

Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations for FY2021

Updated June 17, 2021

Congressional Research Service

<https://crsreports.congress.gov>

R46465

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The respective House and Senate Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations Subcommittees are charged with providing annual appropriations for the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), and certain related agencies. This report describes action on FY2021 annual appropriations for THUD, including detailed tables for each major agency and a brief overview of selected issues. An appendix lists the FY2021 funding provided to THUD agencies outside of the regular THUD appropriations act.

FY2021 Budget Process

Appropriations for DOT, HUD, and the related agencies typically funded in the THUD bill happen in the context of the broader annual congressional appropriations process. That process generally begins with the submission of the President's budget request in February and the adoption of the congressional spending limits (generally, in a budget resolution) that set the overall level of spending for that fiscal year's appropriations bills.

The framework for budget enforcement under the congressional budget process has both statutory and procedural elements. The statutory elements include limits on "defense" and "nondefense" discretionary spending established by the Budget Control Act of 2011 (BCA; P.L. 112-25); THUD appropriations are classified as nondefense spending. The procedural elements are primarily associated with the budget resolution and limit both total discretionary spending available to the Appropriations Committees (commonly referred to as "302(a) allocations") and spending under the jurisdiction of each appropriations subcommittee ("302(b) suballocations"). Certain spending, such as that designed as for an "emergency requirement," is effectively exempt from these limits (this type of exemption is commonly referred to as a "cap adjustment").¹

On August 2, 2019, the FY2020 and FY2021 BCA spending limits were increased via the enactment of the Bipartisan Budget Act of 2019 (BBA 2019; P.L. 116-37).² The FY2021 nondefense limit (\$626.5 billion) was 0.8% (+\$5 billion) more than the FY2020 limit. In addition, BBA 2019 provided procedures to establish the spending allocations to the House and Senate Appropriations Committees via statements submitted to the *Congressional Record* by the chairs of the House and Senate Budget Committees, without the adoption of a budget resolution.³ Among other requirements, these spending allocations must be consistent with the levels established by the statutory discretionary spending limits. These FY2021 committee-level spending allocations were submitted in the House on May 1, and in the Senate on May 4, 2020.⁴

Generally, the next step in the appropriations process is for each of the Appropriations Committees to adopt "suballocations" from the total amount allocated to them. These 302(b) suballocations provide a limit on current-year (e.g., FY2021) appropriations within each subcommittee's jurisdiction and incorporate any applicable scorekeeping adjustments made by the Congressional Budget Office. Revisions to suballocations throughout the appropriations

¹ For further information, see CRS Report R45778, *Exceptions to the Budget Control Act's Discretionary Spending Limits*.

² For further information, see CRS Insight IN11148, *The Bipartisan Budget Act of 2019: Changes to the BCA and Debt Limit*.

³ Ibid. For a general discussion of budget enforcement mechanisms that may be adopted in the absence of a budget resolution, see CRS Report R44296, *Deeming Resolutions: Budget Enforcement in the Absence of a Budget Resolution*.

⁴ "Publication of Budgetary Material," *Congressional Record*, daily edition, Vol. 166, No. 82 (May 1, 2020), pp. H1968-H1969. "Budget Enforcement Levels for Fiscal Year 2021," *Congressional Record*, daily edition, Vol. 166, No. 83 (May 4, 2020), pp. S2205-S2206.

process are a common practice to reflect actual action on appropriations bills and changes in congressional priorities.

The House Appropriations Committee adopted 302(b) suballocations for each of its 12 subcommittees on July 9.⁵ The House THUD discretionary suballocation for FY2021 was set at \$75.924 billion, a 2.2% increase over the FY2020 enacted level (excluding emergency funding). The Senate Appropriations Committee did not adopt formal suballocations, although it released draft suballocations along with a majority draft THUD bill and explanatory text on November 10.⁶ The Senate majority committee draft THUD suballocation was set at \$74.838 billion, which was slightly higher than FY2020 (0.8%) and lower than the House (-1.4%).

The final FY2021 funding level for THUD provided by Division L of the Consolidated Appropriations Act, FY2021 (P.L. 116-260) was \$75.376 billion, which is between the higher House and lower Senate Appropriations Committee majority draft levels; however \$718 million of that amount was designated as “emergency” and therefore did not count against discretionary spending limits. Thus, the cap-constrained total for THUD in FY2021 was \$74.658 billion, which is lower than both the House and Senate Appropriations Committee majority draft suballocations.

Table 1. FY2021 THUD 302(b) Suballocations in Context
in billions

	FY2020 Enacted	President's FY2021 Request	House FY2021 302(b)	Senate Appropriations Committee Draft FY2021 302(b)	FY2021 Enacted
THUD Totals	\$74.277 ^a	\$59.162	\$75.924	\$74.838	\$74.658 ^b

Source: FY2020 enacted from CBO Status of Discretionary Appropriations, FY2020, <https://www.cbo.gov/system/files?file=2020-05/FY2020-House-2020-4-24.pdf>; President’s FY2021 Request taken from Comparative Statement of Budget Authority, beginning on p. 192 in H.Rept. 116-452; House FY2021 302(b) from House Appropriations Committee, “Appropriations Committee Approves FY2021 Subcommittee Allocations,” press release, July 9, 2020, at <https://appropriations.house.gov/news/press-releases/appropriations-committee-approves-fy-2021-subcommittee-allocations>; Senate Draft from linked 302(b) suballocations in the Senate Appropriations Committee majority press release, “Committee Releases FY21 Bills in Effort to Advance Process, Produce Bipartisan Results,” November 10, 2020, <https://www.appropriations.senate.gov/download/fy21-senate-302b-allocations>; FY2021 enacted taken from “CBO Estimate for the House Amendment to the Senate Amendment to H.R. 133, the Consolidated Appropriations Act, 2021 (Rules Committee Print 116-68, as Posted on the House Committee on Rules Website <https://rules.house.gov/bill/116/hr-133-sa>), December 21, 2020.”

- a. The FY2020 appropriations law included a rescission of emergency funding provided in prior years to HUD’s tenant-based and project-based rental assistance accounts. The scoring of these savings was determined by the Congressional Budget Office to not result in savings for purposes of discretionary spending limits. (See the Congressional Budget Office, Status of Discretionary Appropriations, House of Representatives, report dated January 29, 2020, Table 1, note h, available at <https://www.cbo.gov/system/files?file=2020-02/FY2020-House-2020-1-29.pdf>). The CBO total is reflected in this table. However, the

⁵ House Appropriations Committee, “Appropriations Committee Approves FY2021 Subcommittee Allocations,” press release, July 9, 2020, at <https://appropriations.house.gov/news/press-releases/appropriations-committee-approves-fy-2021-subcommittee-allocations>. Revised allocations were subsequently reported on July 16, but no changes were made to the THUD subcommittee allocation in that amendment. See <https://appropriations.house.gov/events/markups/fy-2021-homeland-security-financial-services-and-general-government-appropriations>.

⁶ See linked 302(b) suballocations in the Senate Appropriations Committee majority press release, “Committee Releases FY21 Bills in Effort to Advance Process, Produce Bipartisan Results,” November 10, 2020, <https://www.appropriations.senate.gov/news/committee-releases-fy21-bills-in-effort-to-advance-process-produce-bipartisan-results>.

