

Union Calendar No. 72117TH CONGRESS
1ST SESSION**H. R. 4550****[Report No. 117-99]**

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2021

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

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

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

4 RESEARCH AND TECHNOLOGY

5 For necessary expenses related to the Office of the
6 Assistant Secretary for Research and Technology,
7 \$57,000,000: *Provided*, That of the amounts made avail-
8 able under this heading, \$50,000,000 shall remain avail-
9 able until expended, of which \$5,000,000 shall be for the
10 Highly Automated Systems Safety Center of Excellence
11 established by section 105 of title I of division H of the
12 Further Consolidated Appropriations Act, 2020 (Public
13 Law 116–94) and of which not more than \$10,000,000
14 shall be for a clearinghouse for new innovations in bridge
15 technology: *Provided further*, That there may be credited
16 to this appropriation, to be available until expended, funds
17 received from states, counties, municipalities, other public
18 authorities, and private sources for expenses incurred for
19 training: *Provided further*, That any reference in law, reg-
20 ulation, judicial proceedings, or elsewhere to the Research
21 and Innovative Technology Administration shall continue
22 to be deemed to be a reference to the Office of the Assist-
23 ant Secretary for Research and Technology of the Depart-
24 ment of Transportation.

1 NATIONAL INFRASTRUCTURE INVESTMENTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For capital investments in surface transportation in-
4 frastructure, \$1,200,000,000 to remain available until ex-
5 pended: *Provided*, That the Secretary shall distribute
6 amounts made available under this heading as discre-
7 tionary grants to be awarded to a state, local or tribal
8 government, U.S. territory, transit agency, port authority,
9 metropolitan planning organization, political subdivision
10 of a state or local government, or a collaboration among
11 such entities on a competitive basis for projects that will
12 have a significant local or regional impact: *Provided fur-*
13 *ther*, That projects eligible for amounts made available
14 under this heading shall include, but not be limited to,
15 highway or bridge projects eligible under title 23, United
16 States Code; public transportation projects eligible under
17 chapter 53 of title 49, United States Code; passenger and
18 freight rail transportation projects; port infrastructure in-
19 vestments (including inland port infrastructure and land
20 ports of entry); and projects investing in surface transpor-
21 tation facilities that are located on tribal land and for
22 which title or maintenance responsibility is vested in the
23 Federal Government: *Provided further*, That of the
24 amount made available under this heading, the Secretary
25 shall use an amount not more than \$40,000,000 for the

1 planning, preparation, or design of projects eligible for
2 amounts made available under this heading, and shall
3 prioritize transit, transit oriented development, and
4 multimodal projects: *Provided further*, That of the
5 amounts made available in the previous proviso, not less
6 than \$20,000,000 shall be for projects eligible for amounts
7 made available under this heading located in or to directly
8 benefit areas of persistent poverty and not less than
9 \$10,000,000 shall be for projects in urbanized areas, as
10 designated by the Bureau of the Census, that had a popu-
11 lation not greater than 2,000,000 in the most recent de-
12 cennial census: *Provided further*, That grants awarded
13 under the previous two provisos shall not be subject to
14 a minimum grant size: *Provided further*, That the term
15 “areas of persistent poverty” means any county that has
16 consistently had greater than or equal to 20 percent of
17 the population living in poverty during the 30-year period
18 preceding the date of enactment of this Act, as measured
19 by the 1990 and 2000 decennial census and the most re-
20 cent annual Small Area Income and Poverty Estimates as
21 estimated by the Bureau of the Census; any census tract
22 with a poverty rate of at least 20 percent as measured
23 by the 2015–2019 5-year data series available from the
24 American Community Survey of the Bureau of the Census;
25 or any territory or possession of the United States: *Pro-*

1 *vided further*, That the Secretary may use up to 20 per-
2 cent of the amounts made available under this heading
3 for the purpose of paying the subsidy and administrative
4 costs of projects eligible for Federal credit assistance
5 under chapter 6 of title 23, United States Code, or sec-
6 tions 501 through 504 of the Railroad Revitalization and
7 Regulatory Reform Act of 1976 (Public Law 94–210), if
8 the Secretary finds that such use of the funds would ad-
9 vance the purposes of this heading: *Provided further*, That
10 in distributing amounts made available under this head-
11 ing, the Secretary shall take such measures so as to ensure
12 an equitable geographic distribution of funds, an appro-
13 priate balance in addressing the needs of urban and rural
14 areas, including tribal areas, and the investment in a vari-
15 ety of transportation modes: *Provided further*, That a
16 grant award under this heading shall be not less than
17 \$5,000,000 and not greater than \$100,000,000: *Provided*
18 *further*, That not more than 15 percent of the amounts
19 made available under this heading may be awarded to
20 projects in a single state: *Provided further*, That the Fed-
21 eral share of the costs for which an amount is provided
22 under this heading shall be, at the option of the recipient,
23 up to 80 percent: *Provided further*, That the Secretary
24 shall give priority to projects that require a contribution
25 of Federal funds in order to complete an overall financing

1 package: *Provided further*, That the Secretary shall give
2 priority to projects that promote connections amongst and
3 between transportation modes including improvements
4 over small distances that complete or expand transpor-
5 tation networks such as first and last mile solutions, facili-
6 tate improved health outcomes for communities, or de-
7 crease unequal access to mobility: *Provided further*, That
8 not less than 30 percent of the funds provided under this
9 heading shall be for projects located in rural areas: *Pro-*
10 *vided further*, That an award under this heading is a rural
11 award if it is not to a project located within or on the
12 boundary of an urbanized area, as designated by the Bu-
13 reau of the Census, that had a population greater than
14 200,000 in the most recent decennial census: *Provided fur-*
15 *ther*, That for the purpose of determining if an award for
16 planning, preparation or design is a rural award, the
17 project location is the location of the project being
18 planned, prepared or designed: *Provided further*, That for
19 rural awards, the minimum grant size shall be
20 \$1,000,000: *Provided further*, That for rural awards and
21 areas of persistent poverty awards the Secretary may in-
22 crease the Federal share of costs above 80 percent: *Pro-*
23 *vided further*, That projects conducted using amounts
24 made available under this heading shall comply with the
25 requirements of subchapter IV of chapter 31 of title 40,

1 United States Code: *Provided further*, That the Secretary
2 shall conduct a new competition to select the grants and
3 credit assistance awarded under this heading: *Provided*
4 *further*, That the Secretary may retain up to 2 percent
5 of the amounts made available under this heading, and
6 may transfer portions of such amounts to the Administra-
7 tors of the Federal Highway Administration, the Federal
8 Transit Administration, the Federal Railroad Administra-
9 tion and the Maritime Administration to fund the award
10 and oversight of grants and credit assistance made under
11 the National Infrastructure Investments program: *Pro-*
12 *vided further*, That the Secretary shall apply to projects
13 under this heading the Federal requirements that the Sec-
14 retary determines are appropriate based on the purpose
15 of the National Infrastructure Investments program, the
16 requirements expressly stated under this heading, and the
17 Federal requirements applicable to comparable projects
18 supported by other Department of Transportation finan-
19 cial assistance programs, including domestic preference re-
20 quirements, contracting opportunities for small and dis-
21 advantaged businesses, and labor protections: *Provided*
22 *further*, That the Secretary shall not use the Federal share
23 or an applicant's ability to generate non-Federal revenue
24 as a selection criteria in awarding projects: *Provided fur-*
25 *ther*, That the Secretary shall issue the Notice of Funding

1 Opportunity no later than 120 days after enactment of
2 this Act: *Provided further*, That such Notice of Funding
3 Opportunity shall require application submissions 90 days
4 after the publishing of such Notice: *Provided further*, That
5 of the applications submitted under the previous two pro-
6 visos, the Secretary shall make grants no later than 330
7 days after enactment of this Act in such amounts that
8 the Secretary determines.

