the Mov-
23 ing to Work demonstration, to enable such agencies
24 to lease more vouchers; (6) for withheld payments in
25 accordance with section 8(o)(8)(A)(ii) of the Act for

1 months in the previous calendar year that were sub-
2 sequently paid by the public housing agency after
3 the agency's actual costs were validated; and (7) for
4 public housing agencies that have experienced in-
5 creased costs or loss of units in an area for which
6 the President declared a disaster under title IV of
7 the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act (42 U.S.C. 5170 et seq.);

9 (2) \$230,000,000 shall be for section 8 rental
10 assistance for relocation and replacement of housing
11 units that are demolished or disposed of pursuant to
12 section 18 of the Act, conversion of section 23
13 projects to assistance under section 8, the family
14 unification program under section 8(x) of the Act,
15 relocation of witnesses (including victims of violent
16 crimes) in connection with efforts to combat crime
17 in public and assisted housing pursuant to a request
18 from a law enforcement or prosecution agency, en-
19 hanced vouchers under any provision of law author-
20 izing such assistance under section 8(t) of the Act,
21 Choice Neighborhood vouchers, mandatory and vol-
22 untary conversions, and tenant protection assistance
23 including replacement and relocation assistance or
24 for project-based assistance to prevent the displace-
25 ment of unassisted elderly tenants currently residing

1 in section 202 properties financed between 1959 and
2 1974 that are refinanced pursuant to Public Law
3 106–569, as amended, or under the authority as
4 provided under this Act: *Provided*, That of the
5 amounts made available under this paragraph, up to
6 \$10,000,000 shall be available to provide public
7 housing agencies with enhanced vouchers for fami-
8 lies residing in State-assisted projects financed be-
9 tween 1970 and 1979 that were subject to a use
10 agreement under the Low-Income Housing Preserva-
11 tion and Resident Homeownership Act of 1990 (title
12 VI of Public Law 101-625; LIHPRHA) or the
13 Emergency Low Income Housing Preservation Act
14 of 1987 (title II of Public Law 100-242; ELIHPA)
15 on the date the affordability protections at such
16 projects expire or terminate during calendar years
17 2022 and 2023: *Provided further*, That that the
18 State housing finance agency shall submit the re-
19 quest to the Secretary for enhanced vouchers for
20 families residing in such eligible State-assisted
21 projects no later than the latter of 120 days prior
22 to the expiration or termination of affordability pro-
23 tections at such projects or 120 days after enact-
24 ment of this Act: *Provided further*, That such en-
25 hanced vouchers shall not be considered replacement

1 vouchers: *Provided further*, That when a public hous-
2 ing development is submitted for demolition or dis-
3 position under section 18 of the Act, the Secretary
4 may provide section 8 rental assistance when the
5 units pose an imminent health and safety risk to
6 residents: *Provided further*, That the Secretary may
7 provide section 8 rental assistance from amounts
8 made available under this paragraph for units as-
9 sisted under a project-based subsidy contract funded
10 under the “Project-Based Rental Assistance” head-
11 ing under this title where the owner has received a
12 Notice of Default and the units pose an imminent
13 health and safety risk to residents: *Provided further*,
14 That to the extent that the Secretary determines
15 that such units are not feasible for continued rental
16 assistance payments or transfer of the subsidy con-
17 tract associated with such units to another project
18 or projects and owner or owners, any remaining
19 amounts associated with such units under such con-
20 tract shall be recaptured and such recaptured
21 amounts, in an amount equal to the cost of rental
22 assistance provided pursuant to the previous proviso,
23 up to the total amounts recaptured, shall be trans-
24 ferred to and merged with amounts under this para-
25 graph: *Provided further*, That of the amounts made

1 available under this paragraph, no less than
2 \$5,000,000 may be available to provide tenant pro-
3 tection assistance, not otherwise provided under this
4 paragraph, to residents residing in low vacancy
5 areas and who may have to pay rents greater than
6 30 percent of household income, as the result of: (A)
7 the maturity of a HUD-insured, HUD-held or sec-
8 tion 202 loan that requires the permission of the
9 Secretary prior to loan prepayment; (B) the expira-
10 tion of a rental assistance contract for which the
11 tenants are not eligible for enhanced voucher or ten-
12 ant protection assistance under existing law; or (C)
13 the expiration of affordability restrictions accom-
14 panying a mortgage or preservation program admin-
15 istered by the Secretary: *Provided further*, That such
16 tenant protection assistance made available under
17 the preceding proviso may be provided under the au-
18 thority of section 8(t) or section 8(o)(13) of the
19 United States Housing Act of 1937 (42 U.S.C.
20 1437f(t)): *Provided further*, That the Secretary shall
21 issue guidance to implement the previous two pro-
22 visos, including, but not limited to, requirements for
23 defining eligible at-risk households not later than 60
24 days after the date of enactment of this Act: *Pro-*
25 *vided further*, That any tenant protection voucher

1 made available from amounts under this paragraph
2 shall not be reissued by any public housing agency,
3 except the replacement vouchers as defined by the
4 Secretary by notice, when the initial family that re-
5 ceived any such voucher no longer receives such
6 voucher, and the authority for any public housing
7 agency to issue any such voucher shall cease to exist:
8 *Provided further*, That the Secretary may only pro-
9 vide replacement vouchers for units that were occu-
10 pied within the previous 24 months that cease to be
11 available as assisted housing, subject only to the
12 availability of funds;

13 (3) \$2,756,932,000 shall be for administrative
14 and other expenses of public housing agencies in ad-
15 ministering the section 8 tenant-based rental assist-
16 ance program, of which up to \$10,000,000 shall be
17 available to the Secretary to allocate to public hous-
18 ing agencies that need additional funds to admin-
19 ister their section 8 programs, including fees associ-
20 ated with section 8 tenant protection rental assist-
21 ance, the administration of disaster related vouchers,
22 HUD-VASH vouchers, and other special purpose in-
23 cremental vouchers: *Provided*, That no less than
24 \$2,746,932,000 of the amount provided in this para-
25 graph shall be allocated to public housing agencies

1 for the calendar year 2023 funding cycle based on
2 section 8(q) of the Act (and related Appropriation
3 Act provisions) as in effect immediately before the
4 enactment of the Quality Housing and Work Re-
5 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
6 *vided further*, That if the amounts made available
7 under this paragraph are insufficient to pay the
8 amounts determined under the preceding proviso,
9 the Secretary may decrease the amounts allocated to
10 agencies by a uniform percentage applicable to all
11 agencies receiving funding under this paragraph or
12 may, to the extent necessary to provide full payment
13 of amounts determined under the preceding proviso,
14 utilize unobligated balances, including recaptures
15 and carryover, remaining from funds appropriated to
16 the Department of Housing and Urban Development
17 under this heading from prior fiscal years, excluding
18 special purpose vouchers, notwithstanding the pur-
19 poses for which such amounts were appropriated:
20 *Provided further*, That all public housing agencies
21 participating in the MTW demonstration shall be
22 funded in accordance with the requirements of the
23 MTW demonstration program or their MTW agree-
24 ments, if any, and shall be subject to the same uni-
25 form percentage decrease as under the preceding

1 proviso: *Provided further*, That amounts provided
2 under this paragraph shall be only for activities re-
3 lated to the provision of tenant-based rental assist-
4 ance authorized under section 8, including related
5 development activities;

6 (4) \$667,000,000 for the renewal of tenant-
7 based assistance contracts under section 811 of the
8 Cranston-Gonzalez National Affordable Housing Act
9 (42 U.S.C. 8013), including necessary administra-
10 tive expenses: *Provided*, That administrative and
11 other expenses of public housing agencies in admin-
12 istering the special purpose vouchers in this para-
13 graph shall be funded under the same terms and be
14 subject to the same pro rata reduction as the per-
15 cent decrease for administrative and other expenses
16 to public housing agencies under paragraph (3) of
17 this heading: *Provided further*, That up to
18 \$10,000,000 shall be available only (1) for adjust-
19 ments in the allocation for public housing agencies,
20 after applications for an adjustment by a public
21 housing agency that experienced a significant in-
22 crease, as determined by the Secretary, in Main-
23 stream renewal costs resulting from unforeseen cir-
24 cumstances, and (2) for public housing agencies that
25 despite taking reasonable cost savings measures, as

1 determined by the Secretary, would otherwise be re-
2 quired to terminate the rental assistance for Main-
3 stream families as a result of insufficient funding:
4 *Provided further*, That the Secretary shall allocate
5 amounts under the preceding proviso based on need,
6 as determined by the Secretary: *Provided further*,
7 That of the amounts made available under this para-
8 graph, up to \$5,000,000 shall be available for a pilot
9 program for public housing agencies that partner
10 with administering entities under the Projects for
11 Assistance in Transition from Homelessness
12 (PATH) program as authorized by the Stewart B.
13 McKinney Homeless Assistance Amendments Act of
14 1990 or other eligible entities, as determined by the
15 Secretary, to assist persons with serious mental ill-
16 ness: *Provided further*, That the amounts made
17 available in the preceding proviso shall be for incre-
18 mental rental voucher assistance, including project-
19 based vouchers, under such section 811 for non-el-
20 derly persons with serious mental illness, and for ad-
21 ministrative and other expenses of public housing
22 agencies: *Provided further*, That in awarding assist-
23 ance under such pilot program the Secretary may
24 give bonus points to public housing agencies giving
25 preference to individuals referred from the Coordi-

1 nated Entry System (CES) or operating a Family
2 Self-Sufficiency program: *Provided further*, That in
3 administering such pilot program, the Secretary may
4 waive, or specify alternative requirements for, any
5 provision of any statute or regulation that the Sec-
6 retary administers in connection with the use of
7 funds made available under such pilot (except for re-
8 quirements related to fair housing, nondiscrimina-
9 tion, labor standards, and the environment), upon a
10 finding by the Secretary that any such waivers or al-
11 ternative requirements are necessary for the effective
12 delivery and administration of such voucher assist-
13 ance: *Provided further*, That upon turnover, section
14 811 special purpose vouchers funded under this
15 heading in this or prior Acts, or under any other
16 heading in prior Acts, shall be provided to non-elder-
17 ly persons with disabilities;

18 (5) Of the amounts provided under paragraph
19 (1) up to \$5,000,000 shall be for rental assistance
20 and associated administrative fees for Tribal HUD-
21 VASH to serve Native American veterans that are
22 homeless or at-risk of homelessness living on or near
23 a reservation or other Indian areas: *Provided*, That
24 such amount shall be made available for renewal
25 grants to recipients that received assistance under

1 prior Acts under the Tribal HUD–VASH program:
2 *Provided further*, That the Secretary shall be author-
3 ized to specify criteria for renewal grants, including
4 data on the utilization of assistance reported by
5 grant recipients: *Provided further*, That such assist-
6 ance shall be administered in accordance with pro-
7 gram requirements under the Native American
8 Housing Assistance and Self-Determination Act of
9 1996 and modeled after the HUD–VASH program:
10 *Provided further*, That the Secretary shall be author-
11 ized to waive, or specify alternative requirements for
12 any provision of any statute or regulation that the
13 Secretary administers in connection with the use of
14 funds made available under this paragraph (except
15 for requirements related to fair housing, non-
16 discrimination, labor standards, and the environ-
17 ment), upon a finding by the Secretary that any
18 such waivers or alternative requirements are nec-
19 essary for the effective delivery and administration
20 of such assistance: *Provided further*, That grant re-
21 cipients shall report to the Secretary on utilization
22 of such rental assistance and other program data, as
23 prescribed by the Secretary: *Provided further*, That
24 the Secretary may reallocate, as determined by the
25 Secretary, amounts returned or recaptured from

1 awards under the Tribal HUD–VASH program
2 under prior Acts to existing recipients under the
3 Tribal HUD–VASH program;

4 (6) \$50,000,000 for incremental rental voucher
5 assistance for use through a supported housing pro-
6 gram administered in conjunction with the Depart-
7 ment of Veterans Affairs as authorized under section
8 8(o)(19) of the United States Housing Act of 1937:
9 *Provided*, That the Secretary of Housing and Urban
10 Development shall make such funding available, not-
11 withstanding section 203 (competition provision) of
12 this title, to public housing agencies that partner
13 with eligible VA Medical Centers or other entities as
14 designated by the Secretary of the Department of
15 Veterans Affairs, based on geographical need for
16 such assistance as identified by the Secretary of the
17 Department of Veterans Affairs, public housing
18 agency administrative performance, and other fac-
19 tors as specified by the Secretary of Housing and
20 Urban Development in consultation with the Sec-
21 retary of the Department of Veterans Affairs: *Pro-*
22 *vided further*, That of the amounts made available
23 under this paragraph, up to \$5,000,000 may be allo-
24 cated to public housing agencies administering tem-
25 porary case management and supportive services to

1 HUD-VASH eligible veterans that have not yet re-
2 ceived a referral from the Department of Veterans
3 Affairs: *Provided further*, That the Secretary of
4 Housing and Urban Development may waive, or
5 specify alternative requirements for (in consultation
6 with the Secretary of the Department of Veterans
7 Affairs), any provision of any statute or regulation
8 that the Secretary of Housing and Urban Develop-
9 ment administers in connection with the use of
10 funds made available under this paragraph (except
11 for requirements related to fair housing, non-
12 discrimination, labor standards, and the environ-
13 ment), upon a finding by the Secretary that any
14 such waivers or alternative requirements are nec-
15 essary for the effective delivery and administration
16 of such voucher assistance: *Provided further*, That
17 assistance made available under this paragraph shall
18 continue to remain available for homeless veterans
19 upon turn-over;

20 (7) \$30,000,000 shall be made available for the
21 family unification program as authorized under sec-
22 tion 8(x) of the Act: *Provided*, That the amounts
23 made available under this paragraph are provided as
24 follows:

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

6 (B) \$25,000,000 shall be for new incre-
7 mental voucher assistance to assist eligible
8 youth as defined by such section 8(x)(2)(B):
9 *Provided*, That assistance made available under
10 this subparagraph shall continue to remain
11 available for such eligible youth upon turnover:
12 *Provided further*, That of the total amount
13 made available under this subparagraph, up to
14 \$15,000,000 shall be available on a noncompeti-
15 tive basis to public housing agencies that part-
16 ner with public child welfare agencies to iden-
17 tify such eligible youth, that request such as-
18 sistance to timely assist such eligible youth, and
19 that meet any other criteria as specified by the
20 Secretary: *Provided further*, That the Secretary
21 shall review utilization of the assistance made
22 available under the preceding proviso, at an in-
23 terval to be determined by the Secretary, and
24 unutilized voucher assistance that is no longer

1 needed shall be recaptured by the Secretary and
2 reallocated pursuant to the preceding proviso:

3 *Provided further*, That for any public housing agency
4 administering voucher assistance appropriated in a
5 prior Act under the family unification program, or
6 made available and competitively selected under this
7 paragraph, that determines that it no longer has an
8 identified need for such assistance upon turnover,
9 such agency shall notify the Secretary, and the Sec-
10 retary shall recapture such assistance from the agen-
11 cy and reallocate it to any other public housing
12 agency or agencies based on need for voucher assist-
13 ance in connection with such specified program or
14 eligible youth, as applicable;

15 (8) \$1,100,000,000 shall be made available for
16 new incremental voucher assistance under section
17 8(o) of the United States Housing Act of 1937 to
18 be allocated pursuant to a method, as determined by
19 the Secretary, which may include a formula that
20 may include such factors as severe cost burden, over-
21 crowding, substandard housing for very low-income
22 renters, homelessness, and administrative capacity,
23 where such allocation method shall include both
24 rural and urban areas: *Provided*, That the Secretary
25 may specify additional terms and conditions to en-

1 sure that public housing agencies provide vouchers
2 for use by survivors of domestic violence, or individ-
3 uals and families who are homeless, as defined in
4 section 103(a) of the McKinney-Vento Homeless As-
5 sistance Act (42 U.S.C. 11302(a)), or at risk of
6 homelessness, as defined in section 401(1) of such
7 Act (42 U.S.C. 11360(1));

8 (9) \$25,000,000 shall be for mobility-related
9 services, as defined by the Secretary, for voucher
10 families with children modeled after services pro-
11 vided in connection with the mobility demonstration
12 authorized under section 235 of division G of the
13 Consolidated Appropriations Act, 2019 (42 U.S.C.
14 1437f note; Public Law 116–6): *Provided*, That the
15 Secretary shall make funding available to public
16 housing agencies on a competitive basis and shall
17 give preference to public housing agencies with high-
18 er concentrations of housing choice voucher families
19 with children residing in high-poverty neighborhoods:
20 *Provided further*, That the Secretary may recapture
21 from the public housing agencies unused balances
22 based on utilization of such awards and reallocate
23 such amounts to any other public housing agency or
24 agencies based on need for such mobility-related
25 services as identified under such competition; and

1 (10) the Secretary shall separately track all
2 special purpose vouchers funded under this heading:
3 *Provided*, That the Secretary may waive, or specify
4 alternative requirements for, any provision of any
5 statute or regulation that the Secretary administers
6 in connection with the use of funds made available
7 for new incremental voucher assistance or renewals
8 for the Mainstream program, the HUD-VASH pro-
9 gram (in consultation with the Secretary of the De-
10 partment of Veterans Affairs), and the family unifi-
11 cation program (including the Foster Youth to Inde-
12 pendence program) in this and prior Acts (except for
13 requirements related to fair housing, nondiscrimina-
14 tion, labor standards, and the environment), upon a
15 finding by the Secretary that any such waivers or al-
16 ternative requirements are necessary for the effective
17 delivery and administration of voucher assistance in
18 such respective programs.