Comparative Statements of Budget Authority released by the Appropriations Committees and used for the remainder of this report reflect the rescission in the FY2020 total, and thus totals shown later in this report may be \$7 million lower than the amount shown here.

- b. An additional \$718 million provided for THUD by P.L. 116-261 was deemed an emergency requirement and is thus excluded for purposes of calculating the total subject to discretionary spending limits under the BCA, as amended and is not shown in this table.

FY2021 THUD Appropriations Process

President Trump's FY2021 budget request was submitted to Congress on February 10, 2020. Following the President's budget submission, appropriations decision-making proceeded on the basis of procedures and budgetary limits enacted in the BBA 2019 (discussed in "FY2021 Budget Process"), culminating with enactment of the FY2021 Consolidated Appropriations Act (P.L. 116-260). The steps in that process are briefly reviewed below.

In addition, congressional action on FY2021 appropriations was influenced by the ongoing Coronavirus Disease 2019 (COVID-19) pandemic. A number of emergency FY2020 supplemental discretionary appropriations measures were enacted in response to the pandemic; one, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116-136), increased available budgetary resources for DOT and HUD in FY2020. The FY2021 Consolidated Appropriations Act also provided supplemental coronavirus relief funding, including \$27 billion for DOT in FY2021. The American Rescue Plan Act of 2021 (P.L. 117-2) appropriated an additional \$54 billion in mandatory COVID-19 relief and response via programs and activities typically funded in the THUD appropriations bill.

Table 2 tracks FY2021 THUD funding at the bill title level; supplemental and additional appropriations are included at the end of the table.

President's Budget

The Trump Administration's FY2021 budget request proposed cutting funding for THUD agencies by 20% (-\$15 billion) from their FY2020 levels (regular discretionary appropriations, excluding supplemental CARES Act funding). Under the President's budget request, DOT discretionary funding would have been reduced by 13% (-\$3 billion), HUD funding would have been reduced by 24% (-\$12 billion), and the related agencies generally funded in the THUD bill would have been reduced by 33% (-\$122 million) (see **Table 2**).

DOT's discretionary funding reduction was to be offset by a \$4.9 billion increase in funding from DOT trust funds (classified as mandatory funding that does not count against THUD appropriation's 302(b) limit), producing an overall increase of 2% (+\$1.7 billion) for DOT; among DOT agencies only Amtrak would have experienced a significant reduction under the President's budget, from \$2 billion in FY2020 to \$953 million for FY2021.

The reductions in HUD funding were proposed to come from zeroing out a half-dozen programs—including the Community Development Block Grant (CDBG) program—and reducing funding for many more programs. One related agency, the Neighborhood Reinvestment Corporation, was also proposed for reductions in the President's budget request.

CARES Act Pandemic Relief Funding

Following the declaration of a public health emergency related to the COVID-19 global pandemic, Congress enacted a series of supplemental appropriations and relief measures in the spring of 2020. Division B of the CARES Act included \$36.1 billion in additional FY2020

discretionary appropriations for DOT accounts and \$12.4 billion for HUD accounts. The law designated these funds as being for an emergency requirement, meaning they did not count toward enforceable spending limits. While the act provided FY2020 funding, it was debated and enacted subsequent to the release of the FY2021 President's Budget and thus may have served to influence the FY2021 appropriations process.

House Action

The House Committee on Appropriations ordered reported its FY2021 THUD appropriations bill on July 14, 2020, following subcommittee markup the week prior. H.R. 7616 proposed a \$1.7 billion increase (+2.2%) in non-emergency discretionary funding relative to FY2020 THUD annual appropriations (see **Table 2**). The largest discretionary dollar increase was directed to HUD (\$1.5 billion), although the related agencies would have received the largest relative increase (+17%). DOT's discretionary funding was proposed to be essentially level, but its overall funding would have increased by 24% (\$21.1 billion), virtually all of which would come from DOT's trust funds and thus be classified as mandatory spending. In addition to regular appropriations, the bill included \$75 billion in emergency funding for transportation and housing infrastructure improvements. The total emergency discretionary appropriations proposed by the bill was nearly equal to the total regular discretionary funding provided in the bill (\$75 billion vs. \$76 billion). Thus, the funding in the House bill can be thought of as being divided into three categories: regular discretionary funding (\$75.9 billion), DOT mandatory funding (\$82.3 billion), and emergency discretionary funding (\$75 billion).

On July 28, 2020, the House Rules Committee granted a rule for the House to consider H.R. 7617, a bill combining the text of several appropriations acts as reported by the House Appropriations Committee. The Rules Committee included the text of H.R. 7616 as Division G of H.R. 7617.⁷ The House passed H.R. 7617 on July 31, 2020, with adoption of a number of THUD-related floor amendments. While some of the amendments moved money between accounts, they did not change the total funding level for any agency in Division G.

Senate Action

Although formal Senate Appropriations Committee action on the FY2021 THUD bill did not occur, the chair of the Senate Committee on Appropriations, Senator Richard Shelby, released drafts of all 12 annual appropriations bills along with draft accompanying committee reports on November 10, 2020.⁸

The majority draft proposed \$74.8 billion in discretionary funding for THUD, which is a 0.8% increase over FY2020. Unlike the House-passed legislation, the Senate Appropriations Committee majority draft included no emergency funding.

⁷ House Committee on Rules, "Amendment Process Announcement for H.R. 7617—Defense, CJS, Energy and Water, FSGG, Homeland, Labor-HHS, and THUD Appropriations," press release, July 20, 2020, at <https://rules.house.gov/news/announcement/amendment-process-announcement-hr-7617-defense-cjs-energy-and-water-fsgg-homeland>.

⁸ See linked draft bill and report language text in the Senate Appropriations Committee majority press release, "Committee Releases FY21 Bills in Effort to Advance Process, Produce Bipartisan Results," November 10, 2020, <https://www.appropriations.senate.gov/news/committee-releases-fy21-bills-in-effort-to-advance-process-produce-bipartisan-results>.

Final FY2021 Full-Year Appropriations

Following a series of continuing resolutions,⁹ final full-year FY2021 appropriations were enacted as a part of the Consolidated Appropriations Act, 2021, which was signed into law on December 27, 2020. The law contained all 12 regular appropriations bills as well as supplemental coronavirus funding and other provisions.

Funding for THUD (in Division L) totaled \$75.376 billion, which is 1% less than what was proposed by the House, but 1% more than was included in the Senate Appropriations Committee majority draft legislation. However, \$718 million of that total amount was designated “emergency,” which effectively reduced the cap-constrained total for THUD to \$74.658 billion. In addition, Division M appropriated \$27 billion in emergency funding to DOT for various coronavirus relief needs.

Separately, the American Rescue Plan Act (P.L. 117-2), passed in March 2021, provided an additional \$54 billion in mandatory funding for COVID-19 relief and recovery to accounts typically funded in the THUD bill. (This funding was provided in a reconciliation bill, rather than through the regular appropriations process, and is thus not discussed in the remainder of this report, but is instead addressed in an appendix at the end.)