9 THRIVING COMMUNITIES INITIATIVE

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for a thriving communities
12 program, \$100,000,000 to remain available until Sep-
13 tember 30, 2024: *Provided*, That the Secretary of Trans-
14 portation shall make such amounts available for competi-
15 tive grants or cooperative agreements to develop and im-
16 plement technical assistance, planning, and capacity build-
17 ing to improve equity and foster thriving communities
18 through transportation improvements: *Provided further*,
19 That the Secretary shall award grants to or enter into co-
20 operative agreements with state, local, or tribal govern-
21 ments, United States territories, metropolitan planning
22 organizations, or other political subdivisions of state or
23 local governments: *Provided further*, That to be eligible for
24 a grant or cooperative agreement under this heading, a
25 recipient shall engage in a public planning process with

1 residents, local businesses, nonprofit organizations, and to
2 the extent practicable, philanthropic organizations, edu-
3 cational institutions, or other community stakeholders:
4 *Provided further*, That such grants and cooperative agree-
5 ments shall be for developing transportation and commu-
6 nity revitalization projects that increase mobility, reduce
7 pollution from transportation sources, including green-
8 house gas emissions, expand affordable transportation op-
9 tions, and facilitate efficient land use: *Provided further*,
10 That such grants and cooperative agreements shall be for
11 transportation activities supported by the Department of
12 Transportation under titles 23, 46, and 49, United States
13 Code: *Provided further*, That the Secretary shall prioritize
14 projects that propose to preserve or expand jobs, improve
15 housing conditions, enhance connections to health care,
16 education, and food security and improve health outcomes:
17 *Provided further*, That the Secretary may give preference
18 to projects that remove or plan for the removal of infra-
19 structure barriers in communities that had unemployment
20 rates in 2020 at or above the national average, as defined
21 by the Bureau of the Census: *Provided further*, That the
22 Secretary shall prioritize awards that contribute to com-
23 munity resiliency, reduce greenhouse gas emissions, and
24 facilitate sustainable infrastructure in communities that
25 have disproportionate rates of pollution and poor air qual-

1 ity, overburdened communities (as defined by the Adminis-
2 trator of the Environmental Protection Agency), or com-
3 munities experiencing disproportionate effects (as defined
4 by Executive Order 12898, relating to environmental jus-
5 tice): *Provided further*, That funds made available under
6 this heading may be used for charging infrastructure
7 along corridor-ready or corridor-pending alternative fuel
8 corridors designated pursuant to section 151 of title 23,
9 United States Code: *Provided further*, That planning and
10 technical assistance made available under this heading
11 shall include early project work, feasibility studies, and
12 other pre-design work for capital projects eligible under
13 titles 23, 46, and 49, United States Code: *Provided fur-*
14 *ther*, That not more than 10 percent of the amounts made
15 available under this heading may be awarded to grantees
16 in a single state: *Provided further*, That the Secretary may
17 retain up to 2 percent of the amounts made available
18 under this heading for necessary administrative expenses
19 of carrying out the provisions of this heading: *Provided*
20 *further*, That the Secretary shall consult with the Secre-
21 taries of Housing and Urban Development, Education,
22 Labor, Health and Human Services, the Chief of Engi-
23 neers of the Army Corps of Engineers, and the Adminis-
24 trator of the Environmental Protection Agency to coordi-
25 nate and leverage other appropriate Federal resources

1 prior to awarding grants or entering into cooperative
2 agreements using amounts made available under this
3 heading: *Provided further*, That such amounts and pay-
4 ments as may be necessary to carry out the thriving com-
5 munities program may be transferred and credited to ap-
6 propriate accounts of other operating administrations
7 within the Department of Transportation: *Provided fur-*
8 *ther*, That projects funded under this heading shall be for
9 not less than 90 percent of the net total project cost.

10 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
11 FINANCE BUREAU

12 For necessary expenses of the National Surface
13 Transportation and Innovative Finance Bureau as author-
14 ized by 49 U.S.C. 116, \$13,800,000, to remain available
15 until expended: *Provided*, That of the amounts made avail-
16 able under this heading, \$10,000,000 shall be for technical
17 assistance grants to areas of persistent poverty: *Provided*
18 *further*, That areas of persistent poverty means any county
19 that has consistently had 20 percent or more of the popu-
20 lation living in poverty over the 30 years preceding the
21 date of enactment of this Act, as measured by the 1990
22 and 2000 decennial census and the most recent Small
23 Area Income and Poverty Estimates, any census tract
24 with a poverty rate of at least 20 percent as measured
25 by the 2014–2019 5-year data series available from the

1 American Community Survey of the Bureau of the Census,
2 or any territory or possession of the United States: *Pro-*
3 *vided further*, That such technical assistance grants shall
4 be in the form of competitive grants to eligible entities
5 to support pre-construction activities including, but not
6 limited to, planning, engineering, design, environmental
7 work, feasibility studies, and financing plans for eligible
8 projects: *Provided further*, That eligible entities for tech-
9 nical assistance grants under this heading shall include
10 state, local or tribal governments, transit agencies, port
11 authorities or commissions, metropolitan planning organi-
12 zations, other political subdivisions of state or local gov-
13 ernments, or collaborations among such entities, that are
14 located in areas of persistent poverty: *Provided further*,
15 That eligible projects for technical assistance grants under
16 this heading shall include, but not be limited to, highway,
17 bridge, or bicycle and pedestrian projects eligible under
18 title 23, United States Code; public transportation
19 projects eligible under chapter 53 of title 49, United
20 States Code; passenger and freight rail transportation
21 projects; port infrastructure improvement projects; airport
22 improvement projects; and intermodal projects: *Provided*
23 *further*, That the Secretary of Transportation shall con-
24 duct outreach to eligible entities for technical assistance
25 grants through personal contact, webinars, web materials,

1 or other appropriate methods determined by the Sec-
2 retary: *Provided further*, That the Federal share of the
3 costs for which an amount is provided under this heading
4 for technical assistance grants shall be, at the option of
5 the recipient, not less than 90 percent of the net total
6 project cost: *Provided further*, That for technical assist-
7 ance grants under this heading priority consideration shall
8 be, without regard to rural or urban areas of persistent
9 poverty, based on project justification and demonstrated
10 need: *Provided further*, That the Secretary may collect and
11 spend fees, as authorized by title 23, United States Code,
12 to cover the costs of services of expert firms, including
13 counsel, in the field of municipal and project finance to
14 assist in the underwriting and servicing of Federal credit
15 instruments and all or a portion of the costs to the Federal
16 Government of servicing such credit instruments: *Provided*
17 *further*, That such fees are available until expended to pay
18 for such costs: *Provided further*, That such amounts are
19 in addition to other amounts made available for such pur-
20 poses and are not subject to any obligation limitation or
21 the limitation on administrative expenses under section
22 608 of title 23, United States Code.