19 HOUSING CERTIFICATE FUND

20 (INCLUDING RESCISSIONS)

21 Unobligated balances, including recaptures and car-
22 ryover, remaining from funds appropriated to the Depart-
23 ment of Housing and Urban Development under this
24 heading, the heading “Annual Contributions for Assisted
25 Housing” and the heading “Project-Based Rental Assist-

1 ance'', for fiscal year 2023 and prior years may be used
 2 for renewal of or amendments to section 8 project-based
 3 contracts and for performance-based contract administra-
 4 tors, notwithstanding the purposes for which such funds
 5 were appropriated: *Provided*, That any obligated balances
 6 of contract authority from fiscal year 1974 and prior fiscal
 7 years that have been terminated shall be rescinded: *Pro-*
 8 *vided further*, That amounts heretofore recaptured, or re-
 9 captured during the current fiscal year, from section 8
 10 project-based contracts from source years fiscal year 1975
 11 through fiscal year 1987 are hereby rescinded, and an
 12 amount of additional new budget authority, equivalent to
 13 the amount rescinded is hereby appropriated, to remain
 14 available until expended, for the purposes set forth under
 15 this heading, in addition to amounts otherwise available.

16 PUBLIC HOUSING FUND

17 For 2023 payments to public housing agencies for the
 18 operation and management of public housing, as author-
 19 ized by section 9(e) of the United States Housing Act of
 20 1937 (42 U.S.C. 1437g(e)) (the "Act"), and to carry out
 21 capital and management activities for public housing
 22 agencies, as authorized under section 9(d) of the Act (42
 23 U.S.C. 1437g(d)), \$8,733,500,000, to remain available
 24 until September 30, 2026: *Provided*, That the amounts
 25 made available under this heading are provided as follows:

1 (1) \$5,038,500,000 shall be available to the
2 Secretary to allocate pursuant to the Operating
3 Fund formula at part 990 of title 24, Code of Fed-
4 eral Regulations, for 2023 payments: *Provided*, That
5 the amount of any forgone increases in tenant rent
6 payments due to the implementation of rent incen-
7 tives as authorized pursuant to waivers or alter-
8 native requirements of the Jobs-Plus initiative as de-
9 scribed under the heading “Self-Sufficiency Pro-
10 grams” shall be factored into the PHA’s general op-
11 erating fund eligibility pursuant to such formula;

12 (2) \$25,000,000 shall be available to the Sec-
13 retary to allocate pursuant to a need-based applica-
14 tion process notwithstanding section 203 of this title
15 and not subject to such Operating Fund formula to
16 public housing agencies that experience, or are at
17 risk of, financial shortfalls, as determined by the
18 Secretary: *Provided*, That after all such shortfall
19 needs are met, the Secretary may distribute any re-
20 maining funds to all public housing agencies on a
21 pro-rata basis pursuant to such Operating Fund for-
22 mula;

23 (3) \$3,400,000,000 shall be available to the
24 Secretary to allocate pursuant to the Capital Fund
25 formula at section 905.400 of title 24, Code of Fed-

1 eral Regulations: *Provided*, That for funds provided
2 under this paragraph, the limitation in section
3 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
4 *ther*, That the Secretary may waive the limitation in
5 the preceding proviso to allow public housing agen-
6 cies to fund activities authorized under section
7 9(e)(1)(C) of the Act: *Provided further*, That the
8 Secretary shall notify public housing agencies re-
9 questing waivers under the preceding proviso if the
10 request is approved or denied within 14 days of sub-
11 mitting the request: *Provided further*, That from the
12 funds made available under this paragraph, the Sec-
13 retary shall provide bonus awards in fiscal year
14 2023 to public housing agencies that are designated
15 high performers: *Provided further*, That the Depart-
16 ment shall notify public housing agencies of their
17 formula allocation within 60 days of enactment of
18 this Act;

19 (4) \$65,000,000 shall be available for the Sec-
20 retary to make grants, notwithstanding section 203
21 of this title, to public housing agencies for emer-
22 gency capital needs, including safety and security
23 measures necessary to address crime and drug-re-
24 lated activity, as well as needs resulting from unfore-
25 seen or unpreventable emergencies and natural dis-

1 asters excluding Presidentially declared emergencies
2 and natural disasters under the Robert T. Stafford
3 Disaster Relief and Emergency Act (42 U.S.C. 5121
4 et seq.) occurring in fiscal year 2023, of which
5 \$45,000,000 shall be available for public housing
6 agencies under administrative and judicial receiver-
7 ships or under the control of a Federal monitor:
8 *Provided*, That of the amount made available under
9 this paragraph, not less than \$10,000,000 shall be
10 for safety and security measures: *Provided further*,
11 That in addition to the amount in the preceding pro-
12 viso for such safety and security measures, any
13 amounts that remain available, after all applications
14 received on or before September 30, 2024, for emer-
15 gency capital needs have been processed, shall be al-
16 located to public housing agencies for such safety
17 and security measures;

18 (5) \$65,000,000 shall be for competitive grants
19 to public housing agencies to evaluate and reduce
20 residential health hazards in public housing, includ-
21 ing lead-based paint (by carrying out the activities
22 of risk assessments, abatement, and interim con-
23 trols, as those terms are defined in section 1004 of
24 the Residential Lead-Based Paint Hazard Reduction
25 Act of 1992 (42 U.S.C. 4851b)), carbon monoxide,

1 mold, radon, and fire safety: *Provided*, That not less
2 than \$25,000,000 of the amounts provided under
3 this paragraph shall be awarded for evaluating and
4 reducing lead-based paint hazards: *Provided further*,
5 That for purposes of environmental review, a grant
6 under this paragraph shall be considered funds for
7 projects or activities under title I of the United
8 States Housing Act of 1937 (42 U.S.C. 1437 et
9 seq.) for purposes of section 26 of such Act (42
10 U.S.C. 1437x) and shall be subject to the regula-
11 tions implementing such section: *Provided further*,
12 That amounts made available under this paragraph
13 shall be combined with amounts made available
14 under the sixth paragraph under this heading in the
15 Consolidated Appropriations Act, 2021 (Public Law
16 116–260) and shall be used in accordance with the
17 purposes and requirements under this paragraph:
18 *Provided further*, That amounts made available
19 under this paragraph may be used for competitive
20 grants to public housing agencies that improve water
21 and energy efficiency, or reduce the risk of harm to
22 occupants or property from natural hazards;

23 (6) \$15,000,000 shall be to support the costs of
24 administrative and judicial receiverships and for
25 competitive grants to PHAs in receivership, des-

1 ignated troubled or substandard, or otherwise at
2 risk, as determined by the Secretary, for costs asso-
3 ciated with public housing asset improvement, in ad-
4 dition to other amounts for that purpose provided
5 under any heading under this title;

6 (7) \$50,000,000 shall be to support ongoing
7 public housing financial and physical assessment ac-
8 tivities;

9 (8) \$75,000,000 shall be available to improve
10 the energy or water efficiency or climate resilience of
11 public housing, including for competitive grants to
12 public housing agencies for capital improvements to
13 achieve such purposes: *Provided*, That of the
14 amounts made available under this paragraph, up to
15 \$20,000,000, shall be available for utility
16 benchmarking, including research and evaluations,
17 technical assistance, to develop systems and tools
18 necessary to collect and analyze PHA utility
19 benchmarking data, to remain available until Sep-
20 tember 30, 2026: *Provided further*, That for pur-
21 poses of environmental review, grants under this
22 paragraph shall be considered funds for projects or
23 activities under title I of the United States Housing
24 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes
25 of section 26 of such Act (42 U.S.C. 1437x) and

1 shall be subject to the regulations implementing
2 such section:

3 *Provided further*, That notwithstanding any other provi-
4 sion of law or regulation, during fiscal year 2023, the Sec-
5 retary of Housing and Urban Development may not dele-
6 gate to any Department official other than the Deputy
7 Secretary and the Assistant Secretary for Public and In-
8 dian Housing any authority under paragraph (2) of sec-
9 tion 9(j) of the Act regarding the extension of the time
10 periods under such section: *Provided further*, That for pur-
11 poses of such section 9(j), the term “obligate” means, with
12 respect to amounts, that the amounts are subject to a
13 binding agreement that will result in outlays, immediately
14 or in the future.

15 CHOICE NEIGHBORHOODS INITIATIVE

16 For competitive grants under the Choice Neighbor-
17 hoods Initiative (subject to section 24 of the United States
18 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
19 specified under this heading), for transformation, rehabili-
20 tation, and replacement housing needs of public and
21 HUD-assisted housing and to transform neighborhoods of
22 poverty into functioning, sustainable, mixed-income neigh-
23 borhoods with appropriate services, schools, public assets,
24 transportation, and access to jobs, \$450,000,000, to re-
25 main available until September 30, 2027: *Provided*, That

1 grant funds may be used for resident and community serv-
2 ices, community development, and affordable housing
3 needs in the community, and for conversion of vacant or
4 foreclosed properties to affordable housing: *Provided fur-*
5 *ther*, That not more than 20 percent of the amount of any
6 grant made with amounts made available under this head-
7 ing may be used for necessary supportive services notwith-
8 standing subsection (d)(1)(L) of such section 24: *Provided*
9 *further*, That the use of amounts made available under
10 this heading shall not be deemed to be for public housing,
11 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
12 *ther*, That grantees shall commit to an additional period
13 of affordability determined by the Secretary of not fewer
14 than 20 years: *Provided further*, That the Secretary may
15 specify a period of affordability that is less than 20 years
16 with respect to owner-occupied homeownership units de-
17 veloped with grants from amounts made available under
18 this heading: *Provided further*, That grantees shall provide
19 a match in State, local, other Federal, or private funds:
20 *Provided further*, That grantees may include local govern-
21 ments, Tribal entities, public housing agencies, and non-
22 profit organizations: *Provided further*, That for-profit de-
23 velopers may apply jointly with a public entity: *Provided*
24 *further*, That for purposes of environmental review, a
25 grantee shall be treated as a public housing agency under

1 section 26 of the United States Housing Act of 1937 (42
2 U.S.C. 1437x), and grants made with amounts available
3 under this heading shall be subject to the regulations
4 issued by the Secretary to implement such section: *Pro-*
5 *vided further*, That of the amounts made available under
6 this heading, not less than \$225,000,000 shall be awarded
7 to public housing agencies: *Provided further*, That such
8 grantees shall create partnerships with other local organi-
9 zations, including assisted housing owners, service agen-
10 cies, and resident organizations: *Provided further*, That
11 the Secretary shall consult with the Secretaries of Edu-
12 cation, Labor, Transportation, Health and Human Serv-
13 ices, Agriculture, and Commerce, the Attorney General,
14 and the Administrator of the Environmental Protection
15 Agency to coordinate and leverage other appropriate Fed-
16 eral resources: *Provided further*, That not more than
17 \$10,000,000 of the amounts made available under this
18 heading may be provided as grants to undertake com-
19 prehensive local planning with input from residents and
20 the community: *Provided further*, That unobligated bal-
21 ances, including recaptures, remaining from amounts
22 made available under the heading “Revitalization of Se-
23 verely Distressed Public Housing (HOPE VI)” in fiscal
24 year 2011 and prior fiscal years may be used for purposes
25 under this heading, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided further*,
 2 That the Secretary shall make grant awards not later than
 3 1 year after the date of enactment of this Act in such
 4 amounts that the Secretary determines: *Provided further*,
 5 That notwithstanding section 24(o) of the United States
 6 Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary
 7 may, until September 30, 2023, obligate any available un-
 8 obligated balances made available under this heading in
 9 this or any prior Act.

10 SELF-SUFFICIENCY PROGRAMS

11 For activities and assistance related to Self-Suffi-
 12 ciency Programs, to remain available until September 30,
 13 2026, \$175,000,000: *Provided*, That the amounts made
 14 available under this heading are provided as follows:

15 (1) \$125,000,000 shall be for the Family Self-
 16 Sufficiency program to support family self-suffi-
 17 ciency coordinators under section 23 of the United
 18 States Housing Act of 1937 (42 U.S.C. 1437u), to
 19 promote the development of local strategies to co-
 20 ordinate the use of assistance under sections 8 and
 21 9 of such Act with public and private resources, and
 22 enable eligible families to achieve economic inde-
 23 pendence and self-sufficiency: *Provided*, That the
 24 Secretary may, by Federal Register notice, waive or
 25 specify alternative requirements under subsections

1 (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such
2 Act in order to facilitate the operation of a unified
3 self-sufficiency program for individuals receiving as-
4 sistance under different provisions of such Act, as
5 determined by the Secretary: *Provided further*, That
6 an owner or sponsor of a multifamily property re-
7 ceiving project-based rental assistance under section
8 8 of such Act shall be eligible to receive awards from
9 the Secretary under this paragraph in this and prior
10 Acts to support family self-sufficiency coordinators
11 as established in the final rule “Streamlining and
12 Implementation of Economic Growth, Regulatory
13 Relief, and Consumer Protection Act Changes to
14 Family Self-Sufficiency (FSS) Program” published
15 in the Federal Register on May 17, 2022 (87 Fed.
16 Reg. 30020): *Provided further*, That owners or spon-
17 sors of a multifamily property receiving project-
18 based rental assistance under section 8 of such Act
19 may voluntarily make a Family Self-Sufficiency pro-
20 gram available to the assisted tenants of such prop-
21 erty in accordance with procedures established by
22 the Secretary: *Provided further*, That such proce-
23 dures established pursuant to the preceding proviso
24 shall permit participating tenants to accrue escrow
25 funds in accordance with section 23(d)(2) of such

1 Act and shall allow owners to use funding from re-
2 sidual receipt accounts to hire coordinators for their
3 own Family Self-Sufficiency program;

4 (2) \$35,000,000 shall be for the Resident Op-
5 portunity and Self-Sufficiency program to provide
6 for supportive services, service coordinators, and
7 congregate services as authorized by section 34 of
8 the United States Housing Act of 1937 (42 U.S.C.
9 1437z-6) and the Native American Housing Assist-
10 ance and Self-Determination Act of 1996 (25 U.S.C.
11 4101 et seq.): *Provided*, That amounts made avail-
12 able under this paragraph may be made available for
13 grant renewal for the Resident Opportunity and
14 Self-Sufficiency program for any public housing
15 agency or owner of a multifamily property receiving
16 project-based rental assistance under section 8 of
17 the United States Housing Act of 1937 (42 U.S.C.
18 1437f) that lost any amount of funding for the Resi-
19 dent Opportunity and Self-Sufficiency program as a
20 result of participation in the program created under
21 the heading “Rental Assistance Demonstration” in
22 the Department of Housing and Urban Development
23 Appropriations Act, 2012 (Public Law 112-55), as
24 amended (42 U.S.C. 1437f note); and

1 (3) \$15,000,000 shall be for a Jobs-Plus initia-
2 tive, modeled after the Jobs-Plus demonstration:
3 *Provided*, That funding provided under this para-
4 graph shall be available for competitive grants to
5 partnerships between public housing authorities or
6 owners or sponsors of multifamily properties receiv-
7 ing project-based rental assistance under section 8,
8 that, in partnership with local workforce investment
9 boards established under section 107 of the Work-
10 force Innovation and Opportunity Act of 2014 (29
11 U.S.C. 3122), and other agencies and organizations
12 provide support to help public housing residents, or
13 tenants residing in units assisted under a project-
14 based section 8 contract (including section 8(o)(13)
15 of the United States Housing Act of 1937), obtain
16 employment or increase earnings, or both: *Provided*
17 *further*, That applicants must demonstrate the abil-
18 ity to provide services to residents, partner with
19 workforce investment boards, and leverage service
20 dollars: *Provided further*, That the Secretary may
21 allow public housing agencies to request exemptions
22 from rent and income limitation requirements under
23 sections 3 and 6 of the United States Housing Act
24 of 1937 (42 U.S.C. 1437a, 1437d), as necessary to
25 implement the Jobs-Plus program, on such terms

1 and conditions as the Secretary may approve upon
2 a finding by the Secretary that any such waivers or
3 alternative requirements are necessary for the effective
4 implementation of the Jobs-Plus initiative as a
5 voluntary program for residents: *Provided further*,
6 That the Secretary shall publish by notice in the
7 Federal Register any waivers or alternative requirements
8 pursuant to the preceding proviso no later
9 than 10 days before the effective date of such notice:
10 *Provided further*, That the costs of any rent incentives
11 as authorized pursuant to such waivers or alternative
12 requirements shall not be charged against
13 the competitive grant amounts made available under
14 this paragraph.