Table 2. THUD Appropriations by Bill Title, FY2020-FY2021

(dollars in millions)

	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Title I: DOT	86,156	87,852	107,243	87,009	86,709
<i>Discretionary</i>	24,833	21,653	24,911	25,674	25,317
<i>Mandatory</i>	61,323	66,199	82,332	61,336	61,392
Title II: HUD	49,087	37,261	50,581	48,782	49,648 ^a
Title III: Other Independent Agencies	370	248	432	382	388
Title IV: General Provisions	-20	—	—	—	23 ^b
Title V: Additional Infrastructure Investments (Emergency)	—	—	75,000	—	—
Total Discretionary	74,270	59,162	75,924	74,838	75,376
Total Discretionary Subject to Caps (excluding emergency designated funding)	74,270	59,162	75,924	74,838	74,658^c
Total Mandatory	61,323	66,199	82,332	61,336	61,392

⁹ Five Continuing Resolutions were enacted maintaining FY2020 spending levels for all federal agencies, including those typically funded by THUD, through December 28, 2020. See P.L. 116-159; P.L. 116-215; P.L. 116-225; P.L. 116-226; P.L. 116-246.

Total	135,593	125,362	158,256	136,174	136,768
<i>Supplemental Emergency Appropriations (discretionary)</i>	<i>48,508</i>	<i>—</i>	<i>75,000</i>	<i>—</i>	<i>27,718^d</i>
<i>Additional Appropriations (mandatory)</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>54,040^e</i>

Source: Comparative Statement of Budget Authority, beginning on p. 192 in H.Rept. 116-452, draft committee report released by Senate Appropriations Committee Chair Senator Shelby on November 10, 2020, <https://www.appropriations.senate.gov/imo/media/doc/THUDRept.pdf>; Division L of P.L. 116-260 and accompanying Joint Explanatory Statement, including Comparative Statement of New Budget Authority tables, published in the December 21, 2020 Congressional Record, Book IV; and P.L. 117-2.

Notes: Totals may not add or exactly match source materials due to rounding. The totals include both discretionary budget authority and contract authority (a type of mandatory budget authority provided to DOT that is not included in the bill's discretionary budget authority figure).

- a. Of this amount, \$695 million for the tenant-based rental assistance account is designated as being for an emergency requirement by Section 420 of Division L.
- b. This amount for Essential Air Services at DOT was provided in Section 421 of Division L, instead of Title I, and was designated as being for an emergency requirement.
- c. As noted in Table Notes a and b, \$718 million of the total provided for THUD was deemed an emergency requirement and is thus excluded from the total for purposes of calculating the total subject to discretionary spending limits under the BCA, as amended.
- d. Of this amount, \$27 billion is for coronavirus-related supplemental emergency funding for DOT provided in Division M of P.L. 116-260. See **Table A-1** for more information. The remaining \$718 million is designated "emergency" for budget enforcement purposes, as described in Table Notes a-c, but is not related to COVID-19.
- e. The American Rescue Plan Act (P.L. 117-2) appropriated \$54.040 billion in additional mandatory funding for COVID-related relief and response to programs and accounts typically funded in the THUD appropriations bill. See **Table A-1** for more information.

Department of Transportation

The majority of DOT's annual funding is established by two periodic authorization acts, one for surface transportation programs and one for aviation programs. Most of the funding for the programs in those acts is drawn from the DOT Highway Trust Fund and the Aviation and Airways Trust Fund, respectively. Highway Trust Fund revenues come largely from fuel taxes and increasingly from transfers from the general fund of the Treasury. Aviation and Airways Trust Fund revenues come largely from taxes on passenger tickets and aviation fuel and some general fund money.

The appearance of COVID-19 in the United States in spring 2020 devastated the finances of airlines and transit agencies. Aviation and transit usage dropped to a fraction of its usual level, as did passenger fare revenues. This was due not only to the impact of the pandemic on the economy, but also due to public concern about the risk of transmission of the virus in the confined spaces of airplanes and transit vehicles.

The Administration's budget request was developed prior to the identification of the pandemic in the United States. The House bill, passed in summer 2020, just a few months after the appearance of the pandemic in the United States, includes several provisions to help alleviate the impacts of the pandemic on transportation; the Senate Appropriations Committee majority draft bill was published in November 2020, subsequent to an agreement between the House and Senate to provide pandemic relief in separate legislation, and contained no references to pandemic relief. Congress provided pandemic relief in separate legislation (see **Appendix**).

Administration Budget Request

The Administration's FY2021 budget requested a 2% (+\$1.7 billion) increase in DOT funding. This reflected relatively minor increases for most agencies, and relatively significant reductions to the Federal Railroad Administration (FRA) (-29%, -\$800 million) and Maritime Administration (MARAD) (-30%, -\$310 million) budgets. The major differences in the Administration's request compared to what Congress enacted in FY2020 included reductions to the following activities:

- Amtrak: requested \$936 million, down from \$2.0 billion (FY2020);
- Federal Aviation Administration (FAA) grants to airports: requested \$3.35 billion, down from \$3.75 billion;
- FRA Federal-state Partnership for State of Good Repair: no funding requested, down from \$200 million;
- MARAD Port infrastructure development program: no funding requested, down from \$225 million.

The Administration requested \$1 billion for a new grant program for nationally significant freight projects and \$550 million for a new grant program for rail (National Network Transformation; no details provided).

H.R. 7616/H.R. 7617

The House Appropriations Committee recommended, and the House approved, \$107.2 billion for DOT, a 24% (+\$20 billion) increase over the FY2020 enacted amount of \$86.156 billion (which was virtually the same as the FY2019 enacted amount). Every agency would have received an increase compared to FY2020. The largest percentage increases would have been for the Federal Transit Administration (+46%, +\$6.0 billion), the Federal Motor Carrier Safety Administration (+30%, +\$207 million), the Federal Highway Administration (+28%, +\$13.6 billion), and the National Highway Traffic Safety Administration (+27%, +268 million). The details of the recommended funding can be found in **Table 3**.

The House bill also included additional emergency funding for DOT (and HUD) in a new Title V. This title would have provided an additional \$25.7 billion in funding for DOT.

The Senate Appropriations Committee did not report out a bill. The committee released a draft approved by the majority of the Committee. The Committee majority draft bill proposed a 1% (\$932 million) increase for DOT relative to FY2020, \$20.2 billion less than the House bill, and did not provide any emergency funding (the House and Senate committee chairmen argued that emergency aid should be provided in a separate bill from the regular appropriations bill).

The final FY2021 full-year appropriations law provided \$86.76 billion in regular new budget authority for DOT's programs and activities, an increase of less than 1% (\$553 million) over the comparable figure for FY2020 (see **Table 3** for details).

A separate division of the Omnibus Appropriations Act provided an additional \$27 billion in emergency funding for grants to transit, highway, and airport programs, and the subsequent passage of the American Rescue Plan Act of 2021 (P.L. 117-2, enacted March 11, 2021) provided another \$43.2 billion in emergency funding to DOT, mostly for grants to transit agencies and airports (the transportation sectors hit hardest by the pandemic). See **Appendix** for details.

