IN THE SENATE OF THE UNITED STATES

SEPTEMBER ______, 2020

Ms. COLLINS, from the Committee on Appropriations, reported the following original bill, which was read twice and placed on the calendar

A BILL

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

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

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $122,274,000 of which not to exceed $3,346,000 shall be available for the immediate Office of the Secretary; not to exceed $1,115,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $22,200,000 shall be available for the Office of the General Counsel; not to exceed $11,064,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $16,376,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,894,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $30,090,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,432,000 shall be available for the Office of Public Affairs; not to exceed $2,008,000 shall be available for the
Office of the Executive Secretariat; not to exceed $13,256,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $17,493,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation (referred to in this title as the “Secretary”) is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: Provided further, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $70,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.
RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $18,000,000, of which $11,685,000 shall remain available until expended: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $1,000,000,000 to remain available through September 30, 2023: Provided, That the Secretary shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, port authority, or a collaboration among such entities on a competitive basis for projects that will have a significant local or regional impact: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or
5 bridge projects eligible under title 23, United States Code;
6 public transportation projects eligible under chapter 53 of
7 title 49, United States Code; passenger and freight rail
8 transportation projects; port infrastructure investments
9 (including inland port infrastructure and land ports of
10 entry); and projects investing in surface transportation fa-
11 cilities that are located on tribal land and for which title
12 or maintenance responsibility is vested in the Federal Gov-
13 ernment: Provided further, That of the amount made avail-
14 able under this heading, the Secretary shall use an amount
15 not less than $15,000,000 for the planning, preparation
16 or design of projects eligible for funding under this head-
17 ing: Provided further, That grants awarded under the pre-
18 vious proviso shall not be subject to a minimum grant size:
19 Provided further, That the Secretary may use up to 20
20 percent of the funds made available under this heading
21 for the purpose of paying the subsidy and administrative
22 costs of projects eligible for Federal credit assistance
23 under chapter 6 of title 23, United States Code, or sec-
24 tions 501 through 504 of the Railroad Revitalization and
25 Regulatory Reform Act of 1976 (Public Law 94–210), as
26 amended, if the Secretary finds that such use of the funds
27 would advance the purposes of this paragraph: Provided
28 further, That in distributing funds provided under this
29 heading, the Secretary shall take such measures so as to

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ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: Provided further, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in a rural area, the minimum grant size shall be $1,000,000: Provided further, That for projects located in rural areas or areas of persistent poverty the Secretary may increase the Federal share of costs above 80 percent: Provided further, That areas of persistent poverty means any county that has consistently had greater than or equal to 20 percent or more of the population living in poverty over the 30 years preceding the date of enactment of this Act, as measured by

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the 1990 and 2000 decennial census and the most recent Small Area Income and Poverty Estimates, or any census tract with a poverty rate of at least 20 percent as measured by the 2014–2018 5-year data series available from the American Community Survey of the Census Bureau: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to 3 percent of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: Provided further, That none of the funds provided in the previous proviso may be used to hire additional personnel: Provided further, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2017 Notice of Funding Opportunity: Provided further, That, notwithstanding the previous proviso, the Secretary
shall not use the Federal share or an applicant’s ability to generate non-Federal revenue as a selection criteria in awarding projects: Provided further, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act: Provided further, That such Notice of Funding Opportunity shall require application submissions 90 days after the publishing of such Notice: Provided further, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 270 days after enactment of this Act in such amounts that the Secretary determines.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $4,250,000, to remain available until expended: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts
are in addition to other amounts made available for such purposes and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation’s financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2022.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $22,000,000, to remain available through September 30, 2022.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,600,000.
TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $9,350,000, to remain available until expended: Provided, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $319,793,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis...
to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

**SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH**

For necessary expenses for small and disadvantaged business utilization and outreach activities, $4,714,000, to remain available until September 30, 2022: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation: *Provided further*, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading “Minority Business Resource Center Program”.

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PAYMENTS TO AIR CARRIERS  
(AIRPORT AND AIRWAY TRUST FUND) 

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $141,724,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under section 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under section 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse...
such amounts from fees credited to the account estab-
lished under section 45303 of title 49, United States Code.

TRANSPORTATION DEMONSTRATION PROGRAM

To expand intermodal and multimodal freight and cargo transportation infrastructure, including airport de-
velopment under chapter 471 of title 49, United States Code, $100,000,000, to remain available until expended:

Provided, That the Secretary shall distribute funds pro-
vided under this heading as discretionary grants to mari-
time port authorities or former military airports classified
as general aviation airports in the National Plan on Inte-
grated Airport System report for fiscal years 2019 to
2023: Provided further, That eligible applicants that are
maritime port authorities shall use a terminal railway and
be located not more than 10 miles from a former military
airport classified as a general aviation airport in the Na-
tional Plan on Integrated Airport System report for fiscal
years 2019 to 2023: Provided further, That eligible appli-
cants that are former military airports classified as gen-
eral aviation airports in the National Plan on Integrated
Airport System report for fiscal years 2019 to 2023 shall
be located not more than 10 miles from a maritime port
authority that uses a terminal railway: Provided further,
That projects eligible under this heading shall be located
not more than 10 miles from at least two highways on
the Interstate System: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act.

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

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

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

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department’s Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available
funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: Provided, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: Provided further, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: Provided further, That the Working Capital Fund will be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

SEC. 104. None of the funds in this Act may be obligated or expended for retention or senior executive bonuses for an employee of the Department of Transportation without the prior written approval of the Assistant Secretary for Administration.

SEC. 105. In addition to authority provided by section 327 of title 49, United States Code, the Department’s Administrative Working Capital Fund is hereby authorized to transfer information technology equipment, software, and systems from Departmental sources or other entities
and collect and maintain a reserve at rates which will return full cost of transferred assets.

SEC. 106. Receipts collected in the Administrative Working Capital Fund (49 U.S.C. 327) for unused van pool benefits, in an amount not to exceed ten percent of fiscal year collections, shall be available in the Administrative Working Capital Fund to provide contractual services in support of section 189 of this Act: Provided, That such collections shall be available until expended and obligations shall not exceed $1,000,000 in any fiscal year.

SEC. 107. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be
provided as a direct loan, loan guarantee, or line of credit;
and the amount of credit assistance.

**FEDERAL AVIATION ADMINISTRATION**

**OPERATIONS**

**(AIRPORT AND AIRWAY TRUST FUND)**

For necessary expenses of the Federal Aviation Admin-
istration, not otherwise provided for, including oper-
ations and research activities related to commercial space
transportation, administrative expenses for research and
development, establishment of air navigation facilities, the
operation (including leasing) and maintenance of aircraft,
subsidizing the cost of aeronautical charts and maps sold
to the public, the lease or purchase of passenger motor
vehicles for replacement only, $11,001,500,000, to remain
available until September 30, 2022, of which
$10,519,000,000 shall be derived from the Airport and
Airway Trust Fund: *Provided, That of the sums appro-
priated under this heading—*

(1) not less than $1,479,039,000 shall be avail-
able for aviation safety activities;

(2) $8,205,821,000 shall be available for air
traffic organization activities;

(3) $27,555,000 shall be available for commer-
cial space transportation activities;
(4) $836,141,000 shall be available for finance and management activities;

(5) $62,862,000 shall be available for NextGen and operations planning activities;

(6) $124,928,000 shall be available for security and hazardous materials safety; and

(7) $265,154,000 shall be available for staff offices:

Provided further, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 5 percent: Provided further, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than 60 days after the submission of the budget request, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: Provided further, That the amount herein appropriated shall be reduced by $100,000 for each day after the date that is 60
days after the submission of the budget request that such report has not been submitted to the Congress: Provided further, That not later than 60 days after the submission of the budget request, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as
offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal, or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $172,800,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program 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 available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,011,980,000, of which $550,000,000 shall remain available until September 30, 2022, $2,322,380,000 shall remain available until September 30, 2023, and $139,600,000 shall remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses in-
urred in the establishment, improvement, and modernization of national airspace systems: Provided further, That not later than 60 days after submission of the budget request, the Secretary shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2022 through 2026, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $190,097,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2023: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: Provided further, That funds made available under this head-
ing shall be used in accordance with the explanatory statement accompanying this Act: Provided further, That not to exceed 10 percent of any funding level specified under this heading in the explanatory statement accompanying this Act may be transferred to any other funding level specified under this heading in the explanatory statement accompanying this Act: Provided further, That no transfer may increase or decrease any funding level by more than 10 percent: Provided further, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices
and systems at airports of such title; for grants authorized
under section 41743 of title 49, United States Code; and
for inspection activities and administration of airport safety
programs, including those related to airport operating
certificates under section 44706 of title 49, United States
Code, $3,350,000,000, to be derived from the Airport and
Airway Trust Fund, and to remain available until ex-
pended: Provided, That none of the funds under this head-
ing shall be available for the planning or execution of pro-
grams the obligations for which are in excess of
$3,350,000,000 in fiscal year 2021, notwithstanding sec-
tion 47117(g) of title 49, United States Code: Provided
further, That none of the funds under this heading shall
be available for the replacement of baggage conveyor sys-
tems, reconfiguration of terminal baggage areas, or other
airport improvements that are necessary to install bulk ex-
ploding detection systems: Provided further, That notwith-
standing section 47109(a) of title 49, United States Code,
the Government’s share of allowable project costs under
paragraph (2) for subgrants or paragraph (3) of that sec-
tion shall be 95 percent for a project at other than a large
or medium hub airport that is a successive phase of a
multi-phased construction project for which the project
sponsor received a grant in fiscal year 2011 for the con-
struction project: Provided further, That notwithstanding
any other provision of law, of funds limited under this
heading, not more than $119,402,000 shall be available
for administration, not less than $15,000,000 shall be
available for the Airport Cooperative Research Program,
not less than $40,666,000 shall be available for Airport
Technology Research, and $10,000,000, to remain avail-
able until expended, shall be available and transferred to
“Office of the Secretary, Salaries and Expenses” to carry
out the Small Community Air Service Development Pro-
gram: Provided further, That in addition to airports eligi-
able under section 41743 of title 49, United States Code,
such program may include the participation of an airport
that serves a community or consortium that is not larger
than a small hub airport, according to FAA hub classifica-
tions effective at the time the Office of the Secretary
issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for “Grants-In-Aid for Air-
ports”, to enable the Secretary to make grants for projects
as authorized by subchapter 1 of chapter 471 and sub-
chapter 1 of chapter 475 of title 49, United States Code,
$400,000,000, to remain available through September 30,
2023: Provided, That amounts made available under this
heading shall be derived from the general fund, and such
funds shall not be subject to apportionment formulas, spe-
cial apportionment categories, or minimum percentages under chapter 471: Provided further, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: Provided further, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: Provided further, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Sec. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2021.