15 NATIVE AMERICAN PROGRAMS

16 For activities and assistance authorized under title
17 I of the Native American Housing Assistance and Self-Determination
18 Act of 1996 (in this heading
19 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the
20 Housing and Community Development Act of 1974 (42
21 U.S.C. 5301 et seq.) with respect to Indian tribes, and
22 related training and technical assistance, \$1,000,000,000,
23 to remain available until September 30, 2027: *Provided*,
24 That the amounts made available under this heading are
25 provided as follows:

1 (1) \$772,000,000 shall be for the Native Amer-
2 ican Housing Block Grants program, as authorized
3 under title I of NAHASDA: *Provided*, That, not-
4 withstanding NAHASDA, to determine the amount
5 of the allocation under title I of such Act for each
6 Indian tribe, the Secretary shall apply the formula
7 under section 302 of such Act with the need compo-
8 nent based on single-race census data and with the
9 need component based on multi-race census data,
10 and the amount of the allocation for each Indian
11 tribe shall be the greater of the two resulting alloca-
12 tion amounts: *Provided further*, That the Secretary
13 shall notify grantees of their formula allocation not
14 later than 60 days after the date of enactment of
15 this Act;

16 (2) \$150,000,000 shall be for competitive
17 grants under the Native American Housing Block
18 Grants program, as authorized under title I of
19 NAHASDA: *Provided*, That the Secretary shall obli-
20 gate such amount for competitive grants to eligible
21 recipients authorized under NAHASDA that apply
22 for funds: *Provided further*, That in awarding
23 amounts made available in this paragraph, the Sec-
24 retary shall consider need and administrative capac-
25 ity, and shall give priority to projects that will spur

1 construction and rehabilitation of housing: *Provided*
2 *further*, That a grant funded pursuant to this para-
3 graph shall be in an amount not greater than
4 \$7,500,000: *Provided further*, That any amounts
5 transferred for the necessary costs of administering
6 and overseeing the obligation and expenditure of
7 such amounts in prior Acts may also be used for the
8 necessary costs of administering and overseeing such
9 amounts;

10 (3) \$1,000,000 shall be for the cost of guaran-
11 teed notes and other obligations, as authorized by
12 title VI of NAHASDA: *Provided*, That such costs,
13 including the cost of modifying such notes and other
14 obligations, shall be as defined in section 502 of the
15 Congressional Budget Act of 1974 (2 U.S.C. 661a):
16 *Provided further*, That amounts made available in
17 this and prior Acts for the cost of such guaranteed
18 notes and other obligations, that are unobligated, in-
19 cluding recaptures and carryover, shall be available
20 to subsidize the total principal amount of any notes
21 and other obligations, any part of which is to be
22 guaranteed, not to exceed \$50,000,000, to remain
23 available until September 30, 2024;

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), not more than
6 \$5,000,000 may be used for emergencies that con-
7 stitute imminent threats to health and safety: *Pro-*
8 *vided*, That not to exceed 20 percent of any grant
9 made with amounts made available in this para-
10 graph shall be expended for planning and manage-
11 ment development and administration; and

12 (5) \$7,000,000, in addition to amounts other-
13 wise available for such purposes, shall be for pro-
14 viding training and technical assistance to Indian
15 tribes, Indian housing authorities, and tribally des-
16 ignated housing entities, to support the inspection of
17 Indian housing units, for contract expertise, and for
18 training and technical assistance related to amounts
19 made available under this heading and other head-
20 ings in this Act for the needs of Native American
21 families and Indian country: *Provided*, That of the
22 amounts made available in this paragraph, not less
23 than \$2,000,000 shall be for a national organization
24 as authorized under section 703 of NAHASDA (25
25 U.S.C. 4212): *Provided further*, That amounts made

19 For the cost of guaranteed loans, as authorized by
20 section 184 of the Housing and Community Development
21 Act of 1992 (12 U.S.C. 1715z-13a), \$5,521,000, to re-
22 main available until expended: *Provided*, That such costs,
23 including the costs of modifying such loans, shall be as
24 defined in section 502 of the Congressional Budget Act
25 of 1974 (2 U.S.C. 661a): *Provided further*, That amounts

1 made available in this and prior Acts for the cost of guar-
2 anteed loans, as authorized by section 184 of the Housing
3 and Community Development Act of 1992 (12 U.S.C.
4 1715z–13a), that are unobligated, including recaptures
5 and carryover, shall be available to subsidize total loan
6 principal, any part of which is to be guaranteed, not to
7 exceed \$1,400,000,000, to remain available until Sep-
8 tember 30, 2024.

9 NATIVE HAWAIIAN HOUSING BLOCK GRANT

10 For the Native Hawaiian Housing Block Grant pro-
11 gram, as authorized under title VIII of the Native Amer-
12 ican Housing Assistance and Self-Determination Act of
13 1996 (25 U.S.C. 4221 et seq.), \$10,000,000, to remain
14 available until September 30, 2027: *Provided*, That not-
15 withstanding section 812(b) of such Act, the Department
16 of Hawaiian Home Lands may not invest grant amounts
17 made available under this heading in investment securities
18 and other obligations: *Provided further*, That amounts
19 made available under this heading in this and prior fiscal
20 years may be used to provide rental assistance to eligible
21 Native Hawaiian families both on and off the Hawaiian
22 Home Lands, notwithstanding any other provision of law.

1 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND
2 PROGRAM ACCOUNT

3 New commitments to guarantee loans, as authorized
4 by section 184A of the Housing and Community Develop-
5 ment Act of 1992 (12 U.S.C. 1715z–13b), any part of
6 which is to be guaranteed, shall not exceed \$28,000,000,
7 to remain available until September 30, 2024, in total loan
8 principal: *Provided*, That the Secretary may enter into
9 commitments to guarantee loans used for refinancing.

10 COMMUNITY PLANNING AND DEVELOPMENT

11 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

12 For carrying out the Housing Opportunities for Per-
13 sons with AIDS program, as authorized by the AIDS
14 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
15 \$600,000,000, to remain available until September 30,
16 2024, except that amounts allocated pursuant to section
17 854(c)(5) of such Act shall remain available until Sep-
18 tember 30, 2025: *Provided*, That the Department shall no-
19 tify grantees of their formula allocation within 60 days
20 of enactment of this Act.

21 COMMUNITY DEVELOPMENT FUND

22 For assistance to States and units of general local
23 government, and other entities, for economic and commu-
24 nity development activities, and other purposes,
25 \$5,299,157,664, to remain available until September 30,

1 2026, unless otherwise specified: *Provided*, That of the
2 total amount provided under this heading, \$3,300,000,000
3 is for carrying out the community development block grant
4 program under title I of the Housing and Community De-
5 velopment Act of 1974, as amended (42 U.S.C. 5301 et
6 seq.) (in this heading “the Act”): *Provided further*, That
7 unless explicitly provided for under this heading, not to
8 exceed 20 percent of any grant made with funds made
9 available under this heading shall be expended for plan-
10 ning and management development and administration:
11 *Provided further*, That a metropolitan city, urban county,
12 unit of general local government, or insular area that di-
13 rectly or indirectly receives funds under this heading may
14 not sell, trade, or otherwise transfer all or any portion of
15 such funds to another such entity in exchange for any
16 other funds, credits, or non-Federal considerations, but
17 shall use such funds for activities eligible under title I of
18 the Act: *Provided further*, That notwithstanding section
19 105(e)(1) of the Act, no funds made available under this
20 heading may be provided to a for-profit entity for an eco-
21 nomic development project under section 105(a)(17) un-
22 less such project has been evaluated and selected in ac-
23 cordance with guidelines required under subsection (e)(2)
24 of section 105: *Provided further*, That of the total amount
25 provided under this heading, \$25,000,000 shall be for ac-

1 tivities authorized under section 8071 of the SUPPORT
2 for Patients and Communities Act (Public Law 115–271):
3 *Provided further*, That the funds allocated pursuant to the
4 preceding proviso shall not adversely affect the amount of
5 any formula assistance received by a State under the first
6 proviso: *Provided further*, That the Secretary shall allocate
7 the funds for such activities based on the notice estab-
8 lishing the funding formula published in 84 FR 16027
9 (April 17, 2019) except that the formula shall use age-
10 adjusted rates of drug overdose deaths for 2019 based on
11 data from the Centers for Disease Control and Prevention:
12 *Provided further*, That of the total amount made available
13 under this heading, \$1,974,157,664 shall be available for
14 grants for the Economic Development Initiative (EDI) for
15 the purposes, and in amounts, specified for Community
16 Project Funding in the table titled “Transportation,
17 Housing and Urban Development Incorporation of Com-
18 munity Project Funding Items” included in the report ac-
19 companying this Act: *Provided further*, That none of the
20 amounts made available in the preceding proviso shall be
21 used for reimbursement of expenses incurred prior to the
22 obligation of funds: *Provided further*, That the Depart-
23 ment of Housing and Urban Development shall notify
24 grantees of their formula allocation within 60 days of en-
25 actment of this Act: *Provided further*, That for fiscal year

1 2023 section 105(a)(8) of the Act (42 U.S.C. 5305(a)(8))
2 and section 570.201(e) of title 24, Code of Federal Regu-
3 lations, shall not apply for public services activities to pre-
4 vent, prepare for, and respond to homelessness and emer-
5 gency rental assistance needs.

6 COMMUNITY DEVELOPMENT LOAN GUARANTEES

7 PROGRAM ACCOUNT

8 Subject to section 502 of the Congressional Budget
9 Act of 1974 (2 U.S.C. 661a), during fiscal year 2023,
10 commitments to guarantee loans under section 108 of the
11 Housing and Community Development Act of 1974 (42
12 U.S.C. 5308), any part of which is guaranteed, shall not
13 exceed a total principal amount of \$300,000,000, notwith-
14 standing any aggregate limitation on outstanding obliga-
15 tions guaranteed in subsection (k) of such section 108:
16 *Provided*, That the Secretary shall collect fees from bor-
17 rowers, notwithstanding subsection (m) of such section
18 108, to result in a credit subsidy cost of zero for guaran-
19 teeing such loans, and any such fees shall be collected in
20 accordance with section 502(7) of the Congressional
21 Budget Act of 1974: *Provided further*, That such commit-
22 ment authority funded by fees may be used to guarantee,
23 or make commitments to guarantee, notes or other obliga-
24 tions issued by any State on behalf of non-entitlement
25 communities in the State in accordance with the require-

1 ments of such section 108: *Provided further*, That any
2 State receiving such a guarantee or commitment under the
3 preceding proviso shall distribute all funds subject to such
4 guarantee to the units of general local government in non-
5 entitlement areas that received the commitment: *Provided*
6 *further*, That \$60,000,000, to remain available until Sep-
7 tember 30, 2025, shall be for competitive economic devel-
8 opment grants, as authorized by section 108(q) of the
9 Housing and Community Development Act of 1974, as
10 amended, for projects that improve community resilience
11 by supporting distributed clean energy plus storage, flood-
12 control infrastructure, or redevelopment of brownfields or
13 grayfields, such as foreclosed, vacant, contaminated, aban-
14 doned, or blighted properties, obsolete manufactured hous-
15 ing, vacant shopping malls, landfills, or otherwise under-
16 utilized commercial or industrial properties: *Provided fur-*
17 *ther*, That no funds made available under this heading
18 may be used to establish loan loss reserves for the section
19 108 Community Development Loan Guarantee program:
20 *Provided further*, That amounts made available under this
21 heading may be used for the payment of costs associated
22 with private sector financing of debt obligations and fees
23 collected in connection with the section 108 Community
24 Development Loan Guarantee program.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 For the HOME Investment Partnerships program, as
3 authorized under title II of the Cranston-Gonzalez Na-
4 tional Affordable Housing Act, as amended (42 U.S.C.
5 12721 et seq.), \$1,675,000,000, to remain available until
6 September 30, 2026: *Provided*, That of the amount made
7 available under this heading, up to \$50,000,000 shall be
8 for awards to States and insular areas for assistance to
9 homebuyers as authorized under section 212(a)(1) of such
10 Act (42 U.S.C. 12742(a)(1)), in addition to amounts made
11 otherwise available for such purpose: *Provided further*,
12 That amounts made available under the preceding proviso
13 shall be allocated in the same manner as other amounts
14 made available under this heading, except that amounts
15 that would have been reserved and allocated to units of
16 general local government within the State pursuant to sec-
17 tion 217 of such Act (42 U.S.C. 12747) shall be provided
18 to the State: *Provided further*, That the Secretary may
19 waive or specify alternative requirements for any provision
20 of such Act in connection with the use of amounts made
21 available under the preceding two provisos (except for re-
22 quirements related to fair housing, nondiscrimination,
23 labor standards, and the environment) upon a finding that
24 any such waivers or alternative requirements are nec-
25 essary to expedite or facilitate the use of amounts awarded

1 pursuant to the preceding provisos: *Provided further*, That
2 notwithstanding section 231(b) of such Act (24 U.S.C.
3 12771(b)), all unobligated balances remaining from
4 amounts recaptured pursuant to such section that remain
5 available until expended shall be combined with amounts
6 made available under this heading and allocated in accord-
7 ance with the formula under section 217(b)(1)(A) of such
8 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That
9 the Department shall notify grantees of their formula allo-
10 cations not later than 60 days after enactment of this Act:
11 *Provided further*, That section 218(g) of such Act (42
12 U.S.C. 12748(g)) shall not apply with respect to the right
13 of a jurisdiction to draw funds from its HOME Investment
14 Trust Fund that otherwise expired or would expire in any
15 calendar year from 2016 through 2025 under that section:
16 *Provided further*, That section 231(b) of such Act (42
17 U.S.C. 12771(b)) shall not apply to any uninvested funds
18 that otherwise were deducted or would be deducted from
19 the line of credit in the participating jurisdiction's HOME
20 Investment Trust Fund in any calendar year from 2018
21 through 2025 under that section.