Table 3. Department of Transportation FY2020-FY2021 Detailed Budget Table
(dollars in millions)

Department of Transportation Selected Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Office of the Secretary (OST)					
National infrastructure investment (BUILD/TIGER)	1,000	1,000	1,001 ^a	1,000	1,000
Payments to air carriers (Essential Air Service) ^b	162	142	162	142	142
Nationally significant freight projects	—	1,000	—	—	—
Railroad Rehabilitation and Improvement Financing Program loan modifications	—	—	70	—	—
Transportation Demonstration Program	—	—	—	—	100
All other accounts	183	190	206 ^a	—	—
Total, OST	1,345	2,332	1,438 ^a	1,434	1,443
Federal Aviation Administration (FAA)					
Operations	10,630	11,002	11,052	11,002	11,002
Facilities & equipment	3,045	3,000	3,045	3,012	3,015
Research, engineering, & development	193	170	193	190	198
Grants-in-aid for airports (Airport Improvement Program) (limitation on obligations)	3,350	3,350	3,350	3,350	3,350
Airport Discretionary Grants	400	—	500	400	400
Total, FAA	17,618	17,522	18,139	17,954	17,965
Federal Highway Administration (FHWA)					
Federal-Aid Highways (limitation on obligations + exempt contract authority)	47,104	50,721	61,869	47,104	47,104
Federal-Aid Highways: discretionary funding	2,166	—	1,000	2,365	2,000
Rescission of budget authority	—	-138	—	—	—
Total, FHWA	49,270	50,583	62,869	49,469	49,104
Federal Motor Carrier Safety Administration (FMCSA)					
Motor carrier safety operations and programs	288	299	380	301	328
Motor carrier safety grants to states	391	403	506	391	390
Total, FMCSA	679	702	886	692	748
National Highway Traffic Safety Administration (NHTSA)					
Operations and research	349	317	385	349	349
Highway traffic safety grants to states (limitation on obligations)	623	647	855	623	623

Department of Transportation Selected Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Impaired driving/highway-rail grade crossing safety	17	—	17	—	17
Total, NHTSA	989	965	1,257	972	989
Federal Railroad Administration (FRA)					
Safety and Operations	224	226	236	234	235
Railroad Research and Development	41	41	41	41	41
Consolidated Rail Infrastructure and Safety Improvements	325	330	500	340	375
Federal-state Partnership for State of Good Repair	200	—	200	225	200
Restoration and Enhancement grants	2	—	—	3	5
Magnetic Levitation Program	2	—	5	—	2
National Network Transformation Grants	—	550	—	—	—
Amtrak					
Northeast Corridor grants	700	325	750	680	700
National Network	1,300	611	1,300	1,320	1,300
Subtotal, Amtrak grants	2,000	936	2,050	2,000	2,000
Rescission	—	-92	—	—	-37
Total, FRA	2,794	1,991	2,996	2,842	2,821
Federal Transit Administration (FTA)					
Administrative Expenses	117	121	121	121	121
Formula Grants (M)	10,150	11,046	15,945	10,150	10,150
Technical Assistance and Training	5	—	7	5	8
Capital Investment Grants (New Starts)	1,978	1,889	2,177 ^a	1,889	2,014
Transit Infrastructure Grants	510	—	510	702	516
Transit Research	—	8	—	—	—
Washington Metropolitan Area Transit Authority	150	150	150	150	150
Rescission	—	-2	—	—	-2
Total, FTA	12,910	13,212	18,906	13,017	12,957
Maritime Administration (MARAD)					
Maritime Security Program	300	314	314	304	314
Cable Security Fleet	—	—	—	10	10
Operations and Training	153	138	161	153	156
State Maritime Academy Operations	342	338	432	433	433
Assistance to Small Shipyards	20	—	20	20	20

Department of Transportation Selected Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Ship Disposal	5	4	5	4	4
Maritime Guaranteed Loan Program	3	—	3	3	3
Port Infrastructure Development Program	225	—	300	200	230
<i>Rescission</i>	—	-55	—	—	—
Total, MARAD	1,048	738	1,245	1,126	1,170
Pipeline and Hazardous Materials Safety Administration (PHMSA)					
Subtotal	253	248	261	258	260
<i>Offsetting user fees</i>	-145	-141	-150	-145	-145
Emergency preparedness grants (M)	28	28	28	28	28
Total, PHMSA	282	276	289	286	288
Office of Inspector General	95	98	98	98	98
Saint Lawrence Seaway Development Corporation	38	31	40	31	38
DOT Totals					
Appropriation (discretionary funding)	24,833	21,940	24,950	25,674	25,696
Limitations on obligations (M)	61,323	66,199	82,337	61,336	61,392
Subtotal—new funding	86,156	88,139	107,287	87,009	87,088
<i>Rescissions</i>	—	-287	-39	—	-379
Net new discretionary funding	24,833	21,653	24,911	25,674	25,317
Net new budget authority	86,156	87,852	107,248	87,009	86,709
Supplemental emergency funding	36,085 ^c	—	25,689	—	27,000 ^d
Additional appropriations (mandatory)	—	—	—	—	43,170 ^e
Net new budget authority (incl. emergency)	122,241	87,852	132,937	87,009	156,879

Source: Comparative Statement of Budget Authority, pp. 187-212 in H.Rept. 116-452 accompanying H.R. 7616; Division G of H.R. 7617 and floor amendments; P.L. 116-136; and draft committee report released by Senate Appropriations Committee Chair Senator Shelby on November 10, 2020, <https://www.appropriations.senate.gov/imo/media/doc/THUDRept.pdf>; Division L of P.L. 116-260 and accompanying Joint Explanatory Statement, including Comparative Statement of New Budget Authority tables, published in the December 21, 2020 Congressional Record, Book IV; and P.L. 117-2.

Notes: Totals may not add due to rounding.

- Amount adjusted to reflect House floor amendments.
- In addition to its appropriation, the Essential Air Service program receives funding from overflight fees. For FY2020 and FY2021, those fees were estimated to provide an additional \$150 million to the program, but due to the pandemic's effects on aviation that amount will be greatly reduced. The CARES Act included \$56 million for the Essential Air Service program.
- Includes \$25 billion in emergency funding for transit systems through the Federal Transit Administration and \$10 billion for airports through the Federal Aviation Administration provided by the CARES Act (P.L. 116-136).

- d. Provided in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Division M of P.L. 116-260).
- e. Provided in Title VII of the American Rescue Plan Act (P.L. 117-2) to “prevent, prepare for, and respond to coronavirus.” This legislation was enacted through the budget reconciliation process; as a result, funding provided in this act is classified as mandatory spending, and does not appear in accounts showing discretionary appropriations.

Selected DOT Issues

Authorization of Surface Transportation Programs

The funding authorizations¹⁰ for the federal highway, transit, and passenger rail programs were scheduled to expire at the end of FY2020, but Congress enacted legislation extending the FY2020 authorization levels through FY2021.¹¹

Public Health While Traveling on Common Carriers

The House bill would have required passengers and crew members on airlines, Amtrak trains, and transit vehicles¹² to wear a mask or protective face covering while on board.¹³ The Senate Appropriations Committee majority draft bill did not have a similar provision, nor did the enacted bill.¹⁴

Infrastructure Funding

The House bill would have provided an increase of roughly \$20 billion for transportation infrastructure.¹⁵ Virtually all of that increase would have gone to the Federal Highway Administration and the Federal Transit Administration, with small increases for FAA, FRA, and MARAD. The Senate Appropriations Committee majority draft bill, with a proposed DOT total appropriation of less than \$1 billion over the comparable FY2020 figure, proposed infrastructure funding roughly similar to the FY2020 figures. The enacted bill also provided infrastructure funding roughly similar to FY2020.