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

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

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

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

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

SEC. 116. Notwithstanding any other provision of
law, none of the funds made available under this Act or
any prior Act may be used to implement or to continue
to implement any limitation on the ability of any owner
or operator of a private aircraft to obtain, upon a request
to the Administrator of the Federal Aviation Administra-
tion, a blocking of that owner’s or operator’s aircraft reg-
istration number, Mode S transponder code, flight identi-
fication, call sign, or similar identifying information from
any ground based display to the public that would allow
the real-time or near real-time flight tracking of that air-
craft’s movements, except data made available to a Gov-
ernment agency, for the noncommercial flights of that
owner or operator.

SEC. 117. None of the funds in this Act shall be avail-
able for salaries and expenses of more than nine political
and Presidential appointees in the Federal Aviation Ad-
ministration.
SEC. 118. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order No. 13642.

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

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

SEC. 119B. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants as long as the Federal Aviation Administration has received an application from the airport,
and as long as the Administrator determines such tower
is eligible using the factors set forth in Federal Aviation
Administration published establishment criteria.

SEC. 119C. None of the funds made available by this
Act may be used to open, close, redesignate as a lesser
office, or reorganize a regional office, the aeronautical cen-
ter, or technical center unless the Administrator submits
a request for the reprogramming of funds under section
405 of this Act.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)
Not to exceed $475,649,049 together with advances
and reimbursements received by the Federal Highway Ad-
ministration, shall be obligated for necessary expenses for
administration and operation of the Federal Highway Ad-
ministration: Provided, That in addition, $3,248,000 shall
be transferred to the Appalachian Regional Commission
in accordance with section 104(a) of title 23, United
States Code.
FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America’s Surface Transportation (FAST) Act (Public Law 114–94) shall not exceed total obligations of $46,365,092,000 for fiscal year 2021.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $47,104,092,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS

There is hereby appropriated to the Secretary $2,365,000,000: Provided, That the funds made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2021 in this or any other Act for: (1) “Federal-aid Highways” under chapter 1 of title 23, United States Code;
or (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further,* That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further,* That of the funds made available under this heading—

(1) $796,328,026 shall be for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code;

(2) $2,900,859 shall be for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of title 23, United States Code;

(3) $771,115 shall be for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of title 23, United States Code;

(4) $70,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;
(5) $1,360,000,000 shall be for a bridge replacement and rehabilitation program;

(6) $100,000,000 shall be for necessary expenses for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240; and

(7) $35,000,000 shall be for the national scenic byways program under section 162 of title 23, United States Code:

Provided further, That for the purposes of funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, the term “State” means any of the 50 States or the District of Columbia: Provided further, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section
133(h) of such title shall not apply to funds made available under this heading: Provided further, That the funds made available under this heading for: (1) activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code; (2) a bridge replacement and rehabilitation program; and (3) the national scenic byways program under section 162 of title 23, United States Code, shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2024: Provided further, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2021 is distributed among the States in section 120(a)(5) of this Act: Provided further, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial
Highway Program shall be administered as if allocated under sections 165(b) and 165(e), respectively, of title 23, United States Code, and shall remain available through September 30, 2024: Provided further, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: Provided further, That the funds made available under this heading for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act shall remain available through September 30, 2024: Provided further, That for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, (1) the term “State” means any of the 50 States or the District of Columbia, and (2) the term “qualifying State” means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent or in which the percentage of total bridges classified as in poor condition in such State is at least 5 percent: Provided further, That, of the funds made available under this heading for a bridge replacement and rehabilitation program, the Secretary shall reserve $6,000,000 for each State that does not meet the definition of a qualifying State: Provided further, That, after
making the reservations under the preceding proviso, the
Secretary shall distribute the remaining funds made avail-
able under this heading for a bridge replacement and reha-
bilitation program to each qualifying State by the propor-
tion that the percentage of total deck area of bridges clas-
sified as in poor condition in such qualifying State bears
to the sum of the percentages of total deck area of bridges
classified as in poor condition in all qualifying States: Pro-
vided further, That for the bridge replacement and reha-
bilitation program:

(1) no qualifying State shall receive more than
$60,000,000;
(2) each State shall receive an amount not less
than $6,000,000; and
(3) after calculating the distribution of funds
pursuant to the preceding proviso, any amount in
excess of $60,000,000 shall be redistributed equally
among each State that does not meet the definition
of a qualifying State:

Provided further, That the funds made available under this
heading for a bridge replacement and rehabilitation pro-
gram shall be used for highway bridge replacement or re-
habilitation projects on public roads: Provided further,
That for purposes of this heading for the bridge replace-
ment and rehabilitation program, the Secretary shall cal-
1 calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018: Provided further, That for the purposes of funds made available under this heading for construction of the Appalachian Development Highway System, the term “Appalachian State” means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: Provided further, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: Provided further, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: Provided further, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 736, and con-
firmed as each Appalachian State’s relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report, unless those states have modified and assigned a higher priority for completion of an Appalachian Development Highway System corridor, as reported in the 2020 Appalachian Development Highway System Future Outlook: Provided further, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: Provided further, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: Provided further, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent.
ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

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

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

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

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

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

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

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

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

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

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America’s Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—
(A) the proportion determined under paragraph (3); by

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) REDISTRIBUTION OF UNUSED OBLIGATION AU-
THORITY.—Notwithstanding subsection (a), the Secretary
shall, after August 1 of such fiscal year—
(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

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

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

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

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

(B) title VI of the Fixing America’s Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—
(A) remain available for a period of 4 fiscal years; and
(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and
(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.
(2) Ratio.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

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

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

SEC. 123. None of the funds provided in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: Provided, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: Provided, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of its intent to use its authority under this section and submits an annual report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of...
availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives, identified in a prior law, report, or joint explanatory statement, and administered by the Federal Highway Administration.

c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 100 miles for which the funding
was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

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

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act (Public Law 114–94), $300,896,127, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended, unless otherwise specified: Provided, That funds available for imple-
mentation, execution, or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $300,896,127 for fiscal year 2021, of which $9,073,000, to remain available for obligation until September 30, 2023, is for the research and technology program, and of which not less than $73,388,127, to remain available for obligation until September 30, 2023, is for development, modernization, enhancement of information technology and information management systems and for the continuing operation and maintenance of such systems.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFERS OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act (Public Law 114–94), $391,135,561, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of
$391,135,561 in fiscal year 2021 for “Motor Carrier Safety Grants”: Provided further, That of the sums appropriated under this heading:

(1) $308,700,000 shall be available for the motor carrier safety assistance program;

(2) $33,200,000 shall be available for the commercial driver’s license program implementation program;

(3) $45,900,000 shall be available for the high priority activities program, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety Grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts; and

(4) $3,335,561 shall be made available for commercial motor vehicle operators grants, of which $2,335,561 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety Grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts.
ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $194,167,000, of which $40,000,000 shall remain available through September 30, 2022.

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, section 4011 of the Fixing America’s Surface Transportation Act (Public Law 114–94), and chapter 303 of title 49, United States Code, $155,300,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2021, are in excess of $155,300,000: Provided
further, That of the sums appropriated under this heading—

(1) $149,800,000 shall be for programs authorized under 23 U.S.C. 403, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, and section 4011 of the Fixing America’s Surface Transportation Act (Public Law 114–94); and

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

Provided further, That within the $155,300,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2022, and shall be in addition to the amount of any limitation imposed on obligations for future years: Provided further, That amounts for behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls are in addition to any other funds provided for those purposes for fiscal year 2021 in this Act.
HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act (Public Law 114–94), to remain available until expended, $623,017,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2021 are in excess of $623,017,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act: Provided further, That of the sums appropriated under this heading—

(1) $279,800,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402;

(2) $285,900,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405;

(3) $30,500,000 shall be for the “High Visibility Enforcement Program” under 23 U.S.C. 404; and
(4) $26,817,000 shall be for “Administrative Expenses” under section 4001(a)(6) of the Fixing America’s Surface Transportation Act: 

Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed $500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

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

SEC. 142. None of the funds in this Act or any other Act shall be used to enforce the requirements of 23 U.S.C. 405(a)(9).