1 RAILROAD REHABILITATION AND IMPROVEMENT
2 FINANCING PROGRAM

3 The Secretary is authorized to issue direct loans and
4 loan guarantees pursuant to sections 501 through 504 of
5 the Railroad Revitalization and Regulatory Reform Act of
6 1976 (Public Law 94–210) and such authority shall exist
7 so long as any such direct loan or loan guarantee is out-
8 standing.

9 FINANCIAL MANAGEMENT CAPITAL

10 For necessary expenses for upgrading and enhancing
11 the Department of Transportation’s financial systems and
12 re-engineering business processes, \$5,000,000, to remain
13 available through September 30, 2023.

14 CYBER SECURITY INITIATIVES

15 For necessary expenses for cyber security initiatives,
16 including necessary upgrades to network and information
17 technology infrastructure, improvement of identity man-
18 agement and authentication capabilities, securing and pro-
19 tecting data, implementation of Federal cyber security ini-
20 tiatives, and implementation of enhanced security controls
21 on agency computers and mobile devices, \$39,400,000, to
22 remain available until September 30, 2023.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$12,628,000.

1 available to the Department of Transportation: *Provided*,
2 That such services shall be provided on a competitive basis
3 to entities within the Department of Transportation: *Pro-*
4 *vided further*, That the limitation in the preceding proviso
5 on operating expenses shall not apply to entities external
6 to the Department of Transportation: *Provided further*,
7 That no funds made available by this Act to an agency
8 of the Department shall be transferred to the Working
9 Capital Fund without majority approval of the Working
10 Capital Fund Steering Committee and approval of the
11 Secretary: *Provided further*, That no assessments may be
12 levied against any program, budget activity, subactivity,
13 or project funded by this Act unless notice of such assess-
14 ments and the basis therefor are presented to the House
15 and Senate Committees on Appropriations and are ap-
16 proved by such Committees.

17 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
18 OUTREACH

19 For necessary expenses for small and disadvantaged
20 business utilization and outreach activities, \$6,500,000, to
21 remain available until September 30, 2023: *Provided*,
22 That notwithstanding section 332 of title 49, United
23 States Code, such amounts may be used for business op-
24 portunities related to any mode of transportation: *Pro-*
25 *vided further*, That appropriations made available under

1 this heading shall be available for any purpose consistent
2 with prior year appropriations that were made available
3 under the heading “Office of the Secretary—Minority
4 Business Resource Center Program”.

5 PAYMENTS TO AIR CARRIERS

6 (AIRPORT AND AIRWAY TRUST FUND)

7 In addition to funds made available from any other
8 source to carry out the essential air service program under
9 sections 41731 through 41742 of title 49, United States
10 Code, \$247,700,000, to be derived from the Airport and
11 Airway Trust Fund, to remain available until expended:
12 *Provided*, That in determining between or among carriers
13 competing to provide service to a community, the Sec-
14 retary may consider the relative subsidy requirements of
15 the carriers: *Provided further*, That basic essential air
16 service minimum requirements shall not include the 15-
17 passenger capacity requirement under section 41732(b)(3)
18 of title 49, United States Code: *Provided further*, That
19 amounts authorized to be distributed for the essential air
20 service program under section 41742(b) of title 49, United
21 States Code, shall be made available immediately from
22 amounts otherwise provided to the Administrator of the
23 Federal Aviation Administration: *Provided further*, That
24 the Administrator may reimburse such amounts from fees

1 credited to the account established under section 45303
2 of title 49, United States Code.

3 ELECTRIC VEHICLE FLEET

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to transition to the General
6 Services Administration's leased vehicle fleet, for the pur-
7 chase of electric passenger motor vehicles, and to provide
8 necessary charging infrastructure, \$11,000,000, to remain
9 available until expended: *Provided*, That such amounts are
10 in addition to any other amounts available for such pur-
11 poses: *Provided further*, That amounts made available
12 under this heading may be transferred to other accounts
13 of the Department of Transportation for the purposes
14 specified under this heading: *Provided further*, That such
15 transfer authority is in addition to any other transfer au-
16 thority provided by law.

17 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

18 SECRETARY OF TRANSPORTATION

19 SEC. 101. None of the funds made available by this
20 Act to the Department of Transportation may be obligated
21 for the Office of the Secretary of Transportation to ap-
22 prove assessments or reimbursable agreements pertaining
23 to funds appropriated to the operating administrations in
24 this Act, except for activities underway on the date of en-
25 actment of this Act, unless such assessments or agree-

1 ments have completed the normal reprogramming process
2 for congressional notification.

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

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

1 each customer agency from available funds for the actual
2 cost of the transit benefit.

3 SEC. 104. Receipts collected in the Department’s
4 Working Capital Fund, as authorized by section 327 of
5 title 49, United States Code, for unused transit and van
6 pool benefits, in an amount not to exceed 10 percent of
7 fiscal year 2022 collections, shall be available until ex-
8 pended in the Department’s Working Capital Fund to pro-
9 vide contractual services in support of section 189 of this
10 Act: *Provided*, That obligations in fiscal year 2022 of such
11 collections shall not exceed \$1,000,000.

12 SEC. 105. (a) Funds made available in division L of
13 the Consolidated Appropriations Act, 2014 (Public Law
14 113–76) under the heading “Department of Transpor-
15 tation—Office of the Secretary—National Infrastructure
16 Investments” for pedestrian safety and transit projects
17 that were available for obligation through fiscal year 2016
18 shall remain available through fiscal year 2028 for the liq-
19 uidation of valid obligations incurred during fiscal years
20 2014 through 2016 of active grants awarded with such
21 funds.

22 (b)(1) Subject to paragraph (2), this section shall be-
23 come effective immediately upon enactment of this Act.

1 (2) If this Act is enacted after September 30,
2 2021, this section shall be applied as if it were in
3 effect on September 30, 2021.

4 SEC. 106. None of the funds in this title may be obli-
5 gated or expended for retention or senior executive bo-
6 nuses for an employee of the Department of Transpor-
7 tation without the prior written approval of the Assistant
8 Secretary for Administration.

9 SEC. 107. In addition to authority provided by section
10 327 of title 49, United States Code, the Department's Ad-
11 ministrative Working Capital Fund is hereby authorized
12 to transfer information technology equipment, software,
13 and systems from Departmental sources or other entities
14 and collect and maintain a reserve at rates which will re-
15 turn full cost of transferred assets.

16 SEC. 108. None of the funds provided in this Act to
17 the Department of Transportation may be used to provide
18 credit assistance unless not less than 3 days before any
19 application approval to provide credit assistance under
20 sections 603 and 604 of title 23, United States Code, the
21 Secretary provides notification in writing to the following
22 committees: the House and Senate Committees on Appro-
23 priations; the Committee on Environment and Public
24 Works and the Committee on Banking, Housing and
25 Urban Affairs of the Senate; and the Committee on Trans-

1 portation and Infrastructure of the House of Representa-
2 tives: *Provided*, That such notification shall include, but
3 not be limited to, the name of the project sponsor; a de-
4 scription of the project; whether credit assistance will be
5 provided as a direct loan, loan guarantee, or line of credit;
6 and the amount of credit assistance.