Commercial Truck Safety

The congressional mandate¹⁶ for heavy trucks to be equipped with electronic logging devices (ELDs) to track the time worked by drivers went into effect at the end of 2017.¹⁷ The purpose was to improve safety by reducing violations of the federal hours-of-service limits (which limit the amount of time a driver can drive each day and each week to reduce the risk of truckers driving

¹⁰ The authorizations were included in the Fixing American’s Surface Transportation (FAST) Act, P.L. 114-94.

¹¹ Division B of P.L. 116-159.

¹² Limited to transit vehicles in urban areas of 500,000 people or more.

¹³ Title IV, §421.

¹⁴ President Biden signed Executive Order 13998 (“Promoting COVID-19 Safety in Domestic and International Travel”), which requires masks to be worn in travel by air, train, ferry, bus, and other forms of public transportation, on January 21, 2021. <https://www.federalregister.gov/documents/2021/01/26/2021-01859/promoting-covid-19-safety-in-domestic-and-international-travel>.

¹⁵ This figure does not include the proposed supplemental funding in Title V of the bill.

¹⁶ §32301(b) of the Moving Ahead for Progress in the 21st Century Act (MAP-21), P.L. 112-141.

¹⁷ Federal Motor Carrier Safety Administration, “Final Rule: Electronic Logging Devices,” 80 *Federal Register* 78292, December 16, 2015, at <https://www.govinfo.gov/content/pkg/FR-2015-12-16/pdf/2015-31336.pdf>.

while fatigued). The limits were not changed when ELDs became mandatory; ELDs make it harder for drivers to exceed the limits without detection. Objections from certain sectors of the trucking industry have led Congress and the President to repeatedly bar enforcement of the ELD mandate with respect to livestock haulers in the annual THUD appropriation act. This action has been opposed by safety advocates. The Senate Appropriations Committee majority draft bill included the waiver for livestock haulers;¹⁸ the House bill did not. The enacted bill included the waiver in Section 132.

Department of Housing and Urban Development

As shown in **Table 4**, the President’s FY2021 budget request for HUD proposed a decrease of \$8.6 billion (-15%) in gross (regular, non-emergency) appropriations for HUD programs and activities relative to FY2020. (Because of an estimated increase in offsets in FY2021, *net* discretionary budget authority—used for budget enforcement purposes—would see an even larger decline than gross budget authority. However, gross appropriations is a better measure of the resources available to HUD’s programs and activities.) Most of the proposed reduction in funding is attributable to requests to eliminate funding for several HUD grant programs, although most other accounts were also proposed for a funding reduction under the request.

Conversely, the House-passed bill proposed to increase FY2021 funding for HUD relative to FY2020 regular appropriations. The bill included an increase of \$4.8 billion (+8%) in gross appropriations for HUD programs and activities. (Because of the estimated increase in offsets, the increase in net budget authority is smaller (\$1.5 billion; +3%.) Similarly, the Senate Appropriations Committee majority draft bill proposed an increase in gross appropriations for HUD relative to FY2020, but a smaller increase than the House (+\$2.9 billion; +5%).

The final FY2021 full year appropriations law provided \$60.3 billion in gross new appropriations for HUD’s programs and activities, an increase of \$3.8 billion (+7%) over FY2020. Of that total, \$696 million was designated as an emergency requirement and thus did not count as a part of the net budget authority total used for scorekeeping against discretionary spending limits.

Table 4. Department of Housing and Urban Development, FY2020-FY2021
(dollars in millions)

Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Appropriations					
Salaries and Expenses (Mgmt. & Adm.)	1,425	1,497	1,516 ^a	1,498	1,499
Tenant-Based Rental Assistance (Sec. 8 Housing Choice Vouchers)	23,874	18,833 ^b	25,739	25,516	25,777 ^c
<i>Voucher Renewals (non-add)</i>	21,502	16,958 ^b	22,852	22,891	23,080
<i>Administrative Fees (non-add)</i>	1,977	1,465 ^b	2,155	2,160	2,159
<i>Incremental (new) Veterans Affairs Supportive Housing (VASH) vouchers (non-add)</i>	40	0	20	40	40

¹⁸ In Section 131.

Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
<i>Incremental (new) Family Unification Program (FUP) vouchers (non-add)</i>	25	0	25	25	25
<i>Other incremental (new) vouchers^d (non-add)</i>	0	0	250	0	43
Rental Assistance Demonstration	0	100	0	0	0
Public Housing Capital Fund	2,870	0	3,183 ^a	— ^e	— ^e
Public Housing Operating Fund	4,549	3,572 ^f	4,649	— ^e	— ^e
Public Housing Fund ^e	—	—	—	7,440 ^e	7,806 ^e
Moving to Work ^g	—	5,185	0	0	0
Choice Neighborhoods	175	0	250	100	200
Self Sufficiency Programs	130	190	155	155	155
Native American Programs	825	600	840 ^a	825	825
<i>Native American Block Grants (Formula) (non-add)</i>	646	600	646	647	647
<i>Native American Block Grants (Competitive) (non-add)</i>	100	0	110	100	100
<i>Indian Community Development Block Grants (non-add)</i>	70	0	75 ^a	70	70
Indian housing loan guarantee	2	2	2	2	2
Native Hawaiian block grant	2	0	4	2	2
Housing, persons with AIDS (HOPWA)	410	330	430	410	430
Community Development Fund	3,425	0	3,525	3,455	3,475
<i>CDBG Formula Grants</i>	3,400	0	3,500	3,425	3,450
<i>SUPPORT for Patients and Communities</i>	25	0	25	30	25
HOME Investment Partnerships	1,350	0	1,700	1,375	1,350
Self-Help Homeownership (SHOP)	55 ^h	0	60	60 ^h	60 ^h
<i>Self-Help and Assisted Homeownership Opportunity Program (non-add)</i>	10	0	10	10	10
<i>Section 4 Capacity Building (non-add)</i>	36	0	45	40	41
<i>Rural Capacity Building (non-add)</i>	5	0	5	5	5
Homeless Assistance Grants	2,777	2,773	3,415	2,951	3,000
Project-Based Rental Assistance (Sec. 8)	12,570	12,642	13,451	13,403	13,465
<i>Contract Renewals</i>	12,225	12,292	13,101	13,053	13,115

Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
<i>Contract Administrators</i>	345	350	350	350	350
Housing for the Elderly (Section 202)	793	853	893	853	855
Housing for Persons with Disabilities (Section 811)	202	252	227	237	227
Housing Counseling Assistance	53	45	75	53	78
Manufactured Housing Fees Trust Fund ⁱ	13	14	13	14	13
Rental Housing Assistance	3	0	0	0	0
Federal Housing Administration (FHA) Expenses ⁱ	130	130	131 ^a	130	130
Government National Mortgage Assn. (GNMA) Expenses ⁱ	32	31	57	34	35
Research and technology	98	95	118	98	105
Fair housing activities	70	65	80	70	73
<i>Fair Housing Assistance Program (non-add)</i>	24	24	27	24	24
<i>Fair Housing Initiatives Program (non-add)</i>	45	40	51	45	46
Office, lead hazard control	290	360	340	360	360
Information Technology Fund	280	258	293	300	300
Inspector General	138	133	146	138	137
<i>Gross Appropriations Subtotal</i>	<i>56,540</i>	<i>47,960</i>	<i>61,291</i>	<i>59,479</i>	<i>60,358</i>
Offsetting Collections and Receipts					
Manufactured Housing Fees Trust Fund	-13	-14	-13	-14	-13
FHA	-6,251	-9,244	-9,244	-9,244	-9,244
GNMA	-1,182	-1,439	-1,439	-1,439	-1,439
<i>Offsets Subtotal</i>	<i>-7,446</i>	<i>-10,697</i>	<i>-10,696</i>	<i>-10,697</i>	<i>-10,696</i>
Rescissions					
Section 238 Rental Housing Assistance	—	—	-14	—	-14
Section 228 Native Hawaiian	—	-2	—	—	—
Section 237 Rescission of Emergency Funds	-7 ⁱ	—	—	—	—
<i>Rescissions Subtotal</i>	<i>-7</i>	<i>-2</i>	<i>-14</i>	<i>0</i>	<i>-14</i>
Total Net Discretionary Budget Authority	49,087ⁱ	37,261	50,581	48,782	49,648^c
<i>Emergency Discretionary Funding</i>	<i>12,423^k</i>	<i>0</i>	<i>49,012^l</i>	<i>0</i>	<i>0</i>

Accounts	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Additional Mandatory Funding	—	—	—	—	10,770 ^m

Source: HUD FY2021 Congressional Budget Justifications; Division G of H.R. 7617, H.Rept. 116-452, including the Comparative Statement of Budget Authority, beginning on p. 192, and floor amendments; draft committee report released by Senate Appropriations Committee Chair Senator Shelby on November 10, 2020, <https://www.appropriations.senate.gov/imo/media/doc/THUDRept.pdf>; Division L of P.L. 116-260 and accompanying Joint Explanatory Statement, including Comparative Statement of New Budget Authority tables, published in the December 21, 2020 Congressional Record, Book IV; and P.L. 117-2.

Notes: Totals may not add due to rounding. Only selected set-asides are presented in this table. Figures include advance appropriations available in the fiscal year, rather than provided in the bill.

- a. Amount adjusted to reflect floor amendments.
- b. The President's budget requested that funding for a portion of the Housing Choice Voucher program—for agencies participating in the Moving to Work (MTW) demonstration—be provided in a new Moving to Work account. Thus, the amount shown here is not fully comparable to the FY2020 funding level. The comparable figure, according to H.Rept. 116-452, is \$23,346 million, including \$21,131 million for voucher renewal needs and \$1,805 million for administrative fees.
- c. Of this amount, \$695 million is designated as being for an emergency requirement by Section 420.
- d. Incremental vouchers for people who are experiencing homelessness or at risk of homelessness, including veterans and people fleeing domestic violence.
- e. A new account structure for funding the public housing program was proposed in the Senate majority committee draft and adopted in the final FY2021 appropriations law. A new Public Housing Fund account replaces the previous separate Capital Fund and Operating Fund accounts. The Senate Appropriations Committee majority draft report directed that \$4.492 billion of the total amount in the new account be directed for operating grants, previously funded in the operating fund account, and that \$2.765 billion be directed for capital grants and other activities typically funded in the capital fund account. The final FY2021 appropriations law directed \$4.839 billion of the total amount in the new account for operating grants previously funded in the operating fund account and that \$2.967 billion be directed for activities historically funded within the capital fund account.
- f. The President's budget requested that funding for a portion of the public housing Operating Fund program—for agencies participating in the MTW demonstration—be provided in a new Moving to Work account. Thus, the amount shown here is not fully comparable to the FY2020 funding level. The comparable figure, according to H.Rept. 116-452, is \$4,244 million.
- g. The President's budget requested that funding for agencies participating in the MTW demonstration that is normally provided through the Tenant-Based Rental Assistance and Operating Fund accounts instead be provided through a new MTW account.
- h. The FY2020 appropriation for the SHOP account included \$4 million for a pilot program to rehabilitate the homes of disabled or low-income veterans. That set-aside was continued in the Senate Appropriations Committee majority draft bill as well as the final FY2021 appropriations law.
- i. Some or all of the cost of funding these accounts is offset by the collection of fees or other receipts. Those offsets are shown later in this table.
- j. The FY2020 appropriations law included a rescission of emergency funding provided in prior years to HUD's tenant-based and project-based rental assistance accounts. The scoring of these savings was determined by the Congressional Budget Office to not result in savings for purposes of discretionary spending limits. (See the Congressional Budget Office, Status of Discretionary Appropriations, House of Representatives, report dated January 29, 2020, Table I, note h, available at <https://www.cbo.gov/system/files?file=2020-02/FY2020-House-2020-1-29.pdf>). However, the Comparative Statements of Budget Authority used to prepare this report reflect the rescission in the FY2020 HUD total. This table reflects the conventions of the source document used.
- k. See CRS Insight IN11319, *Funding for HUD in the CARES Act* account-level information on CARES Act COVID-19 relief funding for HUD.

- l. Title V of Division G of H.R. 7617 proposed additional funding for infrastructure, designated as emergency funding for budget enforcement purposes. See **Table 6** for account-level information.
- m. P.L. 117-2 provided \$10.770 billion in additional mandatory funding for HUD programs for COVID-19 response and relief purposes. See **Table A-1** for more information.

Selected HUD Issues

Grant Program Funding

The President's budget request for FY2021 again included a proposal to eliminate funding for several HUD grant programs that support various affordable housing and community development activities. Among these are HUD's two largest block grant programs for states and localities, CDBG and HOME Investment Partnerships (HOME), as well as competitive grants funded in the Self-Help Homeownership Opportunity Program (SHOP) account (i.e., funding for sweat-equity programs, like Habitat for Humanity, and certain capacity-building programs). Additionally, the budget proposed eliminating funding for the public housing Capital Fund, which provides formula grants for the repair and modernization of low-rent public housing properties. HUD's Congressional Budget Justifications state that the activities funded by these grant programs should be devolved to the state and local levels.

These grant programs were also slated for elimination in the President's FY2018, FY2019, and FY2020 budget requests, although they were ultimately funded in each of those fiscal years. In lieu of defunding these accounts, the House bill, the Senate Appropriations Committee majority draft bill, and the final FY2021 full year appropriations law included either level or increased funding relative to FY2020 regular appropriations level (excluding CARES Act supplemental funding).

Rental Assistance Funding

Combined, HUD's rental assistance programs (tenant-based rental assistance via the Housing Choice Voucher program, public housing, Section 8 project-based rental assistance, and the Section 202 and Section 811 programs) serve roughly 4.7 million low-income individuals and families. Through the various programs, the federal government provides subsidies to allow families to pay low, income-based rents, generally set at 30% of a family's income.

The HUD Budget In Brief stated that the requested funding for the various rental assistance programs would be sufficient to continue to serve all currently assisted households.¹⁹ However, the President's budget documents assumed savings from a set of rent reforms designed to increase tenant rents and therefore reduce federal subsidies. These reforms were proposed in each of the previous several budget requests, but saw no legislative action in Congress.²⁰

The report accompanying H.R. 7616 stated that the committee rejected the President's proposed rent reforms and instead increased the funding levels for each of the rental assistance programs sufficient to fully fund all existing subsidies. Additionally, the House bill proposed \$295 million for new, incremental Housing Choice Vouchers for specific populations, including homeless veterans, youth aging out of foster care, and survivors of domestic violence.