22 PRESERVATION AND REINVESTMENT INITIATIVE FOR
23 COMMUNITY ENHANCEMENT

24 For competitive grants to preserve and revitalize
25 manufactured housing and eligible manufactured housing

1 communities (including pre-1976 mobile homes) under
2 title I of the Housing and Community Development Act
3 of 1974, as amended (42 U.S.C. 5301 et seq.),
4 \$500,000,000, to remain available until September 30,
5 2027: *Provided*, That recipients of grants provided with
6 amounts made available under this heading shall be
7 States, units of general local government, resident-owned
8 manufactured housing communities, cooperatives, non-
9 profit entities including consortia of nonprofit entities,
10 community development financial institutions, Indian
11 Tribes and Tribally designated housing entities, or other
12 entities approved by the Secretary: *Provided further*, That
13 the Secretary may approve entities for selection that part-
14 ner with one or several residents of such eligible commu-
15 nities or that propose to implement a grant program that
16 would assist residents of such eligible communities: *Pro-*
17 *vided further*, That eligible uses of such grants may in-
18 clude infrastructure, planning, resident and community
19 services (including relocation assistance and eviction pre-
20 vention), resiliency activities, and providing other assist-
21 ance to residents or owners of manufactured homes, which
22 may include providing assistance for manufactured hous-
23 ing land and site acquisition: *Provided further*, That, ex-
24 cept as determined by the Secretary, participation in this
25 program shall not encumber the future transfer of title

1 or use of property by the residents, owners, or commu-
2 nities: *Provided further*, That when selecting recipients,
3 the Secretary shall prioritize applications that primarily
4 benefit low- or moderately low-income residents and pre-
5 serve long-term housing affordability for residents of man-
6 ufactured housing or a manufactured housing community:
7 *Provided further*, That eligible manufactured housing com-
8 munities may include those that are—

9 (1) owned by the residents of the manufactured hous-
10 ing community through a resident-controlled entity, as de-
11 fined by the Secretary; or

12 (2) determined by the Secretary to be subject to bind-
13 ing agreements that will preserve the community and
14 maintain affordability on a long-term basis:

15 *Provided further*, That, of the amounts made available
16 under this heading, \$50,000,000 shall be for a pilot pro-
17 gram for the Secretary to provide grants to assist in the
18 redevelopment of manufactured housing communities (in-
19 cluding pre-1976 mobile homes) as replacement housing
20 that is affordable, as defined by the Secretary: *Provided*
21 *further*, That each such redevelopment project shall pro-
22 vide, for each unit of single-family manufactured housing
23 (including pre-1976 mobile homes) replaced under the
24 project, up to 4 dwelling units of such affordable housing:
25 *Provided further*, That the Secretary shall define eligible

1 activities for grant assistance under the pilot program,
2 which may include relocation assistance or buy-outs for
3 residents of a manufactured housing community or down-
4 payment assistance for such residents: *Provided further*,
5 That the Secretary shall require each grantee under the
6 pilot program to supplement the amount of the grant with
7 non-Federal amounts exceeding 50 percent of the grant:
8 *Provided further*, That resiliency activities means the re-
9 construction, repair, or replacement of manufactured
10 housing and manufactured housing communities to pro-
11 tect the health and safety of manufactured housing resi-
12 dents and to address weatherization and energy efficiency
13 needs, except that for pre-1976 mobile homes, funds made
14 available under this heading may be used only for replace-
15 ment: *Provided further*, That the Secretary may waive or
16 specify alternative requirements for any provision of any
17 statute or regulation that the Secretary administers in
18 connection with the use of amounts made available under
19 this heading (except for requirements related to fair hous-
20 ing, nondiscrimination, labor standards, and the environ-
21 ment), upon a finding that such waiver or alternative re-
22 quirement is necessary to facilitate the use of such
23 amounts.

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), and for related activities and assist-
7 ance, \$62,500,000, to remain available until September
8 30, 2025: *Provided*, That the amounts made available
9 under this heading are provided as follows:

10 (1) \$12,500,000 shall be for the Self-Help
11 Homeownership Opportunity Program as authorized
12 under such section 11;

13 (2) \$45,000,000 shall be for the second, third,
14 and fourth capacity building entities specified in sec-
15 tion 4(a) of the HUD Demonstration Act of 1993
16 (42 U.S.C. 9816 note), of which not less than
17 \$5,000,000 shall be for rural capacity building ac-
18 tivities: *Provided*, That for purposes of awarding
19 grants from amounts made available in this para-
20 graph, the Secretary may enter into multiyear agree-
21 ments, as appropriate, subject to the availability of
22 annual appropriations; and

23 (3) \$5,000,000 shall be for capacity building by
24 national rural housing organizations having experi-
25 ence assessing national rural conditions and pro-

viding financing, training, technical assistance, information, and research to local nonprofit organizations, local governments, and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

For assistance under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), \$3,604,000,000, to remain available until September 30, 2025: *Provided*, That of the amounts made available under this heading—

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

(2) \$3,200,000,000 shall be for the Continuum of Care program authorized under subtitle C of such title IV (42 U.S.C. 11381 et seq.) and the Rural Housing Stability Assistance programs authorized under subtitle D of such title IV (42 U.S.C. 11408): *Provided*, That the Secretary shall prioritize funding under the Continuum of Care program to contin-

1 uums of care that have demonstrated a capacity to
2 reallocate funding from lower performing projects to
3 higher performing projects: *Provided further*, That
4 the Secretary shall provide incentives to create
5 projects that coordinate with housing providers and
6 healthcare organizations to provide permanent sup-
7 portive housing and rapid re-housing services: *Pro-*
8 *vided further*, That for fiscal year 2023 the Sec-
9 retary may establish by notice an alternative max-
10 imum amount for administrative costs related to the
11 requirements described in paragraphs (1) and (2) of
12 section 402(f) of subtitle A of such title IV of no
13 more than 5 percent or \$50,000, whichever is great-
14 er, notwithstanding the 3 percent limitation in sec-
15 tion 423(a)(10) of such subtitle C: *Provided further*,
16 That of the amounts made available for the Con-
17 tinuum of Care program under this paragraph, not
18 less than \$75,000,000 shall be for grants for new
19 rapid re-housing projects and supportive service
20 projects providing coordinated entry, and for eligible
21 activities that the Secretary determines to be critical
22 in order to assist survivors of domestic violence, dat-
23 ing violence, sexual assault, or stalking: *Provided*
24 *further*, That amounts made available for the Con-
25 tinuum of Care program under this heading in this

1 Act and any remaining unobligated balances from
2 prior Acts may be used to competitively or non-com-
3 petitively renew or replace grants for youth homeless
4 demonstration projects under the Continuum of
5 Care program, notwithstanding any conflict with the
6 requirements of the Continuum of Care program;

7 (3) \$7,000,000 shall be for the national home-
8 less data analysis project: *Provided*, That notwith-
9 standing the provisions of the Federal Grant and
10 Cooperative Agreements Act of 1977 (31 U.S.C.
11 6301–6308), the amounts made available under this
12 paragraph and any remaining unobligated balances
13 under this heading for such purposes in prior Acts
14 may be used by the Secretary to enter into coopera-
15 tive agreements with such entities as may be deter-
16 mined by the Secretary, including public and private
17 organizations, agencies, and institutions; and

18 (4) \$107,000,000 shall be to implement
19 projects to demonstrate how a comprehensive ap-
20 proach to serving homeless youth, age 24 and under,
21 in up to 25 communities with a priority for commu-
22 nities with substantial rural populations in up to
23 eight locations, can dramatically reduce youth home-
24 lessness: *Provided*, That of the amount made avail-
25 able under this paragraph, not less than

1 \$25,000,000 shall be for youth homelessness system
2 improvement grants to support communities, includ-
3 ing but not limited to the communities assisted
4 under the matter preceding this proviso, in estab-
5 lishing and implementing a response system for
6 youth homelessness, or for improving their existing
7 system: *Provided further*, That of the amount made
8 available under this paragraph, up to \$10,000,000
9 shall be to provide technical assistance to commu-
10 nities, including but not limited to the communities
11 assisted in the preceding proviso and the matter pre-
12 ceding such proviso, on improving system responses
13 to youth homelessness, and collection, analysis, use,
14 and reporting of data and performance measures
15 under the comprehensive approaches to serve home-
16 less youth, in addition to and in coordination with
17 other technical assistance funds provided under this
18 title: *Provided further*, That the Secretary may use
19 up to 10 percent of the amount made available
20 under the preceding proviso to build the capacity of
21 current technical assistance providers or to train
22 new technical assistance providers with verifiable
23 prior experience with systems and programs for
24 youth experiencing homelessness:

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

1 ranked based on the degree to which they improve the con-
2 tinuum of care's system performance: *Provided further*,
3 That any unobligated amounts remaining from funds
4 made available under this heading in fiscal year 2012 and
5 prior years for project-based rental assistance for rehabili-
6 tation projects with 10-year grant terms may be used for
7 purposes under this heading, notwithstanding the pur-
8 poses for which such funds were appropriated: *Provided*
9 *further*, That unobligated balances, including recaptures
10 and carryover, remaining from funds transferred to or ap-
11 propriated under this heading in fiscal year 2019 or prior
12 years, except for rental assistance amounts that were re-
13 captured and made available until expended, shall be avail-
14 able for the current purposes authorized under this head-
15 ing in addition to the purposes for which such funds origi-
16 nally were appropriated.

17 HOUSING PROGRAMS

18 PROJECT-BASED RENTAL ASSISTANCE

19 For activities and assistance for the provision of
20 project-based subsidy contracts under the United States
21 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
22 heading "the Act"), not otherwise provided for,
23 \$14,540,000,000, to remain available until expended, shall
24 be available on October 1, 2022 (in addition to the
25 \$400,000,000 previously appropriated under this heading

1 that became available October 1, 2022), and
2 \$400,000,000, to remain available until expended, shall be
3 available on October 1, 2023: *Provided*, That the amounts
4 made available under this heading shall be for expiring
5 or terminating section 8 project-based subsidy contracts
6 (including section 8 moderate rehabilitation contracts), for
7 amendments to section 8 project-based subsidy contracts
8 (including section 8 moderate rehabilitation contracts), for
9 contracts entered into pursuant to section 441 of the
10 McKinney-Vento Homeless Assistance Act (42 U.S.C.
11 11401), for renewal of section 8 contracts for units in
12 projects that are subject to approved plans of action under
13 the Emergency Low Income Housing Preservation Act of
14 1987 or the Low-Income Housing Preservation and Resi-
15 dent Homeownership Act of 1990, and for administrative
16 and other expenses associated with project-based activities
17 and assistance funded under this heading: *Provided fur-*
18 *ther*, That the amount of any forgone increases in tenant
19 rent payments due to the implementation of rent incen-
20 tives as authorized pursuant to waivers or alternative re-
21 quirements of the Jobs-Plus initiative as described under
22 the heading “Self-Sufficiency Programs” shall be factored
23 into housing assistance payments under project-based sub-
24 sidy contracts: *Provided further*, That of the total amounts
25 made available under this heading, not to exceed

1 \$375,000,000 shall be for performance-based contract ad-
2 ministrators or contractors for section 8 project-based as-
3 sistance, for carrying out 42 U.S.C. 1437(f): *Provided fur-*
4 *ther*, That the Secretary may also use such amounts in
5 the preceding proviso for performance-based contract ad-
6 ministrators or contractors for the administration of: in-
7 terest reduction payments pursuant to section 236(a) of
8 the National Housing Act (12 U.S.C. 1715z–1(a)); rent
9 supplement payments pursuant to section 101 of the
10 Housing and Urban Development Act of 1965 (12 U.S.C.
11 1701s); section 236(f)(2) rental assistance payments (12
12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts
13 for the elderly under section 202(c)(2) of the Housing Act
14 of 1959 (12 U.S.C. 1701q); project rental assistance con-
15 tracts for supportive housing for persons with disabilities
16 under section 811(d)(2) of the Cranston-Gonzalez Na-
17 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));
18 project assistance contracts pursuant to section 202(h) of
19 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
20 667); and loans under section 202 of the Housing Act of
21 1959 (Public Law 86–372; 73 Stat. 667): *Provided fur-*
22 *ther*, That amounts recaptured under this heading, the
23 heading “Annual Contributions for Assisted Housing”, or
24 the heading “Housing Certificate Fund”, may be used for
25 renewals of or amendments to section 8 project-based con-

1 tracts or for performance-based contract administrators or
2 contractors, notwithstanding the purposes for which such
3 amounts were appropriated: *Provided further*, That, not-
4 withstanding any other provision of law, upon the request
5 of the Secretary, project funds that are held in residual
6 receipts accounts for any project subject to a section 8
7 project-based Housing Assistance Payments contract that
8 authorizes the Department or a housing finance agency
9 to require that surplus project funds be deposited in an
10 interest-bearing residual receipts account and that are in
11 excess of an amount to be determined by the Secretary,
12 shall be remitted to the Department and deposited in this
13 account, to be available until expended: *Provided further*,
14 That amounts deposited pursuant to the preceding proviso
15 shall be available in addition to the amount otherwise pro-
16 vided under this heading for uses authorized under this
17 heading: *Provided further*, That of the total amounts made
18 available under this heading, not to exceed \$250,000,000
19 shall be available for rent adjustments authorized under
20 section 515(d) of the Multifamily Assisted Housing Re-
21 form and Affordability Act of 1997 (as added by section
22 234(a) of this Act): *Provided further*, That of the total
23 amounts made available under this heading, not to exceed
24 \$25,000,000 shall be available for adjustments under sec-
25 tion 524(h) of the Multifamily Assisted Housing Reform

1 and Affordability Act of 1997 (as added by section 234(b)
2 of this Act) necessary to address health and safety defi-
3 ciencies: *Provided further*, That up to 2 percent of the
4 total amounts made available in the preceding two pro-
5 visos shall be for administrative contract costs, including
6 for carrying out due diligence and underwriting functions
7 for evaluating owners' requests and for technical assist-
8 ance activities: *Provided further*, That of the total amounts
9 made available under this heading, not to exceed
10 \$31,000,000 shall be available for budget based adjust-
11 ments for service coordinators for the elderly: *Provided*
12 *further*, That any additional amounts for rent adjustments
13 or supplemental contract funding authorized under the
14 preceding four provisos shall be combined with other
15 amounts obligated to such contracts and the combined
16 total amount shall be available for all purposes under such
17 contracts.