7 FEDERAL AVIATION ADMINISTRATION

8 OPERATIONS

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses of the Federal Aviation Ad-
11 ministration, not otherwise provided for, including oper-
12 ations and research activities related to commercial space
13 transportation, administrative expenses for research and
14 development, establishment of air navigation facilities, the
15 operation (including leasing) and maintenance of aircraft,
16 subsidizing the cost of aeronautical charts and maps sold
17 to the public, the lease or purchase of passenger motor
18 vehicles for replacement only, \$11,434,100,000, to remain
19 available until September 30, 2023, of which
20 \$10,519,000,000 to be derived from the Airport and Air-
21 way Trust Fund: *Provided*, That of the amounts made
22 available under this heading—

23 (1) not less than \$1,536,298,000 shall be avail-
24 able for aviation safety activities;

1 (2) \$8,489,585,000 shall be available for air
2 traffic organization activities;

3 (3) \$32,470,000 shall be available for commer-
4 cial space transportation activities;

5 (4) \$892,216,000 shall be available for finance
6 and management activities;

7 (5) \$63,955,000 shall be available for NextGen
8 and operations planning activities;

9 (6) \$139,466,000 shall be available for security
10 and hazardous materials safety; and

11 (7) \$280,110,000 shall be available for staff of-
12 fices:

13 *Provided further*, That not to exceed 5 percent of any
14 budget activity, except for aviation safety budget activity,
15 may be transferred to any budget activity under this head-
16 ing: *Provided further*, That no transfer may increase or
17 decrease any appropriation under this heading by more
18 than 5 percent: *Provided further*, That any transfer in ex-
19 cess of 5 percent shall be treated as a reprogramming of
20 funds under section 405 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set forth in that section: *Provided fur-*
23 *ther*, That not later than 60 days after the submission of
24 the budget request, the Administrator of the Federal Avia-
25 tion Administration shall transmit to Congress an annual

1 update to the report submitted to Congress in December
2 2004 pursuant to section 221 of the Vision 100-Century
3 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
4 *Provided further*, That the amounts made available under
5 this heading shall be reduced by \$100,000 for each day
6 after 60 days after the submission of the budget request
7 that such report has not been transmitted to Congress:
8 *Provided further*, That not later than 60 days after the
9 submission of the budget request, the Administrator shall
10 transmit to Congress a companion report that describes
11 a comprehensive strategy for staffing, hiring, and training
12 flight standards and aircraft certification staff in a format
13 similar to the one utilized for the controller staffing plan,
14 including stated attrition estimates and numerical hiring
15 goals by fiscal year: *Provided further*, That the amounts
16 made available under this heading shall be reduced by
17 \$100,000 for each day after the date that is 60 days after
18 the submission of the budget request that such report has
19 not been submitted to Congress: *Provided further*, That
20 funds may be used to enter into a grant agreement with
21 a nonprofit standard-setting organization to assist in the
22 development of aviation safety standards: *Provided fur-*
23 *ther*, That none of the funds made available by this Act
24 shall be available for new applicants for the second career
25 training program: *Provided further*, That none of the

1 funds made available by this Act shall be available for the
2 Federal Aviation Administration to finalize or implement
3 any regulation that would promulgate new aviation user
4 fees not specifically authorized by law after the date of
5 the enactment of this Act: *Provided further*, That there
6 may be credited to this appropriation, as offsetting collec-
7 tions, funds received from States, counties, municipalities,
8 foreign authorities, other public authorities, and private
9 sources for expenses incurred in the provision of agency
10 services, including receipts for the maintenance and oper-
11 ation of air navigation facilities, and for issuance, renewal
12 or modification of certificates, including airman, aircraft,
13 and repair station certificates, or for tests related thereto,
14 or for processing major repair or alteration forms: *Pro-*
15 *vided further*, That of the amounts made available under
16 this heading, not less than \$178,000,000 shall be used to
17 fund direct operations of the current air traffic control
18 towers in the contract tower program, including the con-
19 tract tower cost share program, and any airport that is
20 currently qualified or that will qualify for the program
21 during the fiscal year: *Provided further*, That none of the
22 funds made available by this Act for aeronautical charting
23 and cartography are available for activities conducted by,
24 or coordinated through, the Working Capital Fund: *Pro-*
25 *vided further*, That none of the funds appropriated or oth-

1 erwise made available by this Act or any other Act may
2 be used to eliminate the Contract Weather Observers pro-
3 gram at any airport.

4 FACILITIES AND EQUIPMENT

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses, not otherwise provided for,
7 for acquisition, establishment, technical support services,
8 improvement by contract or purchase, and hire of national
9 airspace systems and experimental facilities and equip-
10 ment, as authorized under part A of subtitle VII of title
11 49, United States Code, including initial acquisition of
12 necessary sites by lease or grant; engineering and service
13 testing, including construction of test facilities and acqui-
14 sition of necessary sites by lease or grant; construction
15 and furnishing of quarters and related accommodations
16 for officers and employees of the Federal Aviation Admin-
17 istration stationed at remote localities where such accom-
18 modations are not available; and the purchase, lease, or
19 transfer of aircraft from funds made available under this
20 heading, including aircraft for aviation regulation and cer-
21 tification; to be derived from the Airport and Airway Trust
22 Fund, \$3,416,000,000, of which \$550,000,000 is for per-
23 sonnel and related expenses and shall remain available
24 until September 30, 2023, \$1,865,569,000 is for equip-
25 ment and shall remain available until September 30, 2024,

1 and \$1,000,431,000 is for facilities and shall remain avail-
2 able until September 30, 2026: *Provided*, That there may
3 be credited to this appropriation funds received from
4 States, counties, municipalities, other public authorities,
5 and private sources, for expenses incurred in the establish-
6 ment, improvement, and modernization of national air-
7 space systems: *Provided further*, That not later than 60
8 days after submission of the budget request, the Secretary
9 of Transportation shall transmit to the Congress an in-
10 vestment plan for the Federal Aviation Administration
11 which includes funding for each budget line item for fiscal
12 years 2023 through 2027, with total funding for each year
13 of the plan constrained to the funding targets for those
14 years as estimated and approved by the Office of Manage-
15 ment and Budget.

16 RESEARCH, ENGINEERING, AND DEVELOPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses, not otherwise provided for,
19 for research, engineering, and development, as authorized
20 under part A of subtitle VII of title 49, United States
21 Code, including construction of experimental facilities and
22 acquisition of necessary sites by lease or grant,
23 \$260,500,000, to be derived from the Airport and Airway
24 Trust Fund and to remain available until September 30,
25 2024: *Provided*, That there may be credited to this appro-

1 priation as offsetting collections, funds received from
 2 States, counties, municipalities, other public authorities,
 3 and private sources, which shall be available for expenses
 4 incurred for research, engineering, and development: *Pro-*
 5 *vided further*, That amounts made available under this
 6 heading shall be used in accordance with the report accom-
 7 panying this Act: *Provided further*, That not to exceed 10
 8 percent of any funding level specified under this heading
 9 in the report accompanying this Act may be transferred
 10 to any other funding level specified under this heading in
 11 the report accompanying this Act: *Provided further*, That
 12 no transfer may increase or decrease any funding level by
 13 more than 10 percent: *Provided further*, That any transfer
 14 in excess of 10 percent shall be treated as a reprogram-
 15 ming of funds under section 405 of this Act and shall not
 16 be available for obligation or expenditure except in compli-
 17 ance with the procedures set forth in that section.