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $233,675,000, of which $20,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $41,000,000, to remain available until expended.
RAILROAD REHABILITATION AND IMPROVEMENT

FINANCING PROGRAM

The Secretary is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $225,000,000, to remain available until expended: Provided, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: Provided further, That the Secretary may withhold up to 1 percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code.
CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, $340,000,000, to remain available until expended: Provided, That section 22905(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 22907(c)(1) of title 49, United States Code: Provided further, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: Provided further, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: Provided further, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 22907(c) of title 49, United States Code: Provided further, That the Secretary may withhold up to 1 percent of the amount provided under this heading for the costs of award and project management oversight.
of grants carried out under section 22907 of title 49, United States Code: *Provided further,* That for amounts available under this heading eligible recipients under section 22907(b) of title 49, United States Code, shall include any holding company of a Class II railroad or Class III railroad (as those terms are defined in section 20102 of title 49, United States Code):

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $2,708,000, to remain available until expended: *Provided,* That the Secretary may withhold up to 1 percent of the funds provided under this heading to fund the costs of award and project management and oversight.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94), $680,000,000, to remain available until expended: *Provided,* That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading
and the “National Network Grants to the National Railroad Passenger Corporation” heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further,* That in addition to the project management oversight funds authorized under section 11101(e) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further,* That of the amounts made available under this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further,* That of the amounts made available under this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading, $100,000,000 shall be made available to fund the replacement of the single-level passenger cars used on Northeast Corridor, State Supported Corridor, and Long Distance routes.
NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94), $1,320,000,000, to remain available until expended: Provided, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: Provided further, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation: Provided further, That none of the funds provided under this heading shall be used by Amtrak to give notice under subsection (a) or (b) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code)
on which Amtrak is the sole operator on a host railroad’s line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 2020 and the three prior calendar years: Provided further, That such summary shall include the total

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number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2020 and for the three prior calendar years.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation under the headings “Northeast Corridor Grants to the National Railroad Passenger Corporation” and “National Network Grants to the National Railroad Passenger Corporation” may be used to reduce the total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities or rights-of-way below the staffing level on May 1, 2019.

SEC. 152. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).
FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $121,052,000: Provided, That upon submission to the Congress of the fiscal year 2022 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on Capital Investment Grants, including proposed allocations for fiscal year 2022.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(c)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America’s Surface Transportation Act, $10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That
funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of $10,150,348,462 in fiscal year 2021: Provided further, That the Federal share of the cost of activities carried out under 49 U.S.C. section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share: Provided further, That in addition to the amounts appropriated for purposes of 49 U.S.C. 5338(e), not less than 2 percent of the funds appropriated or available for the purposes of 49 U.S.C. 5338(f) shall be available for the purposes of 49 U.S.C. 5338(e).

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339 of title 49, United States Code, low or no emission grants under section 5339(c) of such title, formula grants to rural areas under section 5311 of such title, high density state apportionments under section 5340(d) of such title, state of good repair grants under section 5337 of such title, ferry boats grants under section
5307(h) of such title, bus testing facilities under section 5318 of such title, and for grants to areas of persistent poverty, $701,713,000, to remain available until expended: Provided, That of the sums provided under this heading—

(1) $446,000,000 shall be available for the buses and bus facilities grants as authorized under section 5339 of such title, of which $223,000,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, and $223,000,000 shall be available for buses and bus facilities competitive grants as authorized under section 5339(b) of such title;

(2) $80,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: Provided, That the minimum grant award shall be not less than $750,000;

(3) $45,000,000 shall be available for formula grants for rural areas as authorized under section 5311 of such title;

(4) $45,000,000 shall be available for the high density state apportionments as authorized under section 5340(d) of such title;
(5) $45,000,000 shall be available for state of good repair grants as authorized under section 5337 of such title;

(6) $19,000,000 shall be available for ferry boat grants as authorized under section 5307(h) of such title;

(7) $1,713,000 shall be available for the operation and maintenance of the bus testing facilities selected under section 5318 of such title; and

(8) $20,000,000 shall be available for competitive grants to eligible entities to assist areas of persistent poverty: Provided, That areas of persistent poverty means any county that has consistently had greater than or equal to 20 percent or more of the population living in poverty over the 30 years preceding the date of enactment of this Act, as measured by the 1990 and 2000 decennial census and the most recent Small Area Income and Poverty Estimates, or any census tract with a poverty rate of at least 20 percent as measured by the 2014–2018 5-year data series available from the American Community Survey of the Census Bureau: Provided further, That grants shall be for planning, engineering, or development of technical or financing plans for projects eligible under chapter 53 of title 49, United
States Code: Provided further, That eligible entities are those defined as eligible recipients or subrecipients under sections 5307, 5310 or 5311 of title 49, United States Code, and are in areas of persistent poverty: Provided further, That the Federal Transit Administration should complete outreach to such counties and the departments of transportation within applicable States via personal contact, webinars, web materials and other appropriate methods determined by the Administrator of the Federal Transit Administration: Provided further, That State departments of transportation may apply on behalf of eligible entities within their States: Provided further, That the Federal Transit Administration should encourage grantees to work with non-profits or other entities of their choosing in order to develop planning, technical, engineering, or financing plans:

Provided further, That the Federal Transit Administration should encourage grantees to partner with non-profits that can assist with making projects low or no emissions: Provided further, That projects funded under paragraph (7) of this heading shall be for not less than 90 percent of the net total project cost: Provided further, That amounts made available by this heading shall be derived from the general fund: Provided further, That the amounts made
available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000, of which up to $1,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists small-urban, rural and tribal public transit recipients and planning organizations with applied innovation and capacity-building: Provided, That the assistance provided under this heading does not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America’s Surface Transportation Act (Public Law 114–94), $1,888,690,000, to remain available until September 30, 2024: Provided, That of the amounts made available under this heading, $1,120,000,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $400,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $199,790,000 shall be available for projects authorized under section 5309(h) of title 49,
United States Code, and $150,000,000 shall be available
for projects authorized under section 3005(b) of the Fixing America’s Surface Transportation Act: Provided further, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America’s Surface Transportation Act: Provided further, That projects that receive a grant agreement under the Expedited Project Delivery for Capital Investment Grants Pilot Program under section 3005(b) of the Fixing America’s Surface Transportation Act shall be deemed eligible for funding provided for projects under section 5309 of title 49, United States Code, without further evaluation or rating under such section: Provided further, That such funding shall not exceed the Federal share under section 3005(b).

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington
Metropolitan Area Transit Authority only after receiving
and reviewing a request for each specific project: *Provided
further*, That the Secretary shall determine that the Wash-
ington Metropolitan Area Transit Authority has placed the
highest priority on those investments that will improve the
safety of the system before approving such grants: *Pro-
vided further*, That the Secretary, in order to ensure safety
throughout the rail system, may waive the requirements
of section 601(e)(1) of division B of Public Law 110–432.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
ADMINISTRATION

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

SEC. 161. Notwithstanding any other provision of
law, funds appropriated or limited by this Act under the
heading “Fixed Guideway Capital Investment” of the Fed-
eral Transit Administration for projects specified in this
Act or identified in the explanatory statement accom-
ppanying this Act not obligated by September 30, 2024,
and other recoveries, shall be directed to projects eligible
to use the funds for the purposes for which they were
originally provided.
SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2020, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. No funds in this or any other Act shall be used to adjust apportionments or withhold funds from apportionments pursuant to 26 U.S.C. 9503(e)(4).

SEC. 164. An eligible recipient of a grant under section 5339(c) may submit an application in partnership with other entities, including a transit vehicle manufacturer, that intend to participate in the implementation of a project under section 5339(c) of title 49, United States Code, and a project awarded with such partnership shall be treated as satisfying the requirement for a competitive procurement under section 5325(a) of title 49, United States Code, for the named entity.

SEC. 165. None of the funds made available in this or any other Act shall be used to impede or hinder project advancement or approval for any project seeking a Federal contribution from the capital investment grant program of greater than 40 percent of project costs as authorized under 49 U.S.C. 5309.
SEC. 166. None of the funds made available under this Act may be used for the implementation or furtherance of new policies detailed in the “Dear Colleague” letter distributed by the Federal Transit Administration to capital investment grant program project sponsors on June 29, 2018.

SEC. 167. Any unexpended balances from amounts previously appropriated for low or no emission vehicle component assessment under 49 U.S.C. 5312(h) under the headings “Transit Formula Grants” and “Transit Infrastructure Grants” in fiscal years 2016 through 2020 may be used by the facilities selected for such vehicle component assessment for capital projects in order to build new infrastructure and enhance existing facilities in order to expand bus and component testing capability.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $30,700,000 to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: Provided, That of the amounts made available under this heading, not less than $10,500,000 shall be used on Seaway Infrastructure activities.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $314,000,000, to remain available until expended, of which $10,000,000 shall be derived from unobligated balances from prior year appropriations available under this heading.

CABLE SECURITY FLEET

For the Cable Security Fleet program, as authorized by chapter 532 of title 46, United States Code, $10,000,000.
OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law, $152,589,000: Provided, That of the sums appropriated under this heading—

(1) $76,444,000 shall remain available until September 30, 2022 for the operations of the United States Merchant Marine Academy;

(2) $8,997,000 shall remain available until expended for facilities maintenance and repair, and equipment, at the United States Merchant Marine Academy;

(3) $3,000,000 shall remain available until September 30, 2022 for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code; and

(4) $8,295,000, shall remain available until expended for the Short Sea Transportation Program (America’s Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code:

Provided further, That not later than 120 days after enactment of this Act, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual as-
sault and sexual harassment at the United States Merto-
chant Marine Academy as required pursuant to section
3507 of Public Law 110–417: Provided further, That
available balances under this heading for the Short Sea
Transportation Program (America’s Marine Highways)
from prior year recoveries shall be available to carry out
activities authorized under sections 55601(b)(1) and (3)
of title 46, United States Code: Provided further, That any
unobligated balances and obligated balances not yet ex-
pended from previous appropriations under this heading
for programs and activities supporting State Maritime
Academies shall be transferred to and merged with the
appropriations for “Maritime Administration—State Mar-
itime Academy Operations” and shall be made available
for the same purposes as the appropriations for “Maritime
Administration—State Maritime Academy Operations”.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support, and
training activities for State Maritime Academies,
$432,700,000: Provided, That of the sums appropriated
under this heading—

(1) $30,500,000, to remain available until ex-
pended, shall be for maintenance, repair, life exten-
sion, insurance, and capacity improvement of Na-
tional Defense Reserve Fleet training ships, and for
support of training ship operations at the State Maritime Academies, of which $8,500,000, to remain available until expended, shall be for expenses related to training mariners; and for costs associated with training vessel sharing pursuant to 46 U.S.C. 51504(g)(3) for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary;