18 HOUSING FOR THE ELDERLY

19 For capital advances, including amendments to cap-
20 ital advance contracts, for housing for the elderly, as au-
21 thorized by section 202 of the Housing Act of 1959 (12
22 U.S.C. 1701q), for project rental assistance for the elderly
23 under section 202(c)(2) of such Act, including amend-
24 ments to contracts for such assistance and renewal of ex-
25 piring contracts for such assistance for up to a 5-year

1 term, for senior preservation rental assistance contracts,
2 including renewals, as authorized by section 811(e) of the
3 American Homeownership and Economic Opportunity Act
4 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
5 ices associated with the housing, \$1,200,000,000 to re-
6 main available until September 30, 2026: *Provided*, That
7 of the amount made available under this heading, up to
8 \$125,000,000 shall be for service coordinators and the
9 continuation of existing congregate service grants for resi-
10 dents of assisted housing projects: *Provided further*, That
11 any funding for existing service coordinators under the
12 preceding proviso shall be provided within 120 days of en-
13 actment of this Act: *Provided further*, That amounts made
14 available under this heading shall be available for Real Es-
15 tate Assessment Center inspections and inspection-related
16 activities associated with section 202 projects: *Provided*
17 *further*, That the Secretary may waive the provisions of
18 section 202 governing the terms and conditions of project
19 rental assistance, except that the initial contract term for
20 such assistance shall not exceed 5 years in duration: *Pro-*
21 *vided further*, That upon request of the Secretary, project
22 funds that are held in residual receipts accounts for any
23 project subject to a section 202 project rental assistance
24 contract, and that upon termination of such contract are
25 in excess of an amount to be determined by the Secretary,

1 shall be remitted to the Department and deposited in this
2 account, to remain available until September 30, 2026:
3 *Provided further*, That amounts deposited in this account
4 pursuant to the preceding proviso shall be available, in ad-
5 dition to the amounts otherwise provided by this heading,
6 for the purposes authorized under this heading: *Provided*
7 *further*, That unobligated balances, including recaptures
8 and carryover, remaining from funds transferred to or ap-
9 propriated under this heading shall be available for the
10 current purposes authorized under this heading in addi-
11 tion to the purposes for which such funds originally were
12 appropriated: *Provided further*, That of the total amount
13 made available under this heading, up to \$25,000,000
14 shall be used to expand the supply of intergenerational
15 dwelling units (as such term is defined in section 202 of
16 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-
17 ly caregivers raising children: *Provided further*, That for
18 the purposes of the preceding proviso the Secretary may
19 waive, or specify alternative requirements for, any provi-
20 sion of section 202 of the Housing Act of 1959 (12 U.S.C.
21 1701q) in order to facilitate the development of such
22 units, except for requirements related to fair housing, non-
23 discrimination, labor standards, and the environment: *Pro-*
24 *vided further*, That of the total amount made available
25 under this heading, up to \$6,000,000 shall be used by the

1 Secretary to support preservation transactions of housing
2 for the elderly originally developed with a capital advance
3 and assisted by a project rental assistance contract under
4 the provisions of section 202(c) of the Housing Act of
5 1959.

6 HOUSING FOR PERSONS WITH DISABILITIES

7 For capital advances, including amendments to cap-
8 ital advance contracts, for supportive housing for persons
9 with disabilities, as authorized by section 811 of the Cran-
10 ston-Gonzalez National Affordable Housing Act (42
11 U.S.C. 8013), for project rental assistance for supportive
12 housing for persons with disabilities under section
13 811(d)(2) of such Act, for project assistance contracts
14 pursuant to subsection (h) of section 202 of the Housing
15 Act of 1959, as added by section 205(a) of the Housing
16 and Community Development Amendments of 1978 (Pub-
17 lic Law 95–557: 92 Stat. 2090), including amendments
18 to contracts for such assistance and renewal of expiring
19 contracts for such assistance for up to a 5-year term, for
20 project rental assistance to State housing finance agencies
21 and other appropriate entities as authorized under section
22 811(b)(3) of the Cranston-Gonzalez National Affordable
23 Housing Act, and for supportive services associated with
24 the housing for persons with disabilities as authorized by
25 section 811(b)(1) of such Act, \$400,000,000, to remain

1 available until September 30, 2026: *Provided*, That
2 amounts made available under this heading shall be avail-
3 able for Real Estate Assessment Center inspections and
4 inspection-related activities associated with section 811
5 projects: *Provided further*, That, upon the request of the
6 Secretary, project funds that are held in residual receipts
7 accounts for any project subject to a section 811 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 remitted to the Department and
11 deposited in this account, to remain available until Sep-
12 tember 30, 2026: *Provided further*, That amounts depos-
13 ited in this account pursuant to the preceding proviso shall
14 be available in addition to the amounts otherwise provided
15 by this heading for the purposes authorized under this
16 heading: *Provided further*, That unobligated balances, in-
17 cluding recaptures and carryover, remaining from funds
18 transferred to or appropriated under this heading shall be
19 used for the current purposes authorized under this head-
20 ing in addition to the purposes for which such funds origi-
21 nally were appropriated.

22 HOUSING COUNSELING ASSISTANCE

23 For contracts, grants, and other assistance excluding
24 loans, as authorized under section 106 of the Housing and
25 Urban Development Act of 1968, as amended,

1 \$70,000,000, to remain available until September 30,
2 2024, including up to \$4,500,000 for administrative con-
3 tract services: *Provided*, That funds shall be used for pro-
4 viding counseling and advice to tenants and homeowners,
5 both current and prospective, with respect to property
6 maintenance, financial management or literacy, and such
7 other matters as may be appropriate to assist them in im-
8 proving their housing conditions, meeting their financial
9 needs, and fulfilling the responsibilities of tenancy or
10 homeownership; for program administration; and for hous-
11 ing counselor training: *Provided further*, That for purposes
12 of awarding grants from amounts provided under this
13 heading, the Secretary may enter into multiyear agree-
14 ments, as appropriate, subject to the availability of annual
15 appropriations.

16 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
17 FUND

18 For necessary expenses as authorized by the National
19 Manufactured Housing Construction and Safety Stand-
20 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
21 \$14,000,000, to remain available until expended, of which
22 \$14,000,000 shall be derived from the Manufactured
23 Housing Fees Trust Fund (established under section
24 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
25 not to exceed the total amount appropriated under this

1 heading shall be available from the general fund of the
2 Treasury to the extent necessary to incur obligations and
3 make expenditures pending the receipt of collections to the
4 Fund pursuant to section 620 of such Act: *Provided fur-*
5 *ther*, That the amount made available under this heading
6 from the general fund shall be reduced as such collections
7 are received during fiscal year 2023 so as to result in a
8 final fiscal year 2023 appropriation from the general fund
9 estimated at zero, and fees pursuant to such section 620
10 shall be modified as necessary to ensure such a final fiscal
11 year 2023 appropriation: *Provided further*, That for the
12 dispute resolution and installation programs, the Sec-
13 retary may assess and collect fees from any program par-
14 ticipant: *Provided further*, That such collections shall be
15 deposited into the Trust Fund, and the Secretary, as pro-
16 vided herein, may use such collections, as well as fees col-
17 lected under section 620 of such Act, for necessary ex-
18 penses of such Act: *Provided further*, That, notwith-
19 standing the requirements of section 620 of such Act, the
20 Secretary may carry out responsibilities of the Secretary
21 under such Act through the use of approved service pro-
22 viders that are paid directly by the recipients of their serv-
23 ices.

1 FEDERAL HOUSING ADMINISTRATION

2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

3 New commitments to guarantee single family loans
4 insured under the Mutual Mortgage Insurance Fund shall
5 not exceed \$400,000,000,000, to remain available until
6 September 30, 2024: *Provided*, That during fiscal year
7 2023, obligations to make direct loans to carry out the
8 purposes of section 204(g) of the National Housing Act,
9 as amended, shall not exceed \$1,000,000: *Provided fur-*
10 *ther*, That the foregoing amount in the preceding proviso
11 shall be for loans to nonprofit and governmental entities
12 in connection with sales of single family real properties
13 owned by the Secretary and formerly insured under the
14 Mutual Mortgage Insurance Fund: *Provided further*, That
15 for administrative contract expenses of the Federal Hous-
16 ing Administration, \$150,000,000, to remain available
17 until September 30, 2024: *Provided further*, That notwith-
18 standing the limitation in the first sentence of section
19 255(g) of the National Housing Act (12 U.S.C. 1715z–
20 20(g)), during fiscal year 2023 the Secretary may insure
21 and enter into new commitments to insure mortgages
22 under section 255 of the National Housing Act only to
23 the extent that the net credit subsidy cost for such insur-
24 ance does not exceed zero.

1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

2 New commitments to guarantee loans insured under
3 the General and Special Risk Insurance Funds, as author-
4 ized by sections 238 and 519 of the National Housing Act
5 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
6 \$35,000,000,000 in total loan principal, any part of which
7 is to be guaranteed, to remain available until September
8 30, 2024: *Provided*, That during fiscal year 2023, gross
9 obligations for the principal amount of direct loans, as au-
10 thorized by sections 204(g), 207(l), 238, and 519(a) of
11 the National Housing Act, shall not exceed \$1,000,000,
12 which shall be for loans to nonprofit and governmental en-
13 tities in connection with the sale of single family real prop-
14 erties owned by the Secretary and formerly insured under
15 such Act.

16 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

17 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

18 GUARANTEE PROGRAM ACCOUNT

19 New commitments to issue guarantees to carry out
20 the purposes of section 306 of the National Housing Act,
21 as amended (12 U.S.C. 1721(g)), shall not exceed
22 \$900,000,000,000, to remain available until September
23 30, 2024: *Provided*, That \$33,500,000, to remain avail-
24 able until September 30, 2024, shall be for necessary sala-
25 ries and expenses of the Government National Mortgage

1 Association: *Provided further*, That to the extent that
 2 guaranteed loan commitments exceed \$155,000,000,000
 3 on or before April 1, 2023 an additional \$100 for nec-
 4 essary salaries and expenses shall be available until ex-
 5 pended for each \$1,000,000 in additional guaranteed loan
 6 commitments (including a pro rata amount for any
 7 amount below \$1,000,000), but in no case shall funds
 8 made available by this proviso exceed \$3,000,000: *Pro-*
 9 *vided further*, That receipts from Commitment and
 10 Multiclass fees collected pursuant to title III of the Na-
 11 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
 12 ited as offsetting collections to this account.

13 POLICY DEVELOPMENT AND RESEARCH

14 RESEARCH AND TECHNOLOGY

15 For contracts, grants, and necessary expenses of pro-
 16 grams of research and studies relating to housing and
 17 urban problems, not otherwise provided for, as authorized
 18 by title V of the Housing and Urban Development Act
 19 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
 20 out the functions of the Secretary of Housing and Urban
 21 Development under section 1(a)(1)(i) of Reorganization
 22 Plan No. 2 of 1968, and for technical assistance,
 23 \$160,000,000, to remain available until September 30,
 24 2024: *Provided*, That with respect to amounts made avail-
 25 able under this heading, notwithstanding section 203 of

1 this title, the Secretary may enter into cooperative agree-
2 ments with philanthropic entities, other Federal agencies,
3 State or local governments and their agencies, Indian
4 Tribes, tribally designated housing entities, or colleges or
5 universities for research projects: *Provided further*, That
6 with respect to the preceding proviso, such partners to the
7 cooperative agreements shall contribute at least a 50 per-
8 cent match toward the cost of the project: *Provided fur-*
9 *ther*, That for non-competitive agreements entered into in
10 accordance with the preceding two provisos, the Secretary
11 shall comply with section 2(b) of the Federal Funding Ac-
12 countability and Transparency Act of 2006 (Public Law
13 109–282, 31 U.S.C. note) in lieu of compliance with sec-
14 tion 102(a)(4)(C) of the Department of Housing and
15 Urban Development Reform Act of 1989 (42 U.S.C.
16 3545(a)(4)(C)) with respect to documentation of award
17 decisions: *Provided further*, That prior to obligation of
18 technical assistance funding, the Secretary shall submit a
19 plan to the House and Senate Committees on Appropria-
20 tions on how the Secretary will allocate funding for this
21 activity at least 30 days prior to obligation: *Provided fur-*
22 *ther*, That none of the funds provided under this heading
23 may be available for the doctoral dissertation research
24 grant program: *Provided further*, That an additional
25 \$20,000,000, to remain available until September 30,

1 2025, shall be for competitive grants to nonprofit or gov-
 2 ernmental entities to provide legal assistance (including
 3 assistance related to pretrial activities, trial activities,
 4 post-trial activities and alternative dispute resolution) at
 5 no cost to eligible low-income tenants at risk of or subject
 6 to eviction: *Provided further*, That in awarding grants
 7 under the preceding proviso, the Secretary shall give pref-
 8 erence to applicants that include a marketing strategy for
 9 residents of areas with high rates of eviction, have experi-
 10 ence providing no-cost legal assistance to low-income indi-
 11 viduals, including those with limited English proficiency
 12 or disabilities, and have sufficient capacity to administer
 13 such assistance, and may select unfunded or partially
 14 funded eligible applicants identified in the previous com-
 15 petition: *Provided further*, That the Secretary shall ensure,
 16 to the extent practicable, that the proportion of eligible
 17 tenants living in rural areas who will receive legal assist-
 18 ance with grant funds made available under this heading
 19 is not less than the overall proportion of eligible tenants
 20 who live in rural areas.

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), \$86,000,000, to remain available
3 until September 30, 2024: *Provided*, That notwithstanding
4 section 3302 of title 31, United States Code, the Secretary
5 may assess and collect fees to cover the costs of the Fair
6 Housing Training Academy, and may use such funds to
7 develop on-line courses and provide such training: *Pro-*
8 *vided further*, That none of the funds made available under
9 this heading may be used to lobby the executive or legisla-
10 tive branches of the Federal Government in connection
11 with a specific contract, grant, or loan: *Provided further*,
12 That of the funds made available under this heading,
13 \$1,000,000 shall be available to the Secretary for the cre-
14 ation and promotion of translated materials and other pro-
15 grams that support the assistance of persons with limited
16 English proficiency in utilizing the services provided by
17 the Department of Housing and Urban Development.

18 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

19 HOMES

20 LEAD HAZARD REDUCTION

21 (INCLUDING TRANSFER OF FUNDS)

22 For the Lead Hazard Reduction Program, as author-
23 ized by section 1011 of the Residential Lead-Based Paint
24 Hazard Reduction Act of 1992 (42 U.S.C. 4852), the
25 Healthy Homes Initiative, pursuant to sections 501 and

1 502 of the Housing and Urban Development Act of 1970
2 (12 U.S.C. 1701z-1 and 1701z-2), and for related activi-
3 ties and assistance, \$415,000,000, to remain available
4 until September 30, 2025: *Provided*, That the amounts
5 made available under this heading are provided as follows:

6 (1) \$290,000,000 shall be for the award of
7 grants pursuant to such section 1011, of which not
8 less than \$95,000,000 shall be provided to areas
9 with the highest lead-based paint abatement needs;

10 (2) \$85,000,000 shall be for the Healthy
11 Homes Initiative, pursuant to sections 501 and 502
12 of the Housing and Urban Development Act of
13 1970, which shall include research, studies, testing,
14 and demonstration efforts, including education and
15 outreach concerning lead-based paint poisoning and
16 other housing-related diseases and hazards, and
17 mitigating housing-related health and safety hazards
18 in housing of low-income families, of which—

19 (A) \$5,000,000 shall be for the implemen-
20 tation of projects in up to five communities that
21 are served by both the Healthy Homes Initia-
22 tive and the Department of Energy weatheriza-
23 tion programs to demonstrate whether the co-
24 ordination of Healthy Homes remediation ac-
25 tivities with weatherization activities achieves

1 cost savings and better outcomes in improving
2 the safety and quality of homes; and

3 (B) \$10,000,000 shall be for grants to ex-
4 perience non-profit organizations, States, local
5 governments, or public housing agencies for
6 safety and functional home modification repairs
7 and renovations to meet the needs of low-in-
8 come elderly homeowners to enable them to re-
9 main in their primary residence: *Provided*, That
10 of the total amount made available under this
11 subparagraph no less than \$3,000,000 shall be
12 available to meet such needs in communities
13 with substantial rural populations;

14 (3) \$5,000,000 shall be for the award of grants
15 and contracts for research pursuant to sections 1051
16 and 1052 of the Residential Lead-Based Paint Haz-
17 ard Reduction Act of 1992 (42 U.S.C. 4854,
18 4854a);

19 (4) Up to \$2,000,000 in total of the amounts
20 made available under paragraphs (2) and (3) may be
21 transferred to the heading “Research and Tech-
22 nology” for the purposes of conducting research and
23 studies and for use in accordance with the provisos
24 under that heading for non-competitive agreements;

1 (5) \$30,000,000 shall be for a lead-risk assess-
2 ment demonstration for public housing agencies to
3 conduct lead hazard screenings or lead-risk assess-
4 ments during housing quality standards inspections
5 of units in which a family receiving assistance under
6 section 8(o) of the U.S. Housing Act of 1937 (42
7 U.S.C. 1437f(o)) resides or expects to reside, and
8 has or expects to have a child under age 6 residing
9 in the unit, while preserving rental housing avail-
10 ability and affordability; and

11 (6) \$5,000,000 shall be for grants for a radon
12 testing and mitigation safety demonstration program
13 (the radon demonstration) in public housing: *Pro-*
14 *vided*, That the testing method, mitigation method,
15 or action level used under the radon demonstration
16 shall be as specified by applicable state or local law,
17 if such law is more protective of human health or
18 the environment than the method or level specified
19 by the Secretary:

20 *Provided further*, That for purposes of environmental re-
21 view, pursuant to the National Environmental Policy Act
22 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
23 law that further the purposes of such Act, a grant under
24 the Healthy Homes Initiative, or the Lead Technical Stud-
25 ies program, or other demonstrations or programs under

1 this heading or under prior appropriations Acts for such
2 purposes under this heading, or under the heading “Hous-
3 ing for the Elderly” under prior Appropriations Acts, shall
4 be considered to be funds for a special project for purposes
5 of section 305(c) of the Multifamily Housing Property
6 Disposition Reform Act of 1994: *Provided further*, That
7 each applicant for a grant or cooperative agreement under
8 this heading shall certify adequate capacity that is accept-
9 able to the Secretary to carry out the proposed use of
10 funds pursuant to a notice of funding opportunity: *Pro-*
11 *vided further*, That amounts made available under this
12 heading, except for amounts in paragraphs (2)(B) for
13 home modification repairs and renovations, in this or prior
14 appropriations Acts, still remaining available, may be used
15 for any purpose under this heading notwithstanding the
16 purpose for which such amounts were appropriated if a
17 program competition is undersubscribed and there are
18 other program competitions under this heading that are
19 oversubscribed.