18 GRANTS-IN-AID FOR AIRPORTS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (LIMITATION ON OBLIGATIONS)

21 (AIRPORT AND AIRWAY TRUST FUND)

22 (INCLUDING TRANSFER OF FUNDS)

23 For liquidation of obligations incurred for grants-in-
 24 aid for airport planning and development, and noise com-
 25 patibility planning and programs as authorized under sub-

1 chapter I of chapter 471 and subchapter I of chapter 475
2 of title 49, United States Code, and under other law au-
3 thorizing such obligations; for procurement, installation,
4 and commissioning of runway incursion prevention devices
5 and systems at airports of such title; for grants authorized
6 under section 41743 of title 49, United States Code; and
7 for inspection activities and administration of airport safe-
8 ty programs, including those related to airport operating
9 certificates under section 44706 of title 49, United States
10 Code, \$3,350,000,000, to be derived from the Airport and
11 Airway Trust Fund and to remain available until ex-
12 pended: *Provided*, That none of the amounts made avail-
13 able under this heading shall be available for the planning
14 or execution of programs the obligations for which are in
15 excess of \$3,350,000,000, in fiscal year 2022, notwith-
16 standing section 47117(g) of title 49, United States Code:
17 *Provided further*, That none of the amounts made available
18 under this heading shall be available for the replacement
19 of baggage conveyor systems, reconfiguration of terminal
20 baggage areas, or other airport improvements that are
21 necessary to install bulk explosive detection systems: *Pro-*
22 *vided further*, That notwithstanding section 47109(a) of
23 title 49, United States Code, the Government's share of
24 allowable project costs under paragraph (2) of such sec-
25 tion for subgrants or paragraph (3) of such section shall

1 be 95 percent for a project at other than a large or me-
2 dium hub airport that is a successive phase of a multi-
3 phased construction project for which the project sponsor
4 received a grant in fiscal year 2011 for the construction
5 project: *Provided further*, That notwithstanding any other
6 provision of law, of amounts limited under this heading,
7 not more than \$127,165,000 shall be available for admin-
8 istration, not less than \$15,000,000 shall be available for
9 the Airport Cooperative Research Program, not less than
10 \$40,961,000 shall be available for Airport Technology Re-
11 search, and \$10,000,000, to remain available until ex-
12 pended, shall be available and transferred to “Office of
13 the Secretary, Salaries and Expenses” to carry out the
14 Small Community Air Service Development Program: *Pro-*
15 *vided further*, That in addition to airports eligible under
16 section 41743 of title 49, United States Code, such pro-
17 gram may include the participation of an airport that
18 serves a community or consortium that is not larger than
19 a small hub airport, according to FAA hub classifications
20 effective at the time the Office of the Secretary issues a
21 request for proposals.

22 GRANTS-IN-AID FOR AIRPORTS

23 For an additional amount for “Grants-In-Aid for Air-
24 ports”, to enable the Secretary of Transportation to make
25 grants for projects as authorized by subchapter 1 of chap-

1 ter 471 and subchapter 1 of chapter 475 of title 49,
2 United States Code, \$400,000,000, to remain available
3 through September 30, 2024, of which \$79,959,135 is for
4 Community Project Funding grants for the purposes, and
5 in the amounts, specified for this account in the table ti-
6 tled “Incorporation of Community Project Funding” in-
7 cluded in the report accompanying this Act: *Provided*,
8 That amounts made available under this heading shall be
9 derived from the general fund, and such amounts shall not
10 be subject to apportionment formulas, special apportion-
11 ment categories, or minimum percentages under chapter
12 471 of such title: *Provided further*, That the Secretary
13 shall distribute amounts made available under this head-
14 ing as discretionary grants to airports: *Provided further*,
15 That the amount made available under this heading shall
16 not be subject to any limitation on obligations for the
17 Grants-in-Aid for Airports program set forth in any Act:
18 *Provided further*, That the Administrator of the Federal
19 Aviation Administration may retain up to 0.5 percent of
20 the amounts made available under this heading to fund
21 the award and oversight by the Administrator of grants
22 described under this heading.

1 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

2 ADMINISTRATION

3 SEC. 110. None of the funds made available by this
4 Act may be used to compensate in excess of 600 technical
5 staff-years under the federally funded research and devel-
6 opment center contract between the Federal Aviation Ad-
7 ministration and the Center for Advanced Aviation Sys-
8 tems Development during fiscal year 2022.

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

23 SEC. 112. The Administrator of the Federal Aviation
24 Administration may reimburse amounts made available to
25 satisfy section 41742(a)(1) of title 49, United States

1 Code, from fees credited under section 45303 of title 49,
2 United States Code, and any amount remaining in such
3 account at the close of any fiscal year may be made avail-
4 able to satisfy section 41742(a)(1) of title 49, United
5 States Code, for the subsequent fiscal year.

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

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

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

22 SEC. 116. Notwithstanding any other provision of
23 law, none of the funds made available under this Act or
24 any prior Act may be used to implement or to continue
25 to implement any limitation on the ability of any owner

1 or operator of a private aircraft to obtain, upon a request
2 to the Administrator of the Federal Aviation Administra-
3 tion, a blocking of that owner's or operator's aircraft reg-
4 istration number, Mode S transponder code, flight identi-
5 fication, call sign, or similar identifying information from
6 any ground based display to the public that would allow
7 the real-time or near real-time flight tracking of that air-
8 craft's movements, except data made available to a Gov-
9 ernment agency, for the noncommercial flights of that
10 owner or operator.

11 SEC. 117. None of the funds made available by this
12 Act shall be available for salaries and expenses of more
13 than nine political and Presidential appointees in the Fed-
14 eral Aviation Administration.

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

23 SEC. 119. None of the funds made available by this
24 Act may be used to close a regional operations center of
25 the Federal Aviation Administration or reduce its services

1 unless the Administrator notifies the House and Senate
2 Committees on Appropriations not less than 90 full busi-
3 ness days in advance.

4 SEC. 119A. None of the funds made available by or
5 limited by this Act may be used to change weight restric-
6 tions or prior permission rules at Teterboro airport in
7 Teterboro, New Jersey.

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

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

24 SEC. 119D. Of the funds provided under the heading
25 “Grants-in-aid for Airports”, up to \$4,000,000 shall be

1 for necessary expenses, including an independent
2 verification regime, to provide reimbursement to airport
3 sponsors that do not provide gateway operations, providers
4 of general aviation ground support services, or other avia-
5 tion tenants located at those airports closed during a tem-
6 porary flight restriction (TFR) for any residence of the
7 President that is designated or identified to be secured
8 by the United States Secret Service, and for direct and
9 incremental financial losses incurred while such airports
10 are closed solely due to the actions of the Federal Govern-
11 ment: *Provided*, That no funds shall be obligated or dis-
12 tributed to airport sponsors that do not provide gateway
13 operations and providers of general aviation ground sup-
14 port services until an independent audit is completed: *Pro-*
15 *vided further*, That losses incurred as a result of violations
16 of law, or through fault or negligence, of such operators
17 and service providers or of third parties (including air-
18 ports) are not eligible for reimbursements: *Provided fur-*
19 *ther*, That obligation and expenditure of funds are condi-
20 tional upon full release of the United States Government
21 for all claims for financial losses resulting from such ac-
22 tions.