(2) $390,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships;

(3) $2,400,000 to remain available through September 30, 2022, shall be for the Student Incentive Program;

(4) $3,800,000 shall remain available until expended, shall be for training ship fuel assistance; and

(5) $6,000,000, to remain available until September 30, 2022, shall be for direct payments for State Maritime Academies.
ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $20,000,000, to remain available until expended.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,200,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged with the appropriations for “Operations and Training”, Maritime Administration.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 50302(c) of title 46, United States Code, $200,000,000 to remain available until expended:

Provided, That of the 25 percent reserved for small projects under section 50302(c)(7)(B) of such title, the Secretary shall prioritize ports that handled less than 8,000,000 short tons as determined using United States
Army Corps of Engineers data or data provided by an independent audit the findings of which are acceptable to the Secretary.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration:

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

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $26,715,000, of which $2,500,000 shall remain available until September 30, 2023:
HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $63,000,000, of which $11,000,000 shall remain available until September 30, 2023: Provided, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions: Provided further, That not more than $1,000,000 shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format.
For expenses necessary to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $168,000,000, to remain available until September 30, 2023, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $137,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: Provided, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call State grant program: Provided further, That any amounts provided under this heading in this Act or in prior Acts for research contracts, grants, cooperative agreements or research other transactions agreements (“OTAs”) shall require written notification to the House and Senate Committees on Appropriations not less than 3 full business days before such research contracts, grants, cooperative agreements, or research OTAs are announced by the Department of Transportation.
EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than $28,318,000 shall remain available until September 30, 2023, from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol, and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e).
OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $98,150,000: Provided,

That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, op-
eration, and deployment of unmanned aircraft systems that advance the Department’s, or its operating adminis-
trations’ missions.

(c) Any unmanned aircraft system purchased, procured, or contracted for by the Department prior to the enactment of this Act shall be deemed authorized by Con-
gress as if this provision was in effect when the system was purchased, procured, or contracted for.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.


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

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 125 political
and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

Sec. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

Sec. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appro-
propriations for any “quick release” of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less than the 3 full business days before such announcement: *Provided*, That the Department shall provide the list required in this subsection prior to the notification required in subsection (a): *Provided further*, That the requirement to provide a list in this subsection does not apply to any “quick release” of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space,
and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the
costs of goods and services that are purchased to provide
a direct benefit to the applicable modal administration or
administrations.

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

SEC. 190. The Department of Transportation may
use funds provided by this Act, or any other Act, to assist
a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
drug, economic, or any other hiring preference not
otherwise authorized by law, or to amend a rule, regula-
tion, policy or other measure that forbids a recipient of
a Federal Highway Administration or Federal Transit Ad-
ministration grant from imposing such hiring preference
on a contract or construction project with which the De-
partment of Transportation is assisting, only if the grant
recipient certifies the following:

(1) that except with respect to apprentices or
trainees, a pool of readily available but unemployed
individuals possessing the knowledge, skill, and abil-
ity to perform the work that the contract requires
resides in the jurisdiction;
(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

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

Sec. 191. The Secretary of Transportation shall coordinate with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems Procurement are up-to-date and shall ensure that systems procured with funds provided under this title were procured using such practices.

This title may be cited as the “Department of Transportation Appropriations Act, 2021”.

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TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $17,292,000, to remain available until September 30, 2022: Provided, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary of Housing and Urban Development (referred to in this title as “the Secretary”) for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $576,689,000, to remain available until September 30, 2022: Provided, That of the sums appropriated under this heading—

(1) $74,462,000 shall be available for the Office of the Chief Financial Officer;
(2) $107,254,000 shall be available for the Office of the General Counsel, of which not less than $20,050,000 shall be for the Departmental Enforcement Center;

(3) $207,693,000 shall be available for the Office of Administration;

(4) $38,933,000 shall be available for the Office of the Chief Human Capital Officer;

(5) $59,652,000 shall be available for the Office of Field Policy and Management;

(6) $21,013,000 shall be available for the Office of the Chief Procurement Officer;

(7) $4,239,000 shall be available for the Office of Departmental Equal Employment Opportunity; and

(8) $63,443,000 shall be available for the Office of the Chief Information Officer:

Provided further, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development (referred to in this title as “the Department”), not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided fur-
ther, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress: Provided further, That not more than 10 percent of the funds made available under this heading for the Office of the Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICES

For necessary salaries and expenses for Program Offices, $904,173,000, to remain available until September 30, 2022: Provided, That of the sums appropriated under this heading—
(1) $243,056,000 shall be available for the Office of Public and Indian Housing;

(2) $131,107,000 shall be available for the Office of Community Planning and Development;

(3) $404,194,000 shall be available for the Office of Housing, of which not less than $13,200,000 shall be for the Office of Recapitalization;

(4) $36,250,000 shall be available for the Office of Policy Development and Research;

(5) $79,763,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) $9,803,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency’s printing, space renovation, furniture, or supply services
the Secretary has determined shall be provided through
the Fund, and the operational expenses of the Fund: Pro-
vided, That amounts within the Fund shall not be avail-
able to provide services not specifically authorized under
this heading: Provided further, That upon a determination
by the Secretary that any other service (or portion thereof)
authorized under this heading shall be provided through
the Fund, amounts made available in this title for salaries
and expenses under the headings “Executive Offices”,
“Administrative Support Offices”, “Program Offices”,
and “Government National Mortgage Association”, for
such services shall be transferred to the Fund, to remain
available until expended: Provided further, That the Sec-
retary shall notify the House and Senate Committees on
Appropriations of its plans for executing such transfers
at least 15 days in advance of such transfers.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of ten-
ant-based rental assistance authorized under the United
States Housing Act of 1937, as amended (42 U.S.C. 1437
et seq.) (“the Act” herein), not otherwise provided for,
$21,516,000,000, to remain available until expended, shall
be available on October 1, 2020 (in addition to the
$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2020), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2021: Provided, That the amounts made available under this heading are provided as follows:

(1) $22,891,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2021 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods
vouchers: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the Moving to Work (MTW) demonstration, which are instead governed in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2021: Provided further, That the Secretary may extend the notification period with the prior written approval of the
House and Senate Committees on Appropriations:

*Provided further,* That public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further,* That the Secretary may offset public housing agencies’ calendar year 2021 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2020 that is verifiable and complete), as determined by the Secretary: *Provided further,* That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2021 MTW funding allocation: *Provided further,* That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Sec-
retary, and to avoid or reduce the proration of re-

ewal funding allocations: Provided further, That up
to $110,000,000 shall be available only: (1) for ad-
justments in the allocations for public housing agen-
cies, after application for an adjustment by a public
housing agency that experienced a significant in-
crease, as determined by the Secretary, in renewal
costs of vouchers (including Mainstream vouchers)
resulting from unforeseen circumstances or from
portability under section 8(r) of the Act; (2) for
vouchers that were not in use during the previous
12-month period in order to be available to meet a
commitment pursuant to section 8(o)(13) of the Act,
or an adjustment for a funding obligation not yet ex-
pended in the previous calendar year for a MTW-el-
gible activity to develop affordable housing for an
agency added to the MTW demonstration under the
expansion authority provided in section 239 of the
Transportation, Housing and Urban Development,
and Related Agencies Appropriations Act, 2016 (Di-
vision L of Public Law 114–113); (3) for adjust-
ments for costs associated with HUD–Veterans Af-
fairs Supportive Housing (HUD–VASH) vouchers;
(4) for public housing agencies that despite taking
reasonable cost savings measures, as determined by
the Secretary, would otherwise be required to termi-
nate rental assistance for families, including Main-
stream families, as a result of insufficient funding;
(5) for adjustments in the allocations for public
housing agencies that (i) are leasing a lower-than-
average percentage of their authorized vouchers, (ii)
have low amounts of budget authority in their net
restricted assets accounts and HUD-held pro-
grammatic reserves, relative to other agencies, and
(iii) are not participating in the Moving to Work
demonstration, to enable such agencies to lease more
vouchers; and (6) for public housing agencies that
have experienced increased costs or loss of units in
an area for which the President declared a disaster
under title IV of the Robert T. Stafford Disaster
Relief and Emergency Assistance Act (42 U.S.C.
5170 et seq.): Provided further, That the Secretary
shall allocate amounts under the previous proviso
based on need, as determined by the Secretary;

(2) $100,000,000 shall be for section 8 rental
assistance for relocation and replacement of housing
units that are demolished or disposed of pursuant to
section 18 of the Act, conversion of section 23
projects to assistance under section 8, the family
unification program under section 8(x) of the Act,
relocation of witnesses (including victims of violent
crimes) in connection with efforts to combat crime
in public and assisted housing pursuant to a request
from a law enforcement or prosecution agency, en-
hanced vouchers under any provision of law author-
izing such assistance under section 8(t) of the Act,
Choice Neighborhood vouchers, mandatory and vol-
untary conversions, and tenant protection assistance
including replacement and relocation assistance or
for project-based assistance to prevent the displace-
ment of unassisted elderly tenants currently residing
in section 202 properties financed between 1959 and
1974 that are refinanced pursuant to Public Law
106–569, as amended, or under the authority as
provided under this Act: Provided, That when a pub-
lic housing development is submitted for demolition
or disposition under section 18 of the Act, the Sec-
retary may provide section 8 rental assistance when
the units pose an imminent health and safety risk to
residents: Provided further, That the Secretary may
provide section 8 rental assistance from amounts
made available under this paragraph for units ass-
isted under a project-based subsidy contract funded
under the “Project-Based Rental Assistance” head-
ing under this title where the owner has received a
Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further,* That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and such recaptured amounts, in an amount equal to the cost of rental assistance provided pursuant to the previous proviso, up to the total amounts recaptured, shall be transferred to and merged with amounts under this paragraph: *Provided further,* That of the amounts made available under this paragraph, up to $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection as-
assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: Provided further, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): Provided further, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds;
(3) $2,160,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: Provided, That no less than $2,130,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2021 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment...
of amounts determined under the previous proviso,
utilize unobligated balances, including recaptures
and carryover, remaining from funds appropriated to
the Department of Housing and Urban Development
under this heading from prior fiscal years, excluding
special purpose vouchers, notwithstanding the pur-
poses for which such amounts were appropriated:

Provided further, That all public housing agencies
participating in the MTW demonstration shall be
funded in accordance with the requirements of the
MTW demonstration program or their MTW agree-
ments, if any, and shall be subject to the same uni-
form percentage decrease as under the previous pro-
viso: Provided further, That amounts provided under
this paragraph shall be only for activities related to
the provision of tenant-based rental assistance au-
thorized under section 8, including related develop-
ment activities;

(4) $300,000,000 for the renewal of tenant-
based assistance contracts under section 811 of the
Cranston-Gonzalez National Affordable Housing Act
(42 U.S.C. 8013), including necessary administra-
tive expenses: Provided, That administrative and
other expenses of public housing agencies in admin-
istering the special purpose vouchers in this para-
graph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) Of the amounts provided under paragraph (1) up to $5,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self- Determination Act of
1996 and modeled after the HUD–VASH program:

*Provided further,* That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further,* That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further,* That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior Acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided,* That the Secretary of Housing and Urban Development shall make such funding available, not-
withstanding section 203 (competition provision) of
this title, to public housing agencies that partner
with eligible VA Medical Centers or other entities as
designated by the Secretary of the Department of
Veterans Affairs, based on geographical need for
such assistance as identified by the Secretary of the
Department of Veterans Affairs, public housing
agency administrative performance, and other fac-
tors as specified by the Secretary of Housing and
Urban Development in consultation with the Sec-
retary of the Department of Veterans Affairs: Pro-
vided further, That the Secretary of Housing and
Urban Development may waive, or specify alter-
native requirements for (in consultation with the
Secretary of the Department of Veterans Affairs),
any provision of any statute or regulation that the
Secretary of Housing and Urban Development ad-
ministers in connection with the use of funds made
available under this paragraph (except for require-
ments related to fair housing, nondiscrimination,
labor standards, and the environment), upon a find-
ing by the Secretary that any such waivers or alter-
native requirements are necessary for the effective
delivery and administration of such voucher assist-
ance: Provided further, That assistance made avail-
able under this paragraph shall continue to remain
available for homeless veterans upon turn-over;

(7) $25,000,000 shall be made available for the
family unification program as authorized under sec-
tion 8(x) of the Act: Provided, That the amounts
made available under this paragraph are provided as
follows:

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

(B) $20,000,000 shall be for new incre-
mental voucher assistance to assist eligible
youth as defined by such section 8(x)(2)(B):
Provided, That assistance made available under
this subparagraph shall continue to remain
available for such eligible youth upon turnover:
Provided further, That of the total amount
made available under this subparagraph, up to
$10,000,000 shall be available on a noncompeti-
tive basis to public housing agencies that part-
ner with public child welfare agencies to iden-
tify such eligible youth, that request such as-
sistance to timely assist such eligible youth, and
that meet any other criteria as specified by the Secretary: Provided further, That the Secretary shall review utilization of the assistance made available under the previous proviso, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the previous proviso:

Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph, that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable; and

(8) the Secretary shall separately track all special purpose vouchers funded under this heading.
HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2021 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING FUND

For the operation and management of public housing, as authorized by section 9(e) of the United States Housing
Act of 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out capital and management activities for public housing agencies, as authorized under section 9(d) of the Act (42 U.S.C. 1437g(d)), $7,440,000,000, to remain available until September 30, 2024: Provided, That the amounts made available under this heading are provided as follows:

(1) $4,492,000,000 shall be available to the Secretary to allocate pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations, for 2021 payments;

(2) $25,000,000 shall be available to the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to such Operating Fund formula to public housing agencies that experience, or are at risk of, financial shortfalls, as determined by the Secretary: Provided, That after all such shortfall needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to such Operating Fund formula;

(3) $2,765,000,000 shall be available to the Secretary to allocate pursuant to the Capital Fund formula at section 905.400 of title 24, Code of Fed-
eral Regulations: Provided, That for funds provided under this paragraph, the limitation in section 9(g)(1) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this paragraph, the Secretary shall provide bonus awards in fiscal year 2021 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act;

(4) $75,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this title, to public housing agencies for emergency capital needs, including safety and security measures necessary to address crime and drug-related activity, as well as needs resulting from unforeseen or unpreventable emergencies and natural dis-
asters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2021, of which $45,000,000 shall be available for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor: 

*Provided*, That of the amount made available under this paragraph, not less than $10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2022, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures;

(5) $25,000,000 shall be for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided*, That for purposes of environ-
mental review, a grant under this paragraph shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section;

(6) $20,000,000 shall be for competitive grants to public housing agencies for activities authorized under the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning mold, radon, carbon monoxide poisoning, and other housing-related diseases and hazards;

(7) $15,000,000 shall be to support the costs of administrative and judicial receiverships and for competitive grants to PHAs in receivership, designated troubled or substandard, or otherwise at risk, as determined by the Secretary, for costs associated with public housing asset improvement, in addition to other amounts for that purpose provided under any heading under this title; and
$23,000,000 shall be to support ongoing public housing financial and physical assessment activities:

Provided further, That notwithstanding any other provision of law or regulation, during fiscal year 2021, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) of the Act regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable, mixed income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs, $100,000,000, to re-
main available until September 30, 2023: Provided, That
grant funds may be used for resident and community serv-
ices, community development, and affordable housing
needs in the community, and for conversion of vacant or
foreclosed properties to affordable housing: Provided fur-
ther, That the use of funds made available under this
heading shall not be deemed to be public housing notwith-
standing section 3(b)(1) of such Act: Provided further,
That grantees shall commit to an additional period of af-
fordability determined by the Secretary of not fewer than
20 years: Provided further, That grantees shall provide a
match in State, local, other Federal, or private funds: Pro-
vided further, That grantees may include local govern-
ments, tribal entities, public housing authorities, and non-
profits: Provided further, That for-profit developers may
apply jointly with a public entity: Provided further, That
for purposes of environmental review, a grantee shall be
treated as a public housing agency under section 26 of
the United States Housing Act of 1937 (42 U.S.C.
1437x), and grants under this heading shall be subject
to the regulations issued by the Secretary to implement
such section: Provided further, That of the amount pro-
vided, not less than $50,000,000 shall be awarded to pub-
lic housing agencies: Provided further, That such grantees
shall create partnerships with other local organizations, in-
including assisted housing owners, service agencies, and
resident organizations: Provided further, That the Sec-
retary shall consult with the Secretaries of Education,
Labor, Transportation, Health and Human Services, Agri-
culture, and Commerce; the Attorney General; and the Ad-
ministrator of the Environmental Protection Agency to co-
ordinate and leverage other appropriate Federal resources:
Provided further, That no more than $5,000,000 of funds
made available under this heading may be provided as
grants to undertake comprehensive local planning with
input from residents and the community: Provided further,
That unobligated balances, including recaptures, remain-
ing from funds appropriated under the heading “Revital-
ization of Severely Distressed Public Housing (HOPE
VI)” in fiscal year 2011 and prior fiscal years may be used
for purposes under this heading, notwithstanding the pur-
poses for which such amounts were appropriated: Provided
further, That the Secretary shall issue the Notice of Fund-
ing Availability for funds made available under this head-
ing no later than 90 days after enactment of this Act: Pro-
vided further, That the Secretary shall make grant awards
no later than one year from the date of enactment of this
Act in such amounts that the Secretary determines: Pro-
vided further, That notwithstanding section 24(o) of the
United States Housing Act of 1937 (42 U.S.C. 1437v(o)),

November 5, 2020 (5:29 p.m.)
the Secretary may, until September 30, 2023, obligate any
available unobligated balances made available under this
heading in this or any prior Act.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2024, $155,000,000: Provided, That the amounts made
available under this heading are provided as follows:

(1) $105,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United
States Housing Act of 1937 (42 U.S.C. 1437u), to
promote the development of local strategies to co-
ordinate the use of assistance under sections 8 and
9 of such Act with public and private resources, and
enable eligible families to achieve economic inde-
pendence and self-sufficiency: Provided, That the
Secretary may, by Federal Register notice, waive or
specify alternative requirements under subsections
(b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such
Act in order to facilitate the operation of a unified
self-sufficiency program for individuals receiving as-
sistance under different provisions of such Act, as
determined by the Secretary: Provided further, That
owners or sponsors of a multifamily property receiv-
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ing project-based rental assistance under section 8
of such Act may voluntarily make a Family Self-Suf-
ficiency program available to the assisted tenants of
such property in accordance with procedures estab-
lished by the Secretary: Provided further, That such
procedures established pursuant to the previous pro-
viso shall permit participating tenants to accrue es-
crow funds in accordance with section 23(d)(2) of
such Act and shall allow owners to use funding from
residual receipt accounts to hire coordinators for
their own Family Self-Sufficiency program;

(2) $35,000,000 shall be for the Resident Op-
portunity and Self-Sufficiency program to provide
for supportive services, service coordinators, and
congregate services as authorized by section 34 of
the United States Housing Act of 1937 (42 U.S.C.
1437z–6) and the Native American Housing Assist-
4101 et seq.); and

(3) $15,000,000 shall be for a Jobs-Plus initia-
tive, modeled after the Jobs-Plus demonstration:
Provided, That funding provided under this para-
graph shall be available for competitive grants to
partnerships between public housing authorities,
local workforce investment boards established under
section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice.
NATIVE AMERICAN PROGRAMS

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related training and technical assistance, $825,000,000, to remain available until September 30, 2025: Provided, That the amounts made available under this heading are provided as follows:

(1) $647,000,000 shall be available for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of NAHASDA with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That the Secretary will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;
(2) $100,000,000 shall be available for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: 

Provided, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: Provided further, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation of housing: Provided further, That a grant funded pursuant to this paragraph shall be not greater than $10,000,000;

(3) $1,000,000 shall be available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That for fiscal year 2021 funds made available in this Act for the cost of guaranteed notes and other obligations and any unobligated balances, including recaptures and carryover, remaining from amounts appropriated for this purpose under this heading or under the heading
“Native American Housing Block Grants” in prior Acts are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $45,649,452;

(4) $70,000,000 shall be available for grants to Indian tribes for carrying out the Indian Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety: Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(5) $7,000,000 shall be available for providing training and technical assistance to Indian tribes, Indian housing authorities, and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this
Act for the needs of Native American families and Indian country: Provided, That of the funds made available under this paragraph, not less than $2,000,000 shall be available for national organizations: Provided further, That amounts made available under this paragraph may be used, contracted, or competed as determined by the Secretary: Provided further, That notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301–6308), the amounts made available under this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development
Act of 1992 (12 U.S.C. 1715z–13a), $1,500,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That an additional $500,000, to remain available until expended, shall be available for administrative contract expenses including management processes to carry out the loan guarantee program: Provided further, That funds made available in this and prior Acts for the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), that are unobligated are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,000,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,000,000, to remain available until September 30, 2025: Provided, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: Provided further, That amounts made available under this heading in this and prior fiscal years...
may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $410,000,000, to remain available until September 30, 2022, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2023: Provided, That the Secretary shall renew or replace all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That the process for submitting amendments and approving replacement contracts shall be established by the Secretary in a notice: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.
COMMUNITY DEVELOPMENT FUND

For carrying out the community development block
grant program under title I of the Housing and Commu-
nity Development Act of 1974, as amended (42 U.S.C.
5301 et seq.) ("the Act" herein), $3,455,000,000, to re-
main available until September 30, 2023: Provided, That
unless explicitly provided for under this heading, not to
exceed 20 percent of any grant made with funds appro-
priated under this heading shall be expended for planning
and management development and administration: Pro-
vided further, That a metropolitan city, urban county, unit
of general local government, or insular area that directly
or indirectly receives funds under this heading may not
sell, trade, or otherwise transfer all or any portion of such
funds to another such entity in exchange for any other
funds, credits or non-Federal considerations, but must use
such funds for activities eligible under title I of the Act:
Provided further, That notwithstanding section 105(e)(1)
of the Act, no funds provided under this heading may be
provided to a for-profit entity for an economic develop-
ment project under section 105(a)(17) unless such project
has been evaluated and selected in accordance with guide-
lines required under subsection (e)(2): Provided further,
That of the total amount provided under this heading,
$30,000,000 shall be for activities authorized under sec-
tion 8071 of the SUPPORT for Patients and Communities Act (Public Law 115–271): Provided further, That the funds allocated pursuant to the previous proviso shall not adversely affect the amount of any formula assistance received by a State under this heading: Provided further, That the Secretary shall allocate the funds for such activities based on the notice establishing the funding formula published in 84 FR 16027 (April 17, 2019) except that the formula shall use age-adjusted rates of drug overdose deaths for 2018 based on data from the Centers for Disease Control and Prevention: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES

PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2021, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in
a credit subsidy cost of zero for guaranteeing such loans,
and any such fees shall be collected in accordance with
section 502(7) of the Congressional Budget Act of 1974:
Provided further, That such commitment authority funded
by fees may be used to guarantee, or make commitments
to guarantee, notes or other obligations issued by any
State on behalf of non-entitlement communities in the
State in accordance with the requirements of such section
108: Provided further, That any State receiving such a
guarantee or commitment under the previous proviso shall
distribute all funds subject to such guarantee to the units
of general local government in nonentitlement areas that
received the commitment.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as
authorized under title II of the Cranston-Gonzalez Na-
tional Affordable Housing Act, as amended,
$1,375,000,000, to remain available until September 30,
2024: Provided, That notwithstanding the amount made
available under this heading, the threshold reduction re-
quirements in sections 216(10) and 217(b)(4) of such Act
shall not apply to allocations of such amount: Provided
further, That the Department shall notify grantees of their
formula allocation within 60 days of enactment of this Act:
Provided further, That section 218(g) of such Act (42
U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020, 2021, 2022, or 2023 under that section: Provided further, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction’s HOME Investment Trust Fund in 2018, 2019, 2020, 2021, 2022, or 2023 under that section.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $60,000,000, to remain available until September 30, 2023: Provided, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That of the total amount provided under this heading, $41,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration
Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: Provided further, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local non-profits, local governments, and Indian Tribes serving high need rural communities: Provided further, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law 113–291: Provided further, That the issuance of a Notice of Funding Availability for the funds provided under the previous proviso shall be completed within 120 days of enactment of this Act and such funds shall be awarded within 180 days of such issuance.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability
1 Assistance program as authorized under subtitle D of title IV of such Act $2,951,000,000, to remain available until September 30, 2023: Provided, That $290,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than $2,524,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking, except that the Secretary may make additional grants for such projects and purposes from amounts made available for such Continuum of Care program: Provided further, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That for all match requirements applicable to funds made available under
this heading for this fiscal year and prior fiscal years, a
grantee may use (or could have used) as a source of match
funds other funds administered by the Secretary and other
Federal agencies unless there is (or was) a specific statu-
tory prohibition on any such use of any such funds: Pro-
vided further, That none of the funds provided under this
heading shall be available to provide funding for new
projects, except for projects created through reallocation,
unless the Secretary determines that the continuum of
care has demonstrated that projects are evaluated and
ranked based on the degree to which they improve the con-
tinuum of care’s system performance: Provided further,
That the Secretary shall prioritize funding under the Con-
tinuum of Care program to continuums of care that have
demonstrated a capacity to reallocate funding from lower
performing projects to higher performing projects: Pro-
vided further, That the Secretary shall provide incentives
to create projects that coordinate with housing providers
and healthcare organizations to provide permanent sup-
portive housing and rapid rehousing services: Provided
further, That any unobligated amounts remaining from
funds appropriated under this heading in fiscal year 2012
and prior years for project-based rental assistance for re-
habilitation projects with 10-year grant terms may be used
for purposes under this heading, notwithstanding the pur-
poses for which such funds were appropriated: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: Provided further, That up to $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, can dramatically reduce youth homelessness: Provided further, That of the amount made available under the previous proviso, up to $10,000,000 shall be available to provide technical assistance on improving system responses to youth homelessness, and collection, analysis, use, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That the Secretary may use up to 10 percent of the amount made available under the previous proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for
youth experiencing homelessness: *Provided further,* That amounts made available for the Continuum of Care program under this heading in this and prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program: *Provided further,* That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further,* That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further,* That persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid re-housing: *Provided further,* That when awarding funds under the Continuum of Care program, the Secretary shall not deviate from the FY 2018 Notice of Funding Availability with respect to the tier 2 funding process, the Continuum of Care application scoring, and for new projects, the project quality threshold requirements, except as otherwise
provided under this Act or as necessary to award all available funds or consider the most recent data from each Continuum of Care: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading in fiscal year 2019 or prior years, except for rental assistance amounts that were recaptured and made available until expended, shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, $13,003,000,000, to remain available until expended, shall be available on October 1, 2020 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2020), and $400,000,000, to remain available until expended, shall be available on October 1, 2021: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8
moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this heading: Provided further, That of the total amounts provided under this heading, not to exceed $350,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under...
section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes the Department or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until

November 5, 2020 (5:29 p.m.)
expended: *Provided further*, That amounts deposited pur-
suant to the previous proviso shall be available in addition
to the amount otherwise provided by this heading for uses
authorized under this heading.