20 INFORMATION TECHNOLOGY FUND

21 For Department-wide and program-specific informa-
22 tion technology systems and infrastructure, \$382,000,000,
23 to remain available until September 30, 2025, of which
24 up to \$16,746,000 shall be for development, moderniza-
25 tion, and enhancement projects, including planning for

1 such projects: *Provided*, That not more than 10 percent
2 of the funds made available under this heading for devel-
3 opment, modernization, and enhancement may be obli-
4 gated until the Secretary submits and the House and Sen-
5 ate Committees on Appropriations approve a plan that—

6 (1) identifies for each development, moderniza-
7 tion, and enhancement project to be funded from
8 available balances, including carryover—

9 (A) plain language summaries of the
10 project scope;

11 (B) the estimated total project cost; and

12 (C) key milestones to be met; and

13 (2) identifies for each major modernization
14 project—

15 (A) the functional and performance capa-
16 bilities to be delivered and the mission benefits
17 to be realized;

18 (B) the estimated life-cycle cost;

19 (C) key milestones to be met through the
20 project end date, including any identified sys-
21 tem decommissioning;

22 (D) a description of the procurement strat-
23 egy and governance structure for the project
24 and the number of HUD staff and contractors
25 supporting the project; and

1 (E) certification from the Chief Informa-
2 tion Officer that each project is compliant with
3 the Department's enterprise architecture, life-
4 cycle management and capital planning and in-
5 vestment control requirements:

6 *Provided further*, That not later than 30 days after
7 the end of each quarter, the Secretary shall submit
8 an updated report to the Committees on Appropria-
9 tions of the House of Representatives and the Sen-
10 ate summarizing the status, cost and plan for all
11 modernization projects; and for each major mod-
12 ernization project with an approved project plan,
13 identifying—

14 (1) results and actual expenditures of the prior
15 quarter;

16 (2) any variances in cost, schedule (including
17 procurement), or functionality from the previously
18 approved project plan, reasons for such variances
19 and estimated impact on total life-cycle costs; and

20 (3) risks and mitigation strategies associated
21 with ongoing work.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary salaries and expenses of the Office of
24 Inspector General in carrying out the Inspector General
25 Act of 1978, as amended, \$140,000,000: *Provided*, That

1 the Inspector General shall have independent authority
2 over all personnel and acquisition issues within this office.

3 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4 URBAN DEVELOPMENT

5 (INCLUDING TRANSFER OF FUNDS)

6 (INCLUDING RESCISSION)

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

1 SEC. 202. None of the funds made available by this
2 Act may be used to investigate or prosecute under the Fair
3 Housing Act any otherwise lawful activity engaged in by
4 one or more persons, including the filing or maintaining
5 of a nonfrivolous legal action, that is engaged in solely
6 for the purpose of achieving or preventing action by a Gov-
7 ernment official or entity, or a court of competent jurisdic-
8 tion.

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

15 SEC. 204. Section 7 of the Department of Housing
16 and Urban Development Act (42 U.S.C. 3535) is amended
17 by adding at the end the following new subsection:

18 “(u)(1) Funds of the Department of Housing and
19 Urban Development subject to the Government Corpora-
20 tion Control Act shall be available, without regard to the
21 limitations on administrative expenses, for legal services
22 on a contract or fee basis, and for utilizing and making
23 payment for services and facilities of the Federal National
24 Mortgage Association, Government National Mortgage As-
25 sociation, Federal Home Loan Mortgage Corporation,

1 Federal Financing Bank, Federal Reserve banks or any
2 member thereof, Federal Home Loan banks, and any in-
3 sured bank within the meaning of the Federal Deposit In-
4 surance Corporation Act, as amended (12 U.S.C. 1811–
5 1).

6 “(2) Corporations and agencies of the Department of
7 Housing and Urban Development which are subject to
8 chapter 91 of title 31, United States Code, are hereby au-
9 thorized to make such expenditures, within the limits of
10 funds and borrowing authority available to each such cor-
11 poration or agency and in accordance with law, and to
12 make such contracts and commitments without regard to
13 fiscal year limitations as provided by section 9104 of such
14 title as may be necessary in carrying out the programs
15 set forth in the budget for such corporation or agency ex-
16 cept as hereinafter provided: *Provided*, That collections of
17 these corporations and agencies may be used for new loan
18 or mortgage purchase commitments only to the extent ex-
19 pressly provided for in an appropriations Act (unless such
20 loans are in support of other forms of assistance provided
21 for in appropriations Acts), except that this proviso shall
22 not apply to the mortgage insurance or guaranty oper-
23 ations of these corporations, or where loans or mortgage
24 purchases are necessary to protect the financial interest
25 of the United States Government.”.

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

14 SEC. 207. None of the funds made available by this
15 title may be used for an audit of the Government National
16 Mortgage Association that makes applicable requirements
17 under the Federal Credit Reform Act of 1990 (2 U.S.C.
18 661 et seq.).

19 SEC. 208. (a) Notwithstanding any other provision
20 of law, subject to the conditions listed under this section,
21 for fiscal years 2023 and 2024, the Secretary of Housing
22 and Urban Development may authorize the transfer of
23 some or all project-based assistance, debt held or insured
24 by the Secretary and statutorily required low-income and
25 very low-income use restrictions if any, associated with one

1 or more multifamily housing project or projects to another
2 multifamily housing project or projects.

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

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

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

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

22 (B) For unoccupied units in the transfer-
23 ring project: The Secretary may authorize a re-
24 duction in the number of dwelling units in the
25 receiving project or projects to allow for a re-

1 configuration of bedroom sizes to meet current
2 market demands, as determined by the Sec-
3 retary and provided there is no increase in the
4 project-based assistance budget authority.

5 (2) The transferring project shall, as deter-
6 mined by the Secretary, be either physically obsolete
7 or economically nonviable, or be reasonably expected
8 to become economically nonviable when complying
9 with state or Federal requirements for community
10 integration and reduced concentration of individuals
11 with disabilities.

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

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

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

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

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

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

22 (9) The transfer does not increase the cost (as
23 defined in section 502 of the Congressional Budget
24 Act of 1974 (2 U.S.C. 661a)) of any FHA-insured
25 mortgage, except to the extent that appropriations

1 are provided in advance for the amount of any such
2 increased cost.

3 (d) For purposes of this section—

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

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

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

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

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

21 (D) housing that is assisted under section
22 202 of the Housing Act of 1959 (12 U.S.C.
23 1701q), as such section existed before the en-
24 actment of the Cranston-Gonzales National Af-
25 fordable Housing Act;

1 (E) housing that is assisted under section
2 811 of the Cranston-Gonzales National Afford-
3 able Housing Act (42 U.S.C. 8013); or

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

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

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

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

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

19 (D) interest reduction payments under sec-
20 tion 236 and/or additional assistance payments
21 under section 236(f)(2) of the National Hous-
22 ing Act (12 U.S.C. 1715z–1);

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

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

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

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

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

18 (e) RESEARCH REPORT.—The Secretary shall con-
19 duct an evaluation of the transfer authority under this sec-
20 tion, including the effect of such transfers on the oper-
21 ational efficiency, contract rents, physical and financial
22 conditions, and long-term preservation of the affected
23 properties. The Secretary shall publish by notice in the
24 Federal Register the terms and conditions, including cri-
25 teria for approval by the Department of Housing and

1 Urban Development, of transfers pursuant to this section
2 no later than 30 days before the effective date of such
3 notice.

4 SEC. 209. (a) No assistance shall be provided under
5 section 8 of the United States Housing Act of 1937 (42
6 U.S.C. 1437f) to any individual who—

7 (1) is enrolled as a student at an institution of
8 higher education (as defined under section 102 of
9 the Higher Education Act of 1965 (20 U.S.C.
10 1002));

11 (2) is under 24 years of age;

12 (3) is not a veteran;

13 (4) is unmarried;

14 (5) does not have a dependent child;

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

20 (7) is not a youth who left foster care at age
21 14 or older and is at risk of becoming homeless; and

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

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

13 SEC. 210. The funds made available for Native Alas-
14 kans under paragraph (1) under the heading “Native
15 American Programs” in title II of this Act shall be allo-
16 cated to the same Native Alaskan housing block grant re-
17 cipients that received funds in fiscal year 2005, and only
18 such recipients shall be eligible to apply for funds made
19 available under paragraph (2) of such heading.

20 SEC. 211. Notwithstanding any other provision of
21 law, in fiscal year 2023, in managing and disposing of any
22 multifamily property that is owned or has a mortgage held
23 by the Secretary of Housing and Urban Development, and
24 during the process of foreclosure on any property with a
25 contract for rental assistance payments under section 8

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

1 major threats to health and safety after written notice to
2 and informed consent of the affected tenants and use of
3 other available remedies, such as partial abatements or re-
4 ceivership. After disposition of any multifamily property
5 described in this section, the contract and allowable rent
6 levels on such properties shall be subject to the require-
7 ments under section 524 of MAHRAA.

8 SEC. 212. Public housing agencies that own and oper-
9 ate 400 or fewer public housing units may elect to be ex-
10 empt from any asset management requirement imposed by
11 the Secretary in connection with the operating fund rule:
12 *Provided*, That an agency seeking a discontinuance of a
13 reduction of subsidy under the operating fund formula
14 shall not be exempt from asset management requirements.

15 SEC. 213. With respect to the use of amounts pro-
16 vided in this Act and in future Acts for the operation, cap-
17 ital improvement, and management of public housing as
18 authorized by sections 9(d) and 9(e) of the United States
19 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-
20 retary shall not impose any requirement or guideline relat-
21 ing to asset management that restricts or limits in any
22 way the use of capital funds for central office costs pursu-
23 ant to paragraph (1) or (2) of section 9(g) of the United
24 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):
25 *Provided*, That a public housing agency may not use cap-

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

5 SEC. 214. No official or employee of the Department
6 of Housing and Urban Development shall be designated
7 as an allotment holder unless the Office of the Chief Fi-
8 nancial Officer has determined that such allotment holder
9 has implemented an adequate system of funds control and
10 has received training in funds control procedures and di-
11 rectives. The Chief Financial Officer shall ensure that
12 there is a trained allotment holder for each HUD appro-
13 priation under the accounts “Executive Offices”, “Admin-
14 istrative Support Offices”, “Program Offices”, “Govern-
15 ment National Mortgage Association—Guarantees of
16 Mortgage-Backed Securities Loan Guarantee Program
17 Account”, and “Office of Inspector General” within the
18 Department of Housing and Urban Development.

19 SEC. 215. The Secretary shall, for fiscal year 2023,
20 notify the public through the Federal Register and other
21 means, as determined appropriate, of the issuance of a no-
22 tice of funding opportunity (NOFO) for any program or
23 discretionary fund administered by the Secretary that is
24 to be competitively awarded. Notwithstanding any other
25 provision of law, for fiscal year 2023, the Secretary may

1 make the NOFO available only on the Internet at the ap-
2 propriate Government website or through other electronic
3 media, as determined by the Secretary.

4 SEC. 216. Payment of attorney fees in program-re-
5 lated litigation shall be paid from the individual program
6 office and Office of General Counsel salaries and expenses
7 appropriations.

8 SEC. 217. The Secretary is authorized to transfer up
9 to 10 percent or \$5,000,000, whichever is less, of funds
10 appropriated for any office under the headings “Adminis-
11 trative Support Offices” or “Program Offices” to any
12 other such office under such headings: *Provided*, That no
13 appropriation for any such office under such headings
14 shall be increased or decreased by more than 10 percent
15 or \$5,000,000, whichever is less, without prior written ap-
16 proval of the House and Senate Committees on Appropria-
17 tions: *Provided further*, That the Secretary shall provide
18 notification to such Committees 3 business days in ad-
19 vance of any such transfers under this section up to 10
20 percent or \$5,000,000, whichever is less.

21 SEC. 218. (a) Any entity receiving housing assistance
22 payments shall maintain decent, safe, and sanitary condi-
23 tions, as determined by the Secretary, and comply with
24 any standards under applicable State or local laws, rules,
25 ordinances, or regulations relating to the physical condi-

1 tion of any property covered under a housing assistance
2 payment contract.

3 (b) The Secretary shall take action under subsection
4 (c) when a multifamily housing project with a contract
5 under section 8 of the United States Housing Act of 1937
6 (42 U.S.C. 1437f) or a contract for similar project-based
7 assistance—

8 (1) receives a Uniform Physical Condition
9 Standards (UPCS) score of 59 or less; or

10 (2) fails to certify in writing to the Secretary
11 within 3 days that all Exigent Health and Safety de-
12 ficiencies identified by the inspector at the project
13 have been corrected.

14 Such requirements shall apply to insured and non-
15 insured projects with assistance attached to the units
16 under section 8 of the United States Housing Act of 1937
17 (42 U.S.C. 1437f), but shall not apply to such units as-
18 sisted under section 8(o)(13) of such Act (42 U.S.C.
19 1437f(o)(13)) or to public housing units assisted with cap-
20 ital or operating funds under section 9 of the United
21 States Housing Act of 1937 (42 U.S.C. 1437g).

22 (c)(1) Within 15 days of the issuance of the Real Es-
23 tate Assessment Center (“REAC”) inspection, the Sec-
24 retary shall provide the owner with a Notice of Default
25 with a specified timetable, determined by the Secretary,

1 for correcting all deficiencies. The Secretary shall provide
2 a copy of the Notice of Default to the tenants, the local
3 government, any mortgagees, and any contract adminis-
4 trator. If the owner's appeal results in a UPCS score of
5 60 or above, the Secretary may withdraw the Notice of
6 Default.

7 (2) At the end of the time period for correcting all
8 deficiencies specified in the Notice of Default, if the owner
9 fails to fully correct such deficiencies, the Secretary shall
10 take one or more of the following actions, and provide ad-
11 ditional notice of those actions to the owner and the par-
12 ties specified above—

13 (A) require immediate replacement of project
14 management with a management agent approved by
15 the Secretary;

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

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

24 (D) pursue transfer of the project to an owner,
25 approved by the Secretary under established proce-

1 dures, who will be obligated to promptly make all re-
2 quired repairs and to accept renewal of the assist-
3 ance contract if such renewal is offered;

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

6 (F) pursue exclusionary sanctions, including
7 suspensions or debarments from Federal programs;

8 (G) seek judicial appointment of a receiver to
9 manage the property and cure all project deficiencies
10 or seek a judicial order of specific performance re-
11 quiring the owner to cure all project deficiencies;

12 (H) work with the owner, lender, or other re-
13 lated party to stabilize the property in an attempt
14 to preserve the property through compliance, trans-
15 fer of ownership, or an infusion of capital provided
16 by a third-party that requires time to effectuate; or

17 (I) take any other regulatory or contractual
18 remedies available as deemed necessary and appro-
19 priate by the Secretary.