1 FEDERAL HIGHWAY ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 (HIGHWAY TRUST FUND)
4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed \$492,000,000, together with advances
6 and reimbursements received by the Federal Highway Ad-
7 ministration, shall be obligated for necessary expenses for
8 administration and operation of the Federal Highway Ad-
9 ministration or transferred to the Appalachian Regional
10 Commission for administrative activities associated within
11 the Appalachian Development Highway System.

12 FEDERAL-AID HIGHWAYS
13 (LIMITATION ON OBLIGATIONS)
14 (HIGHWAY TRUST FUND)

15 Funds available for the implementation or execution
16 of Federal-aid highway and highway safety construction
17 programs authorized under titles 23 and 49, United States
18 Code, and the provisions of the Fixing America's Surface
19 Transportation Act (Public Law 114–94), or any suc-
20 cessor surface transportation reauthorization Act author-
21 izing appropriations for fiscal year 2022, shall not exceed
22 total obligations of \$61,143,102,951 for fiscal year 2022.

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

3 For the payment of obligations incurred in carrying
4 out Federal-aid highway and highway safety construction
5 programs authorized under title 23, United States Code,
6 \$61,882,102,951 derived from the Highway Trust Fund
7 (other than the Mass Transit Account), to remain avail-
8 able until expended.

9 HIGHWAY INFRASTRUCTURE PROGRAMS

10 There is hereby appropriated to the Secretary
11 \$592,000,000: *Provided*, That the funds made available
12 under this heading shall be derived from the general fund,
13 shall be in addition to any funds provided for fiscal year
14 2022 in this or any other Act for: (1) “Federal-aid High-
15 ways” under chapter 1 of title 23, United States Code;
16 or (2) the Appalachian Development Highway System as
17 authorized under section 1069(y) of the Intermodal Sur-
18 face Transportation Efficiency Act of 1991 (Public Law
19 102–240), and shall not affect the distribution or amount
20 of funds provided in any other Act: *Provided further*, That
21 section 1101(b) of the FAST Act (Public Law 114–94)
22 shall apply to funds made available under this heading:
23 *Provided further*, That unless otherwise specified, amounts
24 made available under this heading shall be available until

1 September 30, 2025: *Provided further*, That of the funds
2 made available under this heading—

3 (1) Not more than \$427,500,000 shall be for
4 the purposes, and in the amounts, specified for local
5 transportation priorities in the table titled “Incorpo-
6 ration of Community Project Funding” included in
7 the report accompanying this Act;

8 (2) \$51,200,000 shall be for necessary expenses
9 for construction of the Appalachian Development
10 Highway System as authorized under section
11 1069(y) of the Intermodal Transportation Efficiency
12 Act of 1991 (Public Law 102–240);

13 (3) \$3,150,000 shall be for activities eligible
14 under the Puerto Rico Highway Program as de-
15 scribed in section 165(b)(2)(C) of title 23, United
16 States Code;

17 (4) \$650,000 shall be for activities eligible
18 under the Territorial Highway Program, as de-
19 scribed in section 165(e)(6) of title 23, United
20 States Code;

21 (5) \$45,000,000 shall be for the nationally sig-
22 nificant federal lands and tribal projects program
23 under section 1123 of the FAST Act (23 U.S.C. 201
24 note);

1 (6) \$20,000,000 shall be for activities eligible
2 under the tribal transportation program as described
3 in section 202 of title 23, United States Code;

4 (7) \$15,000,000 shall be for competitive grants
5 to State and Local governments to develop and ex-
6 pand the capacity to use and deploy Advanced Dig-
7 ital Construction Management Systems: *Provided*,
8 That the minimum grant amount shall be \$500,000;

9 (8) \$12,000,000 shall be for the regional infra-
10 structure accelerator demonstration program author-
11 ized under section 1441 of the FAST Act (23
12 U.S.C. 601 note);

13 (9) \$2,000,000 shall be for research that leads
14 to decreases in highway and pedestrian fatalities
15 among Tribal populations;

16 (10) \$7,500,000 shall be for a cooperative
17 agreement to conduct a comprehensive analysis of
18 highway corridors from ports of entry to inland
19 ports; and

20 (11) \$5,000,000 shall be for a cooperative se-
21 ries of agreements to examine the impacts of cul-
22 verts, roads, and bridges on threatened or endan-
23 gered salmon populations:

24 *Provided further*, That, except as otherwise provided under
25 this heading, funds made available under paragraph (1)

1 shall be administered as if apportioned under chapter 1
2 of title 23, United States Code: *Provided further*, That
3 funds made available under paragraph (1) that are used
4 for Tribal projects shall be administered as if allocated
5 under chapter 2 of title 23, United States Code, except
6 that the set-asides described in subparagraph (C) of sec-
7 tion 202(b)(3) of title 23, United States Code, and sub-
8 sections (a)(6), (c), (d), and (e) of section 202 of such
9 title shall not apply to such funds: *Provided further*, That
10 of the funds made available under this heading, the Fed-
11 eral Highway Administration may retain an amount of
12 \$3,000,000, to remain available until expended, to fund
13 the oversight of projects carried out with funds made
14 available under such paragraph: *Provided further*, That
15 funds made available under paragraphs (1), (2), (7), (8),
16 (9), (10), and (11) shall remain available until expended:
17 *Provided further*, That for funds made available under
18 paragraphs (2), (3), (4), (6), (7), (8), (9), (10), and (11),
19 the Federal share of the costs shall be, at the option of
20 the recipient, up to 100 percent: *Provided further*, That
21 except as provided in the preceding or following proviso,
22 the funds made available under this heading for activities
23 eligible under the Puerto Rico Highway Program and ac-
24 tivities eligible under the Territorial Highway Program
25 shall be administered as if allocated under sections 165(b)

1 and 165(c), respectively, of title 23, United States Code:
2 *Provided further*, That the funds made available under this
3 heading for activities eligible under the Puerto Rico High-
4 way Program shall not be subject to the requirements of
5 sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Pro-*
6 *vided further*, That the funds made available for the tribal
7 transportation program shall be distributed in the manner
8 described in section 202(b)(3)(A)(i)(IV) of such title, ex-
9 cept that the set-asides described in subparagraph (C) of
10 section 202(b)(3) of such title and subsections (a)(6), (c),
11 (d), and (e) of section 202 of such title shall not apply
12 to funds made available under this heading: *Provided fur-*
13 *ther*, That for the purposes of funds made available under
14 this heading for construction of the Appalachian Develop-
15 ment Highway System (hereinafter referred to as
16 “ADHS”), the term “Appalachian State” means a State
17 that contains one or more counties (including any political
18 subdivision located within the area) in the Appalachian re-
19 gion as defined in section 14102(a) of title 40, United
20 States Code: *Provided further*, That a project carried out
21 with funds made available under this heading for construc-
22 tion of the ADHS shall be carried out in the same manner
23 as a project under section 14501 of title 40, United States
24 Code: *Provided further*, That subject to the following pro-
25 viso, funds made available under this heading for con-