**HOUSING FOR THE ELDERLY**

For capital advances, including amendments to cap-
tal advance contracts, for housing for the elderly, as au-
thorized by section 202 of the Housing Act of 1959, as
amended, for project rental assistance for the elderly
under section 202(c)(2) of such Act, including amend-
ments to contracts for such assistance and renewal of ex-
piring contracts for such assistance, for senior preserva-
tion rental assistance contracts, including renewals, as au-
thorized by section 811(e) of the American Housing and
Economic Opportunity Act of 2000, as amended, and for
supportive services associated with the housing,
$853,000,000, to remain available until September 30,
2024: *Provided*, That of the amount provided under this
heading, up to $138,500,000 shall be for service coordina-
tors and the continuation of existing congregate service
grants for residents of assisted housing projects: *Provided
further*, That amounts under this heading shall be avail-
able for Real Estate Assessment Center inspections and
inspection-related activities associated with section 202
projects: *Provided further*, That the Secretary may waive
the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further,* That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2024: *Provided further,* That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes authorized under this heading: *Provided further,* That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated: *Provided further,* That of the total amount provided under this heading, up to $14,000,000 may be used by the Secretary to continue demonstration programs to test housing with services models for the elderly that demonstrate the potential to delay or avoid the need for nursing home care.
HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $237,000,000, to remain available until September 30, 2024: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, upon the request of the Secretary, project funds that are held in residual receipt accounts for any project subject to a section 811
project rental assistance contract, and that upon termin-
ation of such contract are in excess of an amount to be
determined by the Secretary, shall be remitted to the De-
partment and deposited in this account, to remain avail-
able until September 30, 2024: Provided further, That
amounts deposited in this account pursuant to the pre-
vious proviso shall be available in addition to the amounts
otherwise provided by this heading for the purposes au-
thorized under this heading: Provided further, That unobli-
gated balances, including recaptures and carryover, re-
maining from funds transferred to or appropriated under
this heading shall be used for the current purposes author-
ized under this heading in addition to the purposes for
which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding
loans, as authorized under section 106 of the Housing and
Urban Development Act of 1968, as amended,
$53,000,000, to remain available until September 30,
2022, including up to $4,500,000 for administrative con-
tract services: Provided, That funds shall be used for pro-
viding counseling and advice to tenants and homeowners,
both current and prospective, with respect to property
maintenance, financial management or literacy, and such
other matters as may be appropriate to assist them in im-
proving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $14,000,000, to remain available until expended, of which $14,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2021 so as to result in a final fiscal year 2021 appropriation from the general fund estimated
at $0, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year
2021 appropriation: Provided further, That the Secretary shall issue a final rule to complete rulemaking initiated by the proposed rule entitled “Manufactured Housing Program: Minimum Payments to the States” published in the Federal Register on December 16, 2016 (81 Fed. Reg. 91083): Provided further, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Manufactured Housing Fees Trust Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2022: Provided, That during fiscal year
2021, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2022: Provided further, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2021, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: Provided further, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year 2021 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero.
GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2022: Provided, That during fiscal year 2021, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $550,000,000,000, to remain available until September 30, 2022: Provided, That $33,500,000, to remain available until September 30, 2022, shall be for necessary salaries and expenses of the Office of Government National
Mortgage Association: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY (INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $98,000,000, to remain available until September 30, 2022: Provided, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian tribes, tribally designated housing entities, or colleges or universities for research projects: Provided further, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 per-
cent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That up to $2,000,000 of the amounts provided under the heading “Lead Hazard Reduction” for the purposes of conducting research and studies may be transferred to this heading for use according to the previous three provisos for non-competitive agreements: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan to the House and Senate Committees on Appropriations on how it will allocate funding for this activity at least 30 days prior to obligation: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil
Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $70,300,000, to remain available until September 30, 2022: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop online courses and provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, $350,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.
For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $360,000,000, to remain available until September 30, 2023, of which $50,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011
of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: Provided further, That with respect to obligated amounts appropriated under this heading in title II of division G of the Consolidated Appropriations Act, 2019 (Public Law 116–6) for the implementation of projects to demonstrate how intensive, extended, multi-year interventions can dramatically reduce the presence of lead-based paint hazards in communities: (1) such projects may serve more than four contiguous census tracts; (2) such projects shall allow for enrollment of families and homes within the community beyond where the initially targeted census tracts were located, provided that such projects meet the highest lead-based paint abatement needs, as determined by the Secretary; and (3) such projects may exceed five years in duration, notwithstanding any inconsistent requirements:

Provided further, That of the amount made available for the Healthy Homes Initiative, $5,000,000 shall be for the implementation of projects in up to 5 communities that are served by both the Healthy Homes Initiative and the Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the
safety and quality of homes: Provided further, That each applicant for a grant or cooperative agreement under this heading shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That of the amounts made available under this heading, $10,000,000 shall be for a program established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly homeowners to enable them to remain in their primary residence: Provided further, That of the total amount made available under the previous proviso, no less than $5,000,000 shall be available to meet such needs in communities with substantial rural populations: Provided further, That amounts made available under this heading, except for amounts in the previous two provisos, in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.
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INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $300,000,000, of which $260,000,000 shall remain available until September 30, 2022, and of which $40,000,000 shall remain available until September 30, 2024: Provided, that any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, that any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: Provided further, that not more than 10 percent of the funds made available under this heading for development, modernization, and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated
life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department’s enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department’s capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $138,200,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office: Provided further, That for this fiscal year and each fiscal year thereafter, the Office of Inspector General shall procure and rely upon the services of an independent external auditor(s) to audit the financial statements of the Department of Housing and Urban Development, including the consolidated financial statement and the financial statements of the Federal Housing Administration and the Government National Mortgage Association.
GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

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

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2021 to investigate or prosecute under the Fair Housing Act any otherwise
lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).
SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2021 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mort-
gage purchases are necessary to protect the financial inter-

SEC. 207. The Secretary of Housing and Urban De-
velopment shall provide quarterly reports to the House
and Senate Committees on Appropriations regarding all
uncommitted, unobligated, recaptured, and excess funds
in each program and activity within the jurisdiction of the
Department and shall submit additional, updated budget
information to these Committees upon request.

SEC. 208. No funds provided under this title may be
used for an audit of the Government National Mortgage
Association that makes applicable requirements under the
Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 209. (a) Notwithstanding any other provision
of law, subject to the conditions listed under this section,
for fiscal years 2021 and 2022, the Secretary of Housing
and Urban Development may authorize the transfer of
some or all project-based assistance, debt held or insured
by the Secretary and statutorily required low-income and
very low-income use restrictions if any, associated with one
or more multifamily housing project or projects to another
multifamily housing project or projects.

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

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

(1) Number and bedroom size of units.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a re-configuration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.
(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable, or be reasonably expected to become economically nonviable when complying with state or Federal requirements for community integration and reduced concentration of individuals with disabilities.

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

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

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

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

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

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

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

(d) For purposes of this section—
(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

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

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

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

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

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 8013); or
(F) housing or vacant land that is subject
to a use agreement;

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

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

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

(C) rent supplement payments under sec-

tion 101 of the Housing and Urban Develop-
ment Act of 1965 (12 U.S.C. 1701s);

(D) interest reduction payments under sec-

section 236 and/or additional assistance payments
under section 236(f)(2) of the National Hous-
ing Act (12 U.S.C. 1715z–1);

(E) assistance payments made under sec-

section 202(c)(2) of the Housing Act of 1959 (12
U.S.C. 1701q(c)(2)); and

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

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

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

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

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

SEC. 210. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—
(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965...
(20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 211. The funds made available for Native Alaskans under paragraph (1) under the heading “Native American Programs” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005, and only such recipients shall be eligible to apply for funds made available under paragraph (3) of such heading.

SEC. 212. Notwithstanding any other provision of law, in fiscal year 2021, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such
a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") (42 U.S.C. 1437f note) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.
Sec. 213. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

Sec. 214. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement, and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

Sec. 215. No official or employee of the Department of Housing and Urban Development shall be designated
as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts “Executive Offices”, “Administrative Support Offices”, “Program Offices”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 216. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2021, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2021, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.
SEC. 217. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request.

SEC. 218. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the headings “Administrative Support Offices” or “Program Offices” to any other such office under such headings: Provided, That no appropriation for any such office under such headings shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide notification to such Committees 3 business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 219. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”), and comply with any standards under appli-
cable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

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

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

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

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default
to the tenants, the local government, any mortgagees, and any contract administrator. If the owner’s appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

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

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

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

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

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

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

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

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

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

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

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997; and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—
(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

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

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect.

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

SEC. 221. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

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

SEC. 223. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refines or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

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

Sec. 225. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

Sec. 226. None of the funds provided in this Act or any other Act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative
discipline or after any final decision over-turning such dis-

cipline.

SEC. 227. With respect to grant amounts awarded
under the heading “Homeless Assistance Grants” for fis-
cal years 2015 through 2021 for the Continuum of Care
(CoC) program as authorized under subtitle C of title IV
of the McKinney-Vento Homeless Assistance Act, costs
paid by program income of grant recipients may count to-
ward meeting the recipient’s matching requirements, pro-
vided the costs are eligible CoC costs that supplement the
recipient’s CoC program.

SEC. 228. (a) From amounts made available under
this title under the heading “Homeless Assistance
Grants”, the Secretary may award 1–year transition
grants to recipients of funds for activities under subtitle
C of the McKinney-Vento Homeless Assistance Act (42
U.S.C. 11381 et seq.) to transition from one Continuum
of Care program component to another.

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

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

SEC. 230. (a) Amounts recaptured from funds appropriated for this or any succeeding fiscal year under the heading “Department of Housing and Urban Development—Community Planning and Development—Homeless Assistance Grants” shall become available until expended not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available and shall be available, in addition to rental assistance amounts that were recaptured and made available until expended under such heading by any prior Act, and in addition to such other funds as may be available for such purposes, for the following purposes:

(1) For grants under the Continuum of Care program under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.);

(2) For grants under the Emergency Solutions Grant program under subtitle B of title IV of such Act (42 U.S.C. 11371 et seq.);
(3) Not less than 10 percent of the amounts shall be used only for grants in rural areas under the Continuum of Care program, to include activities eligible under the Rural Housing Stability Assistance program under section 491 of such Act (42 U.S.C. 11408) that are not otherwise eligible under the Continuum of Care program; and

(4) Not less than 10 percent of the amounts shall be for emergency solutions grants for disaster areas as authorized by subsection (e).

(b) Prior to the use of any recaptured amounts referred to in subsection (a), including competing, awarding, or obligating such amounts, the Secretary shall submit a plan in accordance with subsection (a) that specifies the planned use of any such amounts to the Committees on Appropriations of the House of Representatives and the Senate, and receive prior written approval of such plan, except that use of amounts in the plan for the purposes specified in subsection (a)(4) may begin once such plan is submitted to such Committees.

(c)(1) The Secretary may make grants under the Emergency Solutions Grants program under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) to States or local governments to address the needs of homeless individuals or families
or individuals or families at risk of homelessness in areas
affected by a major disaster declared pursuant to the Rob-
ert T. Stafford Disaster Relief and Emergency Assistance
Act (42 U.S.C. 5121 et seq.) on or after the date of enact-
ment of this Act, whose needs are not otherwise served
or fully met by existing Federal disaster relief programs,
including the Transitional Sheltering Assistance program
under such Act (42 U.S.C. 5170b).

(2) For purposes of grants under paragraph
(1), the Secretary may suspend all consultation, cit-
izen participation, and matching requirements.

SEC. 231. The Promise Zone designations and Prom-
ise Zone Designation Agreements entered into pursuant
to such designations, made by the Secretary of Housing
and Urban Development in prior fiscal years, shall remain
in effect in accordance with the terms and conditions of
such agreements.