20 (d) The Secretary shall take appropriate steps to en-
21 sure that project-based contracts remain in effect, subject
22 to the exercise of contractual abatement remedies to assist
23 relocation of tenants for major threats to health and safety
24 after written notice to and informed consent of the af-
25 fected tenants and use of other remedies set forth above.

1 To the extent the Secretary determines, in consultation
2 with the tenants and the local government, that the prop-
3 erty is not feasible for continued rental assistance pay-
4 ments under such section 8 or other programs, based on
5 consideration of—

6 (1) the costs of rehabilitating and operating the
7 property and all available Federal, State, and local
8 resources, including rent adjustments under section
9 524 of the Multifamily Assisted Housing Reform
10 and Affordability Act of 1997 (“MAHRAA”); and

11 (2) environmental conditions that cannot be
12 remedied in a cost-effective fashion, the Secretary
13 may contract for project-based rental assistance pay-
14 ments with an owner or owners of other existing
15 housing properties, or provide other rental assist-
16 ance.

17 (e) The Secretary shall report semi-annually on all
18 properties covered by this section that are assessed
19 through the Real Estate Assessment Center and have
20 UPCS physical inspection scores of less than 60 or have
21 received an unsatisfactory management and occupancy re-
22 view within the past 36 months. The report shall include—

23 (1) identification of the property level enforce-
24 ment actions being taken to address such conditions,
25 including imposition of civil money penalties and ter-

1 mination of subsidies, and identification of prop-
2 erties that have such conditions multiple times;

3 (2) identification of property level actions that
4 the Department of Housing and Urban Development
5 is taking to protect tenants of such identified prop-
6 erties; and

7 (3) any administrative or legislative rec-
8 ommendations to further improve the living condi-
9 tions at properties covered under a housing assist-
10 ance payment contract.

11 The first report shall be submitted to the Senate and
12 House Committees on Appropriations not later than 30
13 days after the enactment of this Act, and the second re-
14 port shall be submitted within 180 days of the transmittal
15 of the first report.

16 SEC. 219. None of the funds made available by this
17 Act, or any other Act, for purposes authorized under sec-
18 tion 8 (only with respect to the tenant-based rental assist-
19 ance program) and section 9 of the United States Housing
20 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
21 any public housing agency for any amount of salary, in-
22 cluding bonuses, for the chief executive officer of which,
23 or any other official or employee of which, that exceeds
24 the annual rate of basic pay payable for a position at level

1 IV of the Executive Schedule at any time during any pub-
2 lic housing agency fiscal year 2023.

3 SEC. 220. None of the funds made available by this
4 Act and provided to the Department of Housing and
5 Urban Development may be used to make a grant award
6 unless the Secretary notifies the House and Senate Com-
7 mittees on Appropriations not less than 3 full business
8 days before any project, State, locality, housing authority,
9 Tribe, nonprofit organization, or other entity selected to
10 receive a grant award is announced by the Department
11 or its offices: *Provided*, That such notification shall list
12 each grant award by State and congressional district.

13 SEC. 221. None of the funds made available in this
14 Act shall be used by the Federal Housing Administration,
15 the Government National Mortgage Association, or the
16 Department of Housing and Urban Development to in-
17 sure, securitize, or establish a Federal guarantee of any
18 mortgage or mortgage backed security that refinances or
19 otherwise replaces a mortgage that has been subject to
20 eminent domain condemnation or seizure, by a State, mu-
21 nicipality, or any other political subdivision of a State.

22 SEC. 222. None of the funds made available by this
23 Act may be used to terminate the status of a unit of gen-
24 eral local government as a metropolitan city (as defined
25 in section 102 of the Housing and Community Develop-

1 ment Act of 1974 (42 U.S.C. 5302)) with respect to
2 grants under section 106 of such Act (42 U.S.C. 5306).

3 SEC. 223. Amounts made available by this Act that
4 are appropriated, allocated, advanced on a reimbursable
5 basis, or transferred to the Office of Policy Development
6 and Research of the Department of Housing and Urban
7 Development and functions thereof, for research, evalua-
8 tion, or statistical purposes, and that are unexpended at
9 the time of completion of a contract, grant, or cooperative
10 agreement, may be deobligated and shall immediately be-
11 come available and may be reobligated in that fiscal year
12 or the subsequent fiscal year for the research, evaluation,
13 or statistical purposes for which the amounts are made
14 available to that Office subject to reprogramming require-
15 ments in section 405 of this Act.

16 SEC. 224. None of the funds provided in this Act or
17 any other Act may be used for awards, including perform-
18 ance, special act, or spot, for any employee of the Depart-
19 ment of Housing and Urban Development subject to ad-
20 ministrative discipline (including suspension from work),
21 in this fiscal year, but this prohibition shall not be effec-
22 tive prior to the effective date of any such administrative
23 discipline or after any final decision over-turning such dis-
24 cipline.

1 SEC. 225. With respect to grant amounts awarded
2 under the heading “Homeless Assistance Grants” for fis-
3 cal years 2015 through 2023 for the Continuum of Care
4 (CoC) program as authorized under subtitle C of title IV
5 of the McKinney-Vento Homeless Assistance Act, costs
6 paid by program income of grant recipients may count to-
7 ward meeting the recipient’s matching requirements, pro-
8 vided the costs are eligible CoC costs that supplement the
9 recipient’s CoC program.

10 SEC. 226. (a) From amounts made available under
11 this title under the heading “Homeless Assistance
12 Grants”, the Secretary may award 1-year transition
13 grants to recipients of funds for activities under subtitle
14 C of the McKinney-Vento Homeless Assistance Act (42
15 U.S.C. 11381 et seq.) to transition from one Continuum
16 of Care program component to another.

17 (b) In order to be eligible to receive a transition
18 grant, the funding recipient must have the consent of the
19 continuum of care and meet standards determined by the
20 Secretary.

21 SEC. 227. The Promise Zone designations and Prom-
22 ise Zone Designation Agreements entered into pursuant
23 to such designations, made by the Secretary in prior fiscal
24 years, shall remain in effect in accordance with the terms
25 and conditions of such agreements.

1 SEC. 228. Any public housing agency designated as
2 a Moving to Work agency pursuant to section 239 of divi-
3 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
4 129 Stat. 2897) may, upon such designation, use funds
5 (except for special purpose funding, including special pur-
6 pose vouchers) previously allocated to any such public
7 housing agency under section 8 or 9 of the United States
8 Housing Act of 1937, including any reserve funds held by
9 the public housing agency or funds held by the Depart-
10 ment of Housing and Urban Development, pursuant to the
11 authority for use of section 8 or 9 funding provided under
12 such section and section 204 of title II of the Departments
13 of Veterans Affairs and Housing and Urban Development
14 and Independent Agencies Appropriations Act, 1996
15 (Public Law 104–134; 110 Stat. 1321–28), notwith-
16 standing the purposes for which such funds were appro-
17 priated.

18 SEC. 229. None of the amounts made available by
19 this Act may be used to prohibit any public housing agen-
20 cy under receivership or the direction of a Federal monitor
21 from applying for, receiving, or using funds made available
22 under the heading “Public Housing Fund” for competitive
23 grants to evaluate and reduce lead-based paint hazards in
24 this Act or that remain available and not awarded from
25 prior Acts, or be used to prohibit a public housing agency

1 from using such funds to carry out any required work pur-
2 suant to a settlement agreement, consent decree, vol-
3 untary agreement, or similar document for a violation of
4 the Lead Safe Housing or Lead Disclosure Rules.

5 SEC. 230. None of the funds made available by this
6 title may be used to issue rules or guidance in contraven-
7 tion of section 1210 of Public Law 115–254 (132 Stat.
8 3442) or section 312 of the Robert T. Stafford Disaster
9 Relief and Emergency Assistance Act (42 U.S.C. 5155).

10 SEC. 231. (a) Funds previously made available in the
11 Consolidated Appropriations Act, 2016 (Public Law 114–
12 113) for the “Choice Neighborhoods Initiative” that were
13 available for obligation through fiscal year 2018 are to re-
14 main available through fiscal year 2024 for the liquidation
15 of valid obligations incurred in fiscal years 2016 through
16 2018.

17 (b) Funds previously made available in the Consoli-
18 dated Appropriations Act, 2017 (Public Law 115-31) for
19 the “Choice Neighborhoods Initiative” that were available
20 for obligation through fiscal year 2019 are to remain avail-
21 able through fiscal year 2025 for the liquidation of valid
22 obligations incurred in fiscal years 2017 through 2019.

23 (c) Funds previously made available in the Consoli-
24 dated Appropriations Act, 2018 (Public Law 115-141) for
25 the “Choice Neighborhoods Initiative” that were available

1 for obligation through fiscal year 2020 are to remain avail-
2 able through fiscal year 2026 for the liquidation of valid
3 obligations incurred in fiscal years 2018 through 2020.

4 (d) Funds previously made available in the Consoli-
5 dated Appropriations Act, 2019 (Public Law 116-6) for
6 the “Choice Neighborhoods Initiative” that were available
7 for obligation through fiscal year 2021 are to remain avail-
8 able through fiscal year 2027 for the liquidation of valid
9 obligations incurred in fiscal years 2019 through 2021.

10 (e) Funds previously made available in the Further
11 Consolidated Appropriations Act, 2020 (Public Law 116-
12 94) for the “Choice Neighborhoods Initiative” that were
13 available for obligation through fiscal year 2022 are to re-
14 main available through fiscal year 2028 for the liquidation
15 of valid obligations incurred in fiscal years 2020 through
16 2022.

17 (f) Funds previously made available in the Consoli-
18 dated Appropriations Act, 2021 (Public Law 116-260) for
19 the “Choice Neighborhoods Initiative” that were available
20 for obligation through fiscal year 2023 are to remain avail-
21 able through fiscal year 2029 for the liquidation of valid
22 obligations incurred in fiscal years 2021 through 2023.

23 SEC. 232. For fiscal year 2023, if the Secretary de-
24 termines or has determined, for any prior formula grant
25 allocation administered by the Secretary under a program

1 under the headings “Public and Indian Housing”, “Com-
2 munity Planning and Development”, or “Housing Pro-
3 grams” in this title, that a recipient received an allocation
4 greater than the amount such recipient should have re-
5 ceived for a formula allocation cycle pursuant to applicable
6 statutes and regulations, the Secretary may adjust for any
7 such funding error in the next applicable formula alloca-
8 tion cycle by (a) offsetting each such recipient’s formula
9 allocation (if eligible for a formula allocation in the next
10 applicable formula allocation cycle) by the amount of any
11 such funding error; and (b) reallocating any available bal-
12 ances that are attributable to the offset to the recipient
13 or recipients that would have been allocated additional
14 funds in the formula allocation cycle in which any such
15 error occurred (if such recipient or recipients are eligible
16 for a formula allocation in the next applicable formula al-
17 location cycle) in an amount proportionate to such recipi-
18 ent’s eligibility under the next applicable formula alloca-
19 tion cycle formula: *Provided*, That all offsets and realloca-
20 tions from such available balances shall be recorded
21 against funds available for the next applicable formula al-
22 location cycle: *Provided further*, That the term “next appli-
23 cable formula allocation cycle” means the first formula al-
24 location cycle for a program that is reasonably available
25 for correction following such a Secretarial determination:

1 *Provided further*, That if, upon request by a recipient and
2 giving consideration to all Federal resources available to
3 the recipient for the same grant purposes, the Secretary
4 determines that the offset in a next applicable formula al-
5 location cycle would critically impair the recipient’s ability
6 to accomplish the purpose of the formula grant, the Sec-
7 retary may adjust for the funding error across two or more
8 formula allocation cycles.

9 SEC. 233. (a) Amounts made available in paragraphs
10 (1) and (2) under the heading “Native American Pro-
11 grams” in title XII of division B of the Coronavirus Aid,
12 Relief, and Economic Security Act (Public Law 116–136)
13 which were allocated or awarded to Indian tribes or trib-
14 ally designated housing entities, and which are not accept-
15 ed as of the date of enactment of this Act, are voluntarily
16 returned, or otherwise recaptured for any reason, may be
17 used by the Secretary to make additional grants for the
18 same purpose and under the same terms and conditions
19 as amounts appropriated by section 11003(a)(2) of the
20 American Rescue Plan Act of 2021 (Public Law 117–2).

21 (b) Amounts repurposed by this section that were
22 previously designated by the Congress as an emergency
23 requirement pursuant to the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985 or a concurrent resolu-
25 tion on the budget are designated as an emergency re-

1 quirement pursuant to section 4001(a)(1) of S. Con. Res.
2 14 (117th Congress), the concurrent resolution on the
3 budget for fiscal year 2022, and section 1(e) of H. Res.
4 1151 (117th Congress) as engrossed in the House of Rep-
5 resentatives on June 8, 2022.

6 SEC. 234. The Multifamily Assisted Housing Reform
7 and Affordability Act of 1997 (42 U.S.C. 1437f note) is
8 amended—

9 (a) in section 515, by adding at the end the following
10 new subsection:

11 “(d) RENT ADJUSTMENTS AND SUBSEQUENT RE-
12 NEWALS.—After the initial renewal of a section 8 contract
13 pursuant to this section and notwithstanding any other
14 provision of law or contract regarding the adjustment of
15 rents or subsequent renewal of such contract for a project,
16 including such a provision in section 514 or this section,
17 in the case of a project subject to any restrictions imposed
18 pursuant to sections 514 or this section, the Secretary
19 may, not more than once every 10 years, adjust such rents
20 or renew such contracts at rent levels that are equal to
21 the lesser of budget-based rents or comparable market
22 rents for the market area upon the request of an owner
23 or purchaser who—

24 “(1) demonstrates that—

1 “(A) project income is insufficient to oper-
2 ate and maintain the project, and no rehabilita-
3 tion is currently needed, as determined by the
4 Secretary; or

5 “(B) the rent adjustment or renewal con-
6 tract is necessary to support commercially rea-
7 sonable financing (including any required debt
8 service coverage and replacement reserve) for
9 rehabilitation necessary to ensure the long-term
10 sustainability of the project, as determined by
11 the Secretary, and in the event the owner or
12 purchaser fails to implement the rehabilitation
13 as required by the Secretary, the Secretary may
14 take such action against the owner or purchaser
15 as allowed by law; and

16 “(2) agrees to—

17 “(A) extend the affordability and use re-
18 strictions required under 514(e)(6) for an addi-
19 tional twenty years; and

20 “(B) enter into a binding commitment to
21 continue to renew such contract for and during
22 such extended term, provided that after the af-
23 fordability and use restrictions required under
24 514(e)(6) have been maintained for a term of
25 30 years:

1 “(i) an owner with a contract for
2 which rent levels were set at the time of its
3 initial renewal under section 514(g)(2)
4 shall request that the Secretary renew such
5 contract under section 524 for and during
6 such extended term; and

7 “(ii) an owner with a contract for
8 which rent levels were set at the time of its
9 initial renewal under section 514(g)(1)
10 may request that the Secretary renew such
11 contract under section 524.”;

12 (b) in section 524, by adding at the end the following
13 new subsection:

14 “(h) RENT ADJUSTMENTS TO ADDRESS DISTRESS.—
15 In the case of a section 8 contract that will be eligible
16 for renewal under this section when it expires or termi-
17 nates, notwithstanding any provision of contract or law
18 regarding the adjustment of rents, including such a provi-
19 sion in this section, the Secretary may adjust such rents,
20 subject to the availability of funds for such rent adjust-
21 ments, to rent levels that are equal to the lesser of budget-
22 based rents or comparable market rents for the market
23 area at the request of an owner or purchaser who dem-
24 onstrates that such rent adjustment is needed to address
25 project health and safety deficiencies and that—

1 “(1) project income is insufficient to operate
2 and maintain the project, and no rehabilitation is
3 currently needed, as determined by the Secretary; or

4 “(2) the rent adjustment is necessary to sup-
5 port commercially reasonable financing (including
6 any required debt service coverage and replacement
7 reserve) for rehabilitation necessary to ensure the
8 long-term sustainability of the project, as deter-
9 mined by the Secretary, and in the event the owner
10 or purchaser fails to implement the rehabilitation as
11 required by the Secretary, the Secretary may take
12 such action against the owner or purchaser as al-
13 lowed by law.”; and

14 (c) in section 579, by striking “October 1, 2022”
15 each place it appears and inserting in lieu thereof “Octo-
16 ber 1, 2027”.