1 construction of the ADHS shall be apportioned to Appa-
2 lachian States according to the percentages derived from
3 the 2012 Appalachian Development Highway System
4 Cost-to-Complete Estimate adopted in Appalachian Re-
5 gional Commission Resolution Number 736, and con-
6 firmed as each Appalachian State's relative share of the
7 estimated remaining need to complete the ADHS, ad-
8 justed to exclude corridors that such States have no cur-
9 rent plans to complete, as reported in the 2013 Appa-
10 lachian Development Highway System Completion Report,
11 unless such States have modified and assigned a higher
12 priority for completion of an ADHS corridor, as reported
13 in the 2020 ADHS Future Outlook: *Provided further*,
14 That the Secretary shall adjust apportionments made
15 under the preceding proviso so that no Appalachian State
16 shall be apportioned an amount in excess of 25 percent
17 of the amount made available for construction of the
18 ADHS under this heading: *Provided further*, That the Sec-
19 retary shall consult with the Appalachian Regional Com-
20 mission in making adjustments under the preceding two
21 provisos: *Provided further*, That funds made available
22 under this heading for Advanced Digital Construction
23 Management Systems shall be for competitive grants to
24 State and local governments to develop and expand the

1 capacity to use and deploy Advanced Digital Construction
2 Management Systems.

3 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

4 ADMINISTRATION

5 SEC. 120. (a) For fiscal year 2022, the Secretary of
6 Transportation shall—

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

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

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

14 (C) amounts authorized as “additional
15 amounts for the Federal-aid highway program”
16 or as “member designated project funds” (unre-
17 lated to amounts that had been previously au-
18 thorized to be appropriated for fiscal year
19 2021) under any successor surface transpor-
20 tation reauthorization Act authorizing appro-
21 priations for fiscal year 2022;

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

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

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

11 (3) determine the proportion that—

12 (A) the obligation limitation for Federal-
13 aid highways, less the aggregate of amounts not
14 distributed under paragraphs (1) and (2) of
15 this subsection; bears to

16 (B) the total of the sums authorized to be
17 appropriated for the Federal-aid highway and
18 highway safety construction programs (other
19 than sums authorized to be appropriated for
20 provisions of law described in paragraphs (1)
21 through (11) of subsection (b) and sums au-
22 thorized to be appropriated for section 119 of
23 title 23, United States Code, equal to the
24 amount referred to in subsection (b)(12) for
25 such fiscal year), less the aggregate of the

1 amounts not distributed under paragraphs (1)
2 and (2) of this subsection;

3 (4) distribute the obligation limitation for Fed-
4 eral-aid highways, less the aggregate amounts not
5 distributed under paragraphs (1) and (2), for each
6 of the programs (other than programs to which
7 paragraph (1) applies) that are allocated by the Sec-
8 retary under the Fixing America's Surface Trans-
9 portation Act and title 23, United States Code, or
10 apportioned by the Secretary under sections 202 or
11 204 of that title, by multiplying—

12 (A) the proportion determined under para-
13 graph (3); by

14 (B) the amounts authorized to be appro-
15 priated for each such program for such fiscal
16 year; and

17 (5) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2) and the
20 amounts distributed under paragraph (4), for Fed-
21 eral-aid highway and highway safety construction
22 programs that are apportioned by the Secretary
23 under title 23, United States Code (other than the
24 amounts apportioned for the National Highway Per-
25 formance Program in section 119 of title 23, United

1 States Code, that are exempt from the limitation
2 under subsection (b)(12) and the amounts appor-
3 tioned under sections 202 and 204 of that title) in
4 the proportion that—

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (11) section 1603 of SAFETEA-LU (23
25 U.S.C. 118 note; 119 Stat. 1248), to the extent that

1 funds obligated in accordance with that section were
2 not subject to a limitation on obligations at the time
3 at which the funds were initially made available for
4 obligation; and

5 (12) section 119 of title 23, United States Code
6 (but, for each of fiscal years 2013 through 2022,
7 only in an amount equal to \$639,000,000).

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

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

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

23 (d) CERTAIN PROGRAMS.—

24 (1) TRANSPORTATION RESEARCH PROGRAMS.—

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

6 (i) chapter 5 of title 23, United States
7 Code; and

8 (ii) title VI of the Fixing America’s
9 Surface Transportation Act.

10 (B) EXCEPTION.—Obligation authority
11 made available under subparagraph (A) shall—

12 (i) remain available for a period of 4
13 fiscal years; and

14 (ii) be in addition to the amount of
15 any limitation imposed on obligations for
16 Federal-aid highway and highway safety
17 construction programs for future fiscal
18 years.

19 (2) ADDITIONAL AMOUNTS FOR THE FEDERAL-
20 AID HIGHWAY PROGRAM AND MEMBER DESIGNATED
21 PROJECT FUNDS.—Obligation authority reserved
22 under subsection (a)(1)(C) for amounts authorized
23 as additional amounts for the Federal-aid highway
24 program or as member designated project funds (un-
25 related to amounts that had been previously author-

1 ized to be appropriated for fiscal year 2021) under
2 any successor surface transportation reauthorization
3 Act authorizing appropriations for fiscal year 2022
4 shall remain available until expended.

5 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
6 FUNDS.—

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

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

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

23 (2) RATIO.—Funds shall be distributed under
24 paragraph (1) in the same proportion as the dis-

1 tribution of obligation authority under subsection
2 (a)(5).

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

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

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

1 SEC. 123. None of the funds made available in this
2 Act may be used to make a grant for a project under sec-
3 tion 117 of title 23, United States Code, unless the Sec-
4 retary, at least 60 days before making a grant under that
5 section, provides written notification to the House and
6 Senate Committees on Appropriations of the proposed
7 grant, including an evaluation and justification for the
8 project and the amount of the proposed grant award: *Pro-*
9 *vided*, That the written notification required in the pre-
10 ceding proviso shall be made not later than 180 days after
11 the date of enactment of this Act.

12 SEC. 124. (a) A State or territory, as defined in sec-
13 tion 165 of title 23, United States Code, may use for any
14 project eligible under sections 133(b) or 165 of such title,
15 and located within the boundary of the State or territory
16 any earmarked amount, and any associated obligation lim-
17 itation: *Provided*, That the Department of Transportation
18 for the State or territory for which the earmarked amount
19 was originally designated or directed notifies the Secretary
20 of Transportation of its intent to use its authority under
21 this section and submits an annual report to the Secretary
22 identifying the projects to which the funding would be ap-
23 plied. Notwithstanding the original period of availability
24 of funds to be obligated under this section, such funds
25 and associated obligation limitation shall remain available

1 for obligation for a period of 3 fiscal years after the fiscal
2 year in which the Secretary of Transportation is notified.
3 The Federal share of the cost of a project carried out with
4 funds made available under this section shall be the same
5 as associated with the earmark.

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

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

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

22 (c) The authority under subsection (a) may be exer-
23 cised only for those projects or activities that have obli-
24 gated less than 10 percent of the amount made available
25 for obligation as of October 1 of the current fiscal year,

1 and shall be applied to projects within the same general
2 geographic area within 5 miles for which the funding was
3 designated, except that a State or territory may apply
4 such authority to unexpended balances of funds from
5 projects or activities the State or territory certifies have
6 been closed and for which payments have been made under
7 a final voucher.