¹⁹ HUD, *FY2021 Budget In Brief*, p. 4, available at https://www.hud.gov/sites/dfiles/CFO/documents/BudgetinBrief_2020-02_06_Online.pdf.

²⁰ See HUD FY2021 Congressional Budget Justifications, "Overview of Rental Assistance Programs," at https://www.hud.gov/sites/dfiles/CFO/documents/5_FY21CJ_OverviewofRentalAssistancePrograms.pdf.

Similarly, the draft committee report released by the Senate Appropriations Committee Chair did not include the policy changes proposed in the President's budget and instead stated that the increased funding level it proposed, when combined with reserve funds, would ensure that no current voucher holders would be at risk of losing their housing assistance.²¹

The final FY2021 full-year appropriations law increased funding for HUD's rental assistance programs relative to FY2020 and included more than \$100 million for new incremental Housing Choice Vouchers. Further, the law adopted a new account structure for the public housing program that was initially proposed in the Senate majority draft bill. Instead of separately funding the public housing capital and operating funds, the final FY2021 law created a new Public Housing Fund account, within which amounts were specified for the activities previously funded by the operating fund and capital fund accounts.

Policy Provisions

The House bill included a number of General Provisions to block HUD's implementation of various administrative actions that have been considered controversial:

- Section 237 would block HUD's implementation of a proposed rule to restrict the eligibility of certain families composed of members with varied immigration statuses from receiving housing assistance.²²
- Section 235 would block HUD from revising or repealing HUD rules related to equal access to housing based on sexual orientation and gender identity.
- Section 236 would codify other HUD guidance related to transgender persons' access to emergency shelters in accordance with gender identity.
- A new provision, added via floor amendment, would block the use of funding in the bill to implement a HUD rule related to the disparate impact standard under the Fair Housing Act.²³

The Senate Appropriations Committee majority draft bill included a provision to increase the cap on public housing conversions under the Rental Assistance Demonstration (RAD) from 455,000 units to 500,000 units along with several other changes to expand the range of properties eligible for RAD conversion (§236).

The final FY2021 appropriations law did not contain these provisions from the House or Senate Appropriations Committee majority draft bills.

THUD Related Agencies

As shown in **Table 5**, most of the related agencies funded in the THUD bill would have received level or increased funding relative to the prior year under the President's FY2021 budget request. The exception is the Neighborhood Reinvestment Corporation, which was proposed for a significant funding decrease that was not ultimately adopted.

²¹ Draft committee report released by Senate Appropriations Committee Chair Senator Shelby on November 10, 2020, <https://www.appropriations.senate.gov/imo/media/doc/THUDRept.pdf>

²² For more information, see CRS Insight IN11121, *HUD's Proposal to End Assistance to Mixed Status Families*.

²³ Included as a part of a set of amendments considered en bloc via H.Amdt. 868.

Table 5.THUD Independent Agencies, FY2020-FY2021
(dollars in millions)

Related Agencies	FY2020 Enacted	FY2021 Request	FY2021 House	FY2021 Senate Comm. Majority Draft	FY2021 Enacted
Access Board	9	9	9	9	9
Federal Maritime Commission	28	29	30	31	30
National Railroad Passenger Corporation (Amtrak) Office of Inspector General	24	26	26	24	25
National Transportation Safety Board	110	116	118	119	118
Neighborhood Reinvestment Corporation (NeighborWorks)	159	27	209	159	165
Surface Transportation Board	37	38	38	38	38
Offsetting Collections	-1	-1	-1	-1	-1
U.S. Interagency Council on Homelessness	4	4	4	4	4
Total	370	248	431	382	388
<i>Supplemental Discretionary Funding</i>	—	—	300 ^a	—	—
<i>Additional Mandatory Appropriations</i>	—	—	—	—	100 ^b

Source: FY2021 President's budget materials; H.R. 7616, as incorporated into H.R. 7617, and H.Rept. 116-452, including the Comparative Statement of Budget Authority, beginning on p. 192; and draft committee report released by Senate Appropriations Committee Chair Senator Shelby on November 10, 2020, <https://www.appropriations.senate.gov/imo/media/doc/THUDRept.pdf>; and Division L of P.L. 116-260 and accompanying Joint Explanatory Statement, including Comparative Statement of New Budget Authority tables, published in the December 21, 2020 Congressional Record, Book IV.

Notes: Totals may not add due to rounding.

- Title V of Division G of H.R. 7617 includes additional funding for infrastructure, designated as emergency funding for budget enforcement purposes. See **Table 6** for account-level information.
- P.L. 117-2 included \$100 million in mandatory funding for NeighborWorks for housing counseling.

Selected Related Agencies Issues

NeighborWorks America

As in FY2018, FY2019 and FY2020, the President's FY2021 budget included a request for legislation to begin the process of winding down federal funding for the Neighborhood Reinvestment Corporation (commonly known as NeighborWorks America), which was created via federal charter in 1978 to support affordable housing and neighborhood revitalization nationwide through a network of affiliated local organizations. The requested funding level of \$27 million was intended to cover personnel, administrative, and other costs associated with winding down existing commitments. H.R. 7616 rejected this proposal and proposed to instead fund NeighborWorks at an increased level relative to FY2020. Of the amount provided for NeighborWorks in the House bill, \$25 million was to be for competitive grants to support specified redevelopment activities in areas with high rates of abandoned or distressed properties. The Senate Appropriations Committee majority draft proposed to fund NeighborWorks at FY2020 levels. The final FY2021 appropriations law provided \$165 million for NeighborWorks,

an increase over FY2020. Of that amount, \$5 million is designated for a multifamily housing program and \$2 million is to support shared equity homeownership programs.

Emergency Funding for Transportation and Housing Infrastructure

The House bill included in the THUD division a new Title V—Additional Funding for Infrastructure Investments. As shown in **Table 6**, it would have provided \$75 billion in additional discretionary resources for various accounts at DOT and HUD, as well as one related agency. This funding, which nearly matched the total discretionary funding provided in the preceding titles of the bill, would have been designated as an “emergency requirement” for budget enforcement purposes and would thus not count against the subcommittee spending limit (or 302(b)) or the overall discretionary spending limits established under the BBA.

The addition of this emergency spending package proved controversial. The bill was ordered reported by the committee on a party-line vote, with the ranking member stating: “Further, this bill includes \$75 billion in new emergency spending including components of the infrastructure bill that was pushed through the House without Republican involvement. I did not support that bill because it was a departure from years of bipartisan work on transportation and infrastructure priorities and I can’t support this additional spending until there’s a serious discussion with members on our side of the aisle.”²⁴ A committee press release accompanying the bill’s passage quotes the chairwoman as stating: “The emergency funding in this bill is pivotal to kickstart a strong and equitable recovery from the coronavirus pandemic and the ensuing economic collapse. After an unprecedented year of challenges, the investments in this bill lay the foundations for sustained economic growth and expanded opportunity for every American in every corner of our nation.”²⁵

The package was not included in the final FY2021 THUD appropriations act.

²⁴ CQ Congressional Transcripts, “House Appropriations Committee Holds Markup of Fiscal 2021 Defense, Commerce-Justice-Science and Transportation-HUD Appropriations,” Revised Final transcript, July 14, 2020, available at <https://plus.cq.com/doc/congressionaltranscripts-5957344?3>.