SEC. 232. None of the funds made available by this
Act may be used to establish and apply review criteria,
including rating factors or preference points, for participa-
tion in or coordination with EnVision Centers, in the eval-
uation, selection, and award of any funds made available
and requiring competitive selection under this Act, except
with respect to any such funds otherwise authorized for
EnVision Center purposes under this Act.
SEC. 233. None of the amounts made available in this Act may be used to consider Family Self-Sufficiency performance measures or performance scores in determining funding awards for programs receiving Family Self-Sufficiency program coordinator funding provided in this Act.

SEC. 234. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of (Public Law 114–113) may, upon such designation, use funds (except for special purpose funding, including special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134), notwithstanding the purposes for which such funds were appropriated.

SEC. 235. None of the amounts made available by this Act may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading “Public Housing Fund” for competitive
grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure Rules.

SEC. 236. The language under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), as most recently amended by Public Law 115–141 (42 U.S.C. 1437f note), is further amended—

(1) in the initial undesignated matter, by striking “and ‘Public Housing Operating Fund’” and inserting “, ‘Public Housing Operating Fund’, and ‘Public Housing Fund’”;

(2) in the second proviso, by striking “2024” and inserting “2025”;

(3) in the fourth proviso by striking “455,000” and inserting “500,000”; and

(4) after the fourth proviso, by inserting the following new provisos: “Provided further, That at properties with assistance under section 9 of the Act requesting to partially convert such assistance, and where an event under section 18 of the Act occurs
that results in the eligibility for tenant protection vouchers under section 8(o) of the Act, the Secretary may convert the tenant protection voucher assistance to assistance under a project-based subsidy contract under section 8 of the Act, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997, so long as the property meets any additional requirements established by the Secretary to facilitate conversion: Provided further, That to facilitate the conversion of assistance under the previous proviso, the Secretary may transfer an amount equal to the total amount that would have been allocated for tenant protection voucher assistance for properties that have requested such conversions from amounts made available for tenant protection voucher assistance under the heading ‘Tenant-Based Rental Assistance’ to the heading ‘Project-Based Rental Assistance’;

(5) in the twelfth proviso, as reordered above, by—

(A) inserting “‘Public Housing Fund’, ‘Self-Sufficiency Programs’, ‘Family Self-Sufficiency’” following “‘Public Housing Operating Fund’,”; and
(B) inserting “or the ongoing availability of services for residents” after “effective conversion of assistance under the demonstration”;

(6) after the nineteenth proviso, as reordered above, by inserting the following new proviso: “Provided further, That conversions of assistance under the following provisos herein shall be considered as the ‘Second Component’ and shall be authorized for fiscal year 2012 and thereafter:”;

(7) by striking the twenty-first proviso, as reordered above, and inserting the following four provisos: “Provided further, That owners of properties assisted under section 101 of the Housing and Urban Development Act of 1965, section 236(f)(2) of the National Housing Act, or section 8(e)(2) of the United States Housing Act of 1937, for which an event after October 1, 2006 has caused or results in the termination of rental assistance or affordability restrictions and the issuance of tenant protection vouchers under section 8(o) of the Act shall be eligible, subject to requirements established by the Secretary, for conversion of assistance available for such vouchers or assistance contracts to assistance under a long term project-based subsidy contract under section 8 of the Act: Provided further, That
owners of properties with a project rental assistance contract under section 202(c)(2) of the Housing Act of 1959 shall be eligible, subject to requirements established by the Secretary, including but not limited to the subordination, restructuring, or both, of any capital advance documentation, including any note, mortgage, use agreement or other agreements, evi-
dencing or securing a capital advance previously pro-
vided by the Secretary under section 202(c)(1) of the Housing Act of 1959 as necessary to facilitate the conversion of assistance while maintaining the affordability period and the designation of the prop-
erty as serving elderly persons, and tenant consulta-
tion procedures, for conversion of assistance available for such assistance contracts to assistance under a long term project-based subsidy contract under section 8 of the Act: Provided further, That owners of properties with a senior preservation rent-
al assistance contract under section 811 of the American Homeownership and Economic Oppor-
tunity Act of 2000 (12 U.S.C. 1701q note), shall be eligible, subject to requirements established by the Secretary as necessary to facilitate the conversion of assistance while maintaining the affordability period and the designation of the property as serving elder-
ly families, and tenant consultation procedures, for conversion of assistance available for such assistance contracts to assistance under a long term project-based subsidy contract under section 8 of the Act: *Provided further*, That long term project-based subsidy contracts under section 8 of the Act which are established under this Second Component shall have a term of no less than 20 years, with rent adjustments only by an operating cost factor established by the Secretary, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), or, subject to agreement of the administering public housing agency, to assistance under section 8(o)(13) of the Act, to which the limitation under subsection (B) of section 8(o)(13) of the Act shall not apply and for which the Secretary may waive or alter the provisions of subparagraphs (C) and (D) of section 8(o)(13) of the Act:”;

(8) after the twenty-fifth proviso, as reordered above, by inserting the following new proviso: “*Provided further*, That the Secretary may waive or alter the requirements of section 8(e)(1)(A) of the Act for contracts provided to properties converting assistance from section 202(c)(2) of the Housing Act of
1959 or section 811 of the American Homeownership and Economic Opportunity Act of 2000 as necessary to ensure the ongoing provision and coordination of services or to avoid a reduction in project subsidy:”; and

(9) in the thirty-first proviso, as reordered above, by inserting “or section 202 senior preservation rental assistance contract” after “section 202 project rental assistance contract”.

SEC. 237. Except as otherwise provided in this Act, none of the funds provided in this title, provided by previous appropriations Acts to the Department of Housing and Urban Development that remain available for obligation or expenditure in fiscal year 2021, or provided from any accounts in the Treasury derived by the collection of fees and available to the Department of Housing and Urban Development, shall be available for obligation or expenditure through a reprogramming of funds in a manner that is different from the budget justifications submitted to the House and Senate Committees on Appropriations, this Act, or the explanatory statement accompanying this Act, whichever is more detailed, that—

(1) for program and information technology funds—
(A) initiates or creates a new program, project, or activity;

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

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

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

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

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

(2) For salaries and expenses funds—

(A) assigns personnel or hires to support the creation of a new program, project, or activity;

(B) increases the personnel or other resources for any program, project, or activity for which funds have been denied or restricted by the Congress;
(C) relocates or closes an office; or

(D) creates, reorganizes, or restructures an office, division, branch, board or administration, which shall include the transfer of any function from one organizational unit to another organizational unit;

unless prior written notification is provided to, and approval is received from, the House and Senate Committees on Appropriations.

SEC. 238. Not later than 60 days after the date of enactment of this Act, the Department of Housing and Urban Development shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided, That the report shall include—

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

(2) for program and information technology funds, a delineation in the table for each appropriation and its respective prior year enacted level by program, project, and activity as detailed in this
Act, the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committees on Appropriations, or the budget appendix for the respective appropriation, whichever is more detailed, and shall apply to all items for which a dollar amount if specified and to all programs for which new budget authority is provided;

(3) for salaries and expenses funds, an organizational chart for each office that includes detail to the branch level, and clearly identifies those organizational units to which section 237 (2) shall be applied; and

(4) an identification of items of special congressional interest.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2021”.
TITLE III

RELATED AGENCIES

Access Board

SALARIES AND EXPENSES

For necessary expenses of the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $9,200,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

Federal Maritime Commission

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $31,060,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.
NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $24,488,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation:
vided further, That concurrent with the President’s budget request for fiscal year 2022, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2022 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $119,000,000, of which not to exceed $2,000 may be used for official reception and representation expenses: Provided, That the amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities,
as authorized by the Neighborhood Reinvestment Corpora-
tion Act (42 U.S.C. 8101–8107), $156,500,000, of which
$5,000,000 shall be for a multi-family rental housing pro-
gram: Provided, That an additional $2,000,000, to remain
available until September 30, 2024, shall be for the pro-
motion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transpor-
tation Board, including services authorized by 5 U.S.C.
3109, $37,500,000: Provided, That notwithstanding any
other provision of law, not to exceed $1,250,000 from fees
established by the Surface Transportation Board shall be
credited to this appropriation as offsetting collections and
used for necessary and authorized expenses under this
heading: Provided further, That the sum herein appro-
piated from the general fund shall be reduced on a dollar-
for-dollar basis as such offsetting collections are received
during fiscal year 2021, to result in a final appropriation
from the general fund estimated at no more than
$36,250,000.
For necessary expenses, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code, of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,800,000.
TITLE IV

GENERAL PROVISIONS—THIS ACT

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

Sec. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

Sec. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;
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(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

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

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

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

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

Sec. 405. Except as otherwise provided in this Act, none of the funds provided in titles I or III of this Act, provided by previous appropriations Acts to the agencies or entities funded in titles I or III of this Act that remain available for obligation or expenditure in fiscal year 2021, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by titles I or III of this Act, shall be available for obliga-
tion or expenditure through a reprogramming of funds
that—

(1) creates a new program;

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

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

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

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

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

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

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

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for
which new budget (obligational) authority is
provided, as well as to discretionary grants and
discretionary grant allocations; and

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

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

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

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

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

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

SEC. 411. No funds appropriated or otherwise made
available under this Act shall be made available to any
person or entity that has been convicted of violating the

SEC. 412. None of the funds made available in this
Act may be used for first-class airline accommodations in
contravention of sections 301–10.122 and 301–10.123 of

SEC. 413. (a) None of the funds made available by
this Act may be used to approve a new foreign air carrier
permit under sections 41301 through 41305 of title 49,
United States Code, or exemption application under sec-
tion 40109 of that title of an air carrier already holding
an air operators certificate issued by a country that is
party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

Sec. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and foreign governments, international organizations, or nongovernmental organizations.
SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 417. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly
refers to the Inspector General and expressly limits the Inspector General’s right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

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

d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 418. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such
awards or incentive fees are consistent with 16.401(e)(2) of the Federal Acquisition Regulations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021”.

November 5, 2020 (5:29 p.m.)