17 SEC. 235. Of the amounts made available under the
18 heading “Project-Based Rental Assistance” in prior Acts,
19 up to \$1,300,000 may be transferred to Treasury Account
20 86-X-0148 for the liquidation of obligations incurred in
21 fiscal year 2018 in connection with the continued provision
22 of interest reduction payments authorized under section
23 236 of the National Housing Act (12 U.S.C. 1715z–1).

24 SEC. 236. (a) Funds previously made available in
25 chapter 9 of title X of the Disaster Relief Appropriations

1 Act, 2013 (Public Law 113-2, division A; 127 Stat. 36)
2 under the heading “Department of Housing and Urban
3 Development—Community Planning and Development—
4 Community Development Fund” that were available for
5 obligation through fiscal year 2017 are to remain available
6 until expended for the liquidation of valid obligations in-
7 curred in fiscal years 2013 through 2017.

8 (b) Notwithstanding any other provision of law, in the
9 case of any grantee of funds referred to in subsection (a)
10 of this section that provides assistance that duplicates
11 benefits available to a person for the same purpose from
12 another source, the grantee itself shall—

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

14 (2) bear responsibility for absorbing such cost
15 of duplicative benefits and returning an amount
16 equal to any duplicative benefits paid to the grant-
17 ee’s funds available for use under such heading, un-
18 less the Secretary, upon the request of a grantee
19 issues a public determination by publication in the
20 Federal Register that it is not in the best interest
21 of the Federal Government to pursue such remedies.

22 (c) Notwithstanding any other provision of law, any
23 grantee of funds referred to in subsection (a) of this sec-
24 tion may request a waiver from the Secretary of Housing
25 and Urban Development of any recoupment by the Sec-

1 retary of such funds for amounts owed by persons who
2 have received such assistance from such funds and who
3 have been defrauded, or after receiving assistance, have
4 filed for bankruptcy, gone through a foreclosure procedure
5 on property that received such assistance, or are deceased.
6 If the grantee self-certifies to the Secretary in such re-
7 quest that it has verified that the individual conditions of
8 each person it is requesting a waiver for meets one of the
9 conditions specified in the preceding sentence, the Sec-
10 retary may grant such waivers on the basis of grantee self-
11 certification, issue a public determination by publication
12 in the Federal Register that it is not in the best interest
13 of the Federal Government to pursue such recoupment,
14 and may conduct oversight to verify grantee self-certifi-
15 cation and subject the grantee to remedies for noncompli-
16 ance for any amounts that have not met such require-
17 ments.

18 (d) Amounts repurposed pursuant to this section that
19 were previously designated by the Congress as an emer-
20 gency requirement pursuant to the Balanced Budget and
21 Emergency Deficit Control Act of 1985 or a concurrent
22 resolution on the budget are designated as an emergency
23 requirement pursuant to section 4001(a)(1) of S. Con.
24 Res. 14 (117th Congress), the concurrent resolution on
25 the budget for fiscal year 2022, and section 1(e) of H.

1 Res. 1151 (117th Congress) as engrossed in the House
2 of Representatives on June 8, 2022.

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

12 This title may be cited as the “Department of Hous-
13 ing and Urban Development Appropriations Act, 2023”.

14 TITLE III

15 RELATED AGENCIES

16 ACCESS BOARD

17 SALARIES AND EXPENSES

18 For expenses necessary for the Access Board, as au-
19 thorized by section 502 of the Rehabilitation Act of 1973
20 (29 U.S.C. 792), \$9,850,000: *Provided*, That, notwith-
21 standing any other provision of law, there may be credited
22 to this appropriation funds received for publications and
23 training expenses.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936, as amended (46 U.S.C. 46107),
6 including services as authorized by section 3109 of title
7 5, United States Code; hire of passenger motor vehicles
8 as authorized by section 1343(b) of title 31, United States
9 Code; and uniforms or allowances therefore, as authorized
10 by sections 5901 and 5902 of title 5, United States Code,
11 \$38,260,000, of which \$2,000,000 shall remain available
12 until September 30, 2024: *Provided*, That not to exceed
13 \$3,500 shall be for official reception and representation
14 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), \$27,935,000: *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 2024,
17 the Inspector General shall submit to the House and Sen-
18 ate Committees on Appropriations a budget request for
19 fiscal year 2024 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 section 3109
2 of title 5, United States Code, but at rates for individuals
3 not to exceed the per diem rate equivalent to the rate for
4 a GS–15; uniforms, or allowances therefor, as authorized
5 by sections 5901 and 5902 of title 5, United States Code,
6 \$129,300,000, of which not to exceed \$2,000 may be used
7 for official reception and representation expenses: *Pro-*
8 *vided*, That the amounts made available to the National
9 Transportation Safety Board in this Act include amounts
10 necessary to make lease payments on an obligation in-
11 curred in fiscal year 2001 for a capital lease.

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

15 For payment to the Neighborhood Reinvestment Cor-
16 poration for use in neighborhood reinvestment activities,
17 as authorized by the Neighborhood Reinvestment Corpora-
18 tion Act (42 U.S.C. 8101–8107), \$185,000,000.

19 SURFACE TRANSPORTATION BOARD
20 SALARIES AND EXPENSES

21 For necessary expenses of the Surface Transpor-
22 tation Board, including services authorized by section
23 3109 of title 5, United States Code, \$42,029,000: *Pro-*
24 *vided*, That of the amounts made available under this
25 heading, not less than \$1,000,000 shall be for the nec-

1 essary salaries and expenses to implement section 22309
2 of the Infrastructure Investment and Jobs Act (Public
3 Law 117-58), and for other activities as appropriate as
4 determined by the Surface Transportation Board: *Pro-*
5 *vided further*, That, notwithstanding any other provision
6 of law, not to exceed \$1,250,000 from fees established by
7 the Surface Transportation Board shall be credited to this
8 appropriation as offsetting collections and used for nec-
9 essary and authorized expenses under this heading: *Pro-*
10 *vided further*, That the amounts made available under this
11 heading from the general fund shall be reduced on a dol-
12 lar-for-dollar basis as such offsetting collections are re-
13 ceived during fiscal year 2023, to result in a final appro-
14 priation from the general fund estimated at not more than
15 \$40,779,000.

16 UNITED STATES INTERAGENCY COUNCIL ON
17 HOMELESSNESS
18 OPERATING EXPENSES

19 For necessary expenses, including payment of sala-
20 ries, authorized travel, hire of passenger motor vehicles,
21 the rental of conference rooms, and the employment of ex-
22 perts and consultants under section 3109 of title 5, United
23 States Code, of the United States Interagency Council on
24 Homelessness in carrying out the functions pursuant to

1 title II of the McKinney-Vento Homeless Assistance Act,
2 as amended, \$4,580,000.

3 TITLE IV

4 GENERAL PROVISIONS—THIS ACT

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

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

14 SEC. 403. The expenditure of any appropriation
15 under this Act for any consulting service through a pro-
16 curement contract pursuant to section 3109 of title 5,
17 United States Code, shall be limited to those contracts
18 where such expenditures are a matter of public record and
19 available for public inspection, except where otherwise pro-
20 vided under existing law, or under existing Executive order
21 issued pursuant to existing law.

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

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

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

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

10 (4) contains any methods or content associated
11 with religious or quasi-religious belief systems or
12 “new age” belief systems as defined in Equal Em-
13 ployment Opportunity Commission Notice N-
14 915.022, dated September 2, 1988; or

15 (5) is offensive to, or designed to change, par-
16 ticipants’ personal values or lifestyle outside the
17 workplace.

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

21 SEC. 405. Except as otherwise provided in this Act,
22 none of the funds provided in this Act, provided by pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2023, or provided from any ac-

1 counts in the Treasury derived by the collection of fees
2 and available to the agencies funded by this Act, shall be
3 available for obligation or expenditure through a re-
4 programming of funds that—

5 (1) creates a new program;

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

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

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

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

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

19 (7) creates, reorganizes, or restructures a
20 branch, division, office, bureau, board, commission,
21 agency, administration, or department different from
22 the budget justifications submitted to the Commit-
23 tees on Appropriations or the table accompanying
24 the report accompanying this Act, whichever is more

1 detailed, unless prior approval is received from the
2 House and Senate Committees on Appropriations:
3 *Provided*, That not later than 60 days after the date of
4 enactment of this Act, each agency funded by this Act
5 shall submit a report to the Committees on Appropriations
6 of the Senate and of the House of Representatives to es-
7 tablish the baseline for application of reprogramming and
8 transfer authorities for the current fiscal year: *Provided*
9 *further*, That the report shall include—

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

16 (B) a delineation in the table for each ap-
17 propriation and its respective prior year enacted
18 level by object class and program, project, and
19 activity as detailed in this Act, the table accom-
20 panying the report accompanying this Act, ac-
21 companying reports of the House and Senate
22 Committee on Appropriations, or in the budget
23 appendix for the respective appropriations,
24 whichever is more detailed, and shall apply to
25 all items for which a dollar amount is specified

1 and to all programs for which new budget
2 (obligational) authority is provided, as well as
3 to discretionary grants and discretionary grant
4 allocations; and

5 (C) an identification of items of special
6 congressional interest.

7 SEC. 406. Except as otherwise specifically provided
8 by law, not to exceed 50 percent of unobligated balances
9 remaining available at the end of fiscal year 2023 from
10 appropriations made available for salaries and expenses
11 for fiscal year 2023 in this Act, shall remain available
12 through September 30, 2024, for each such account for
13 the purposes authorized: *Provided*, That a request shall
14 be submitted to the House and Senate Committees on Ap-
15 propriations for approval prior to the expenditure of such
16 funds: *Provided further*, That these requests shall be made
17 in compliance with reprogramming guidelines under sec-
18 tion 405 of this Act.

19 SEC. 407. No funds in this Act may be used to sup-
20 port any Federal, State, or local projects that seek to use
21 the power of eminent domain, unless eminent domain is
22 employed only for a public use: *Provided*, That for pur-
23 poses of this section, public use shall not be construed to
24 include economic development that primarily benefits pri-
25 vate entities: *Provided further*, That any use of funds for

1 mass transit, railroad, airport, seaport or highway
2 projects, as well as utility projects which benefit or serve
3 the general public (including energy-related, communica-
4 tion-related, water-related and wastewater-related infra-
5 structure), other structures designated for use by the gen-
6 eral public or which have other common-carrier or public-
7 utility functions that serve the general public and are sub-
8 ject to regulation and oversight by the government, and
9 projects for the removal of an immediate threat to public
10 health and safety or brownfields as defined in the Small
11 Business Liability Relief and Brownfields Revitalization
12 Act (Public Law 107–118) shall be considered a public
13 use for purposes of eminent domain.

14 SEC. 408. None of the funds made available in this
15 Act may be transferred to any department, agency, or in-
16 strumentality of the United States Government, except
17 pursuant to a transfer made by, or transfer authority pro-
18 vided in, this Act or any other appropriations Act.

19 SEC. 409. No funds appropriated pursuant to this
20 Act may be expended by an entity unless the entity agrees
21 that in expending the assistance the entity will comply
22 with sections 2 through 4 of the Act of March 3, 1933
23 (41 U.S.C. 8301–8305, popularly known as the “Buy
24 American Act”).

1 SEC. 410. No funds appropriated or otherwise made
2 available under this Act shall be made available to any
3 person or entity that has been convicted of violating the
4 Buy American Act (41 U.S.C. 8301–8305).

5 SEC. 411. None of the funds made available in this
6 Act may be used for first-class airline accommodations in
7 contravention of sections 301–10.122 and 301–10.123 of
8 title 41, Code of Federal Regulations.

9 SEC. 412. None of the funds made available in this
10 Act may be used to send or otherwise pay for the attend-
11 ance of more than 50 employees of a single agency or de-
12 partment of the United States Government, who are sta-
13 tioned in the United States, at any single international
14 conference unless the relevant Secretary reports to the
15 House and Senate Committees on Appropriations at least
16 5 days in advance that such attendance is important to
17 the national interest: *Provided*, That for purposes of this
18 section the term “international conference” shall mean a
19 conference occurring outside of the United States attended
20 by representatives of the United States Government and
21 of foreign governments, international organizations, or
22 nongovernmental organizations.

23 SEC. 413. None of the funds appropriated or other-
24 wise made available under this Act may be used by the
25 Surface Transportation Board to charge or collect any fil-

1 ing fee for rate or practice complaints filed with the Board
2 in an amount in excess of the amount authorized for dis-
3 trict court civil suit filing fees under section 1914 of title
4 28, United States Code.

5 SEC. 414. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

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

13 SEC. 415. (a) None of the funds made available in
14 this Act may be used to deny an Inspector General funded
15 under this Act timely access to any records, documents,
16 or other materials available to the department or agency
17 over which that Inspector General has responsibilities
18 under the Inspector General Act of 1978 (5 U.S.C. App.),
19 or to prevent or impede that Inspector General's access
20 to such records, documents, or other materials, under any
21 provision of law, except a provision of law that expressly
22 refers to the Inspector General and expressly limits the
23 Inspector General's right of access.

24 (b) A department or agency covered by this section
25 shall provide its Inspector General with access to all such

1 records, documents, and other materials in a timely man-
2 ner.

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

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

12 SEC. 416. None of the funds appropriated or other-
13 wise made available by this Act may be used to pay award
14 or incentive fees for contractors whose performance has
15 been judged to be below satisfactory, behind schedule, over
16 budget, or has failed to meet the basic requirements of
17 a contract, unless the Agency determines that any such
18 deviations are due to unforeseeable events, government-
19 driven scope changes, or are not significant within the
20 overall scope of the project and/or program unless such
21 awards or incentive fees are consistent with 16.401(e)(2)
22 of the Federal Acquisition Regulations.

23 SEC. 417. Within the amounts appropriated in this
24 Act, funding shall be allocated in the amounts specified
25 for those projects and purposes delineated in the table ti-

1 tled “Transportation, Housing and Urban Development
2 Incorporation of Community Project Funding Items” in-
3 cluded in the report accompanying this Act.

4 SEC. 418. No part of any appropriation contained in
5 this Act shall be available to pay the salary for any person
6 filling a position, other than a temporary position, for-
7 merly held by an employee who has left to enter the Armed
8 Forces of the United States and has satisfactorily com-
9 pleted his or her period of active military or naval service,
10 and has within 90 days after his or her release from such
11 service or from hospitalization continuing after discharge
12 for a period of not more than 1 year, made application
13 for restoration to his or her former position and has been
14 certified by the Office of Personnel Management as still
15 qualified to perform the duties of his or her former posi-
16 tion and has not been restored thereto.

17 SEC. 419. (a) None of the funds made available by
18 this Act may be used to approve a new foreign air carrier
19 permit under sections 41301 through 41305 of title 49,
20 United States Code, or exemption application under sec-
21 tion 40109 of that title of an air carrier already holding
22 an air operators certificate issued by a country that is
23 party to the U.S.-E.U.-Iceland-Norway Air Transport
24 Agreement where such approval would contravene United

1 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
2 way Air Transport Agreement.

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

9 This Act may be cited as the “Transportation, Hous-
10 ing and Urban Development, and Related Agencies Appro-
11 priations Act, 2023”.

Union Calendar No. 310

117TH CONGRESS
2D Session

H. R. 8294

[Report No. 117-402]

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

JULY 5, 2022

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