²⁵ House Committee on Appropriations, “Appropriations Committee Approves Fiscal Year 2021 Transportation-Housing and Urban Development Funding Bill,” press release, July 14, 2020, at <https://appropriations.house.gov/news/press-releases/appropriations-committee-approves-fiscal-year-2021-transportation-housing-and>; <https://plus.cq.com/doc/news-5955675?4>.

Table 6. Proposed H.R. 7617, Division G, Title V-Additional Infrastructure Investments, (not enacted)

(dollars in millions)

Accounts	Proposed Emergency FY2021 Funding
DOT	
National Infrastructure Investments (BUILD Grants)	3,000
Cyber Security Initiatives	11
FAA Facilities & Equipment	500
FAA Grants-in-Aid for Airports	2,500
FRA Consolidated Rail Infrastructure and Safety Improvements Grants	5,000
FRA Magnetic Levitation Technology Deployment Program	100
FRA Northeast Corridor Grants to Amtrak	5,000
FRA National Network Grants to Amtrak	3,000
FTA Capital Investment Grants (New Starts)	5,000
MARAD Operations & Training	125
MARAD State Maritime Academy Operations	356
MARAD Assistance to Small Shipyards	100
MARAD Port Infrastructure Development Program	1,000
DOT Inspector General Salaries and Expenses	8
DOT Total	25,689
HUD	
Public Housing Capital Fund	24,250
Choice Neighborhoods	300
Native American Programs	1,000
Native Hawaiian Housing Block Grant	20
Community Development Fund (CDBG)	4,000
HOME	17,500
SHOP/Capacity Building	55
Assisted Housing Investments/Project Based Rental Assistance	750
Housing for the Elderly	750
Housing for Persons with Disabilities	179
Lead Hazard Reduction	100
Cybersecurity and Information Technology Fund	100
HUD OIG	8
HUD Total	49,012
Related Agencies	
Neighborhood Reinvestment Corporation	300

Accounts	Proposed Emergency FY2021 Funding
Related Agencies Total	300
Title V Total (emergency)	75,000

Source: Comparative Statement of Budget Authority, beginning on p. 192, in H.Rept. 116-452.

Note: Totals may not add due to rounding.

Appendix. Pandemic Relief Funding for Housing and Transportation Programs in FY2021

Congress provided significant FY2021 funding beyond regular annual THUD appropriations for housing and transportation programs in response to the economic consequences of the COVID-19 pandemic. Division M of the FY2021 THUD appropriations bill contained additional supplemental appropriations for DOT designated for emergency purposes, and thus not subject to discretionary spending limits. The American Rescue Plan Act (ARPA) provided additional mandatory funding to a number of DOT and HUD accounts. These mandatory funds are also not subject to discretionary spending limits. (For more information about ARPA funds, see CRS Insight IN11641, *Housing Funding in the American Rescue Plan Act of 2021*)

Table A-1. FY2021 Additional Pandemic Relief Funding for THUD Agencies

Millions of dollars

Program/Account ^a	Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div M of P.L. 116-260, FY2021 Consolidated Appropriations Act)	American Rescue Plan Act (P.L. 117-2) ^b	Total Funding
	Supplemental Discretionary Appropriations	Mandatory Appropriations	Discretionary and Mandatory
Department of Transportation (DOT)	Title IV		
Federal Aviation Administration (FAA)			
Operating expense grants to primary airports	\$1,750	\$6,492 (§7102(b)(1))	\$8,242
Development project grants to primary airports	0	608 (§7102(b)(2))	608
Grants to general aviation/non-primary airports	45	100 (§7102(b)(3))	145
Relief for concessionaires' payments to airports	200	800 (§7102(b)(4))	1,000
Grant to Small Community Air Service Development Program	5	0	5
Subtotal: Grants-in-aid for airports	2,000	8,000 (§7102(a))	10,000
Emergency FAA Employee Leave Fund	0	9 (§7103)	9
Aviation Manufacturing Payroll Support Program	0	3,000 (§7202)	3,000
Total, FAA	2,000	11,009	13,009
Federal Highway Administration (FHWA)			

Program/Account ^a	Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div M of P.L. 116- 260, FY2021 Consolidated Appropriations Act)	American Rescue Plan Act (P.L. 117-2) ^b	Total Funding
	Supplemental Discretionary Appropriations	Mandatory Appropriations	Discretionary and Mandatory
Surface Transportation Block Grant Program	9,840	0	9,840
Tribal Transportation Program	115	0	115
Puerto Rico Highways Program	36	0	36
Territorial Highways Program	10	0	10
Total, FHWA	10,000	0	10,000
Federal Railroad Administration (FRA)			
Amtrak Northeast Corridor Grants	655	970 (§7101(a))	1,626
Amtrak National Network Grants	345	730 (§7101(b))	1,074
Replace state and commuter rail capital payments	110	1108 (§7101(d))	2206
Replace payments from states for state-supported routes	175	175	350
Restore long-distance service & recall employees	0	166 (§7101(c))	166
Total, FRA	1,000	1,700	2,700
Federal Transit Administration (FTA)			
Grants for operating expenses to recipients of Urbanized Area Formula Grants (§5307)/State of Good Repair Grants (§5337)	13,271	26,087 (§3401(b)(1))	39,358
Grants for operating expenses to recipients of Elderly & Disabled Grants (§5310)	50	50 (§3401(b)(2))	100
Grants for operating expenses to recipients of Rural Areas Formula Grants (§5311)	679	317 (§3401(b)(3))	996
Capital Investments Grants Program (§5309)	0	1,675 (§3401(b)(4))	1,675

Program/Account ^a	Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div M of P.L. 116-260, FY2021 Consolidated Appropriations Act)	American Rescue Plan Act (P.L. 117-2) ^b	Total Funding
	Supplemental Discretionary Appropriations	Mandatory Appropriations	Discretionary and Mandatory
Bus partners (§5311(f))	0	100 (§3401(b)(5))	100
Planning grants	0	25 (§3401(b)(6))	25
Discretionary aid to recipients of grants under §5309 & §5311	0	2,208 (§3401(b)(7))	2,208
Total, FTA	14,000	30,461	44,461
Total, DOT	\$27,000	\$43,170	\$70,170
Department of Housing and Urban Development (HUD)			
Tenant Based Rental Assistance (Emergency Housing Vouchers)	—	5,000 (§3202)	5,000
HOME (Homelessness Assistance and Supportive Services Program)	—	5,000 (§3205)	5,000
Native American Housing (Housing Assistance and Supportive Services Programs for Native Americans)	—	750 (§11003)	750
Fair Housing	—	20 (§3208)	20
Total, HUD	—	\$10,770	\$10,770
Related Agencies			
Neighborhood Reinvestment Corporation	—	100 (§3204)	100
Total, Related Agencies	—	100	\$100

Source: CRS, based on information in Division M of P.L. 116-260 and P.L. 117-2.

Notes: Numbers may not add due to rounding.

a. Section numbers in the Program column for FTA refer to U.S. Code Title 49.

b. Section numbers in the American Rescue Plan Act column refer to section numbers in that act. Amounts in P.L. 116-260 were in text not demarcated by section numbers.

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