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

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

16 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

17 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in the implemen-
22 tation, execution and administration of motor carrier safe-
23 ty operations and programs pursuant to section 31110 of
24 title 49, United States Code, as amended by the Fixing
25 America's Surface Transportation Act (Public Law 114-

1 94) or any successor surface transportation reauthoriza-
2 tion Act authorizing appropriations for fiscal year 2022,
3 \$379,500,000, to be derived from the Highway Trust
4 Fund (other than the Mass Transit Account), together
5 with advances and reimbursements received by the Fed-
6 eral Motor Carrier Safety Administration, the sum of
7 which shall remain available until expended: *Provided*,
8 That funds available for implementation, execution, or ad-
9 ministration of motor carrier safety operations and pro-
10 grams authorized under title 49, United States Code, shall
11 not exceed total obligations of \$379,500,000, for “Motor
12 Carrier Safety Operations and Programs” for fiscal year
13 2022, of which \$13,073,000, to remain available for obli-
14 gation until September 30, 2024, is for the research and
15 technology program, and of which not less than
16 \$65,000,000, to remain available for obligation until Sep-
17 tember 30, 2024, is for development, modernization, en-
18 hancement, continued operation, and maintenance of in-
19 formation technology and information management.

20 MOTOR CARRIER SAFETY GRANTS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 For payment of obligations incurred in carrying out
25 sections 31102, 31103, 31104, and 31313 of title 49,

1 United States Code, as amended by the Fixing America’s
2 Surface Transportation Act (Public Law 114–94), or any
3 successor surface transportation reauthorization Act au-
4 thorizing appropriations for fiscal year 2022,
5 \$506,200,000, to be derived from the Highway Trust
6 Fund (other than the Mass Transit Account) and to re-
7 main available until expended: *Provided*, That funds avail-
8 able for the implementation or execution of motor carrier
9 safety programs shall not exceed total obligations of
10 \$506,200,000 in fiscal year 2022 for “Motor Carrier Safe-
11 ty Grants”: *Provided further*, That of the sums appro-
12 priated under this heading:

13 (1) \$389,212,000 shall be available for the
14 motor carrier safety assistance program;

15 (2) \$56,880,000 shall be available for the com-
16 mercial driver’s license program implementation pro-
17 gram;

18 (3) \$59,108,000 shall be available for the high
19 priority activities program; and

20 (4) \$1,000,000 shall be made available for com-
21 mercial motor vehicle operators grants.

22 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
23 CARRIER SAFETY ADMINISTRATION

24 SEC. 130. The Federal Motor Carrier Safety Admin-
25 istration shall send notice of section 385.308 of title 49,

1 Code of Federal Regulations, violations by certified mail,
2 registered mail, or another manner of delivery, which
3 records the receipt of the notice by the persons responsible
4 for the violations.

5 SEC. 131. The Federal Motor Carrier Safety Admin-
6 istration shall update annual inspection regulations under
7 Appendix G to subchapter B of chapter III of title 49,
8 Code of Federal Regulations, as recommended by GAO-
9 19-264.

10 SEC. 132. None of the funds appropriated or other-
11 wise made available to the Department of Transportation
12 by this Act or any other Act may be obligated or expended
13 to implement, administer, or enforce the requirements of
14 section 31137 of title 49, United States Code, or any regu-
15 lation issued by the Secretary pursuant to such section,
16 with respect to the use of electronic logging devices by op-
17 erators of commercial motor vehicles, as such term is de-
18 fined in section 31132 of such title, who are transporting
19 livestock, as such term is defined in section 602 of the
20 Emergency Livestock Feed Assistance Act of 1988 (7
21 U.S.C. 1471), or insects.

22 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
23 OPERATIONS AND RESEARCH

24 For expenses necessary to discharge the functions of
25 the Secretary, with respect to traffic and highway safety

1 authorized under chapter 301 and part C of subtitle VI
2 of title 49, United States Code, \$245,550,000 shall remain
3 available through September 30, 2023.

4 OPERATIONS AND RESEARCH

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

8 (INCLUDING TRANSFER OF FUNDS)

9 For payment of obligations incurred in carrying out
10 the provisions of 23 U.S.C. 403, including behavioral re-
11 search on Automated Driving Systems and Advanced
12 Driver Assistance Systems and improving consumer re-
13 sponses to safety recalls, section 4011 of the Fixing Amer-
14 ica’s Surface Transportation Act (Public Law 114–94),
15 and chapter 303 of title 49, United States Code, or any
16 successor surface transportation reauthorization Act au-
17 thorizing appropriations for fiscal year 2022,
18 \$180,612,000, to be derived from the Highway Trust
19 Fund (other than the Mass Transit Account) and to re-
20 main available until expended: *Provided*, That none of the
21 funds in this Act shall be available for the planning or
22 execution of programs the total obligations for which, in
23 fiscal year 2022, are in excess of \$180,612,000: *Provided*
24 *further*, That of the sums appropriated under this head-
25 ing—

1 (1) \$165,112,000 shall be for programs author-
2 ized under section 403 of title 23, United States
3 Code, including behavioral research on Automated
4 Driving Systems and Advanced Driver Assistance
5 Systems and improving consumer responses to safety
6 recalls, and section 4011 of the Fixing America’s
7 Surface Transportation Act (Public Law 114–94) or
8 any successor surface transportation reauthorization
9 Act authorizing appropriations for fiscal year 2022;

10 (2) \$5,500,000 shall be for the National Driver
11 Register authorized under chapter 303 of title 49,
12 United States Code; and

13 (3) \$10,000,000 shall be available to continue
14 a high visibility enforcement paid-media campaign
15 regarding highway-rail grade crossing safety in col-
16 laboration with the Federal Railroad Administration:
17 *Provided*, That \$3,947,458 of such amounts are to
18 be made available from prior year unobligated con-
19 tract authority provided under the heading “Oper-
20 ations and Research (Liquidation of Contract Au-
21 thorization) (Limitation on Obligations) (Highway
22 Trust Fund)” in the Transportation Equity Act for
23 the 21st Century (Public Law 105–178),
24 SAFETEA-LU (Public Law 109–59), MAP-21
25 (Public Law 112–141), the FAST Act (Public Law

1 114–94), or other appropriations or authorization
2 Acts prior to fiscal year 2022: *Provided further*,
3 That of unobligated amounts provided under the
4 heading “Highway Traffic Safety Grants (Liquida-
5 tion of Contract Authorization) (Limitation on Obli-
6 gations) (Highway Trust Fund)” in the Transpor-
7 tation Equity Act for the 21st Century (Public Law
8 105–178), SAFETEA-LU (Public Law 109–59),
9 MAP-21 (Public Law 112–141), the FAST Act
10 (Public Law 114–94), or other appropriations or au-
11 thorization Acts prior to fiscal year 2022,
12 \$6,052,542, shall be transferred and merged with
13 this appropriation and made available for the pur-
14 poses of this paragraph:

15 *Provided further*, That within the \$180,612,000 obligation
16 limitation for operations and research, \$20,000,000 shall
17 remain available until September 30, 2023, and up to
18 \$7,000,000, for mobility research on older drivers, shall
19 remain available until expended, and shall be in addition
20 to the amount of any limitation imposed on obligations
21 for future years: *Provided further*, That amounts for be-
22 havioral research on Automated Driving Systems and Ad-
23 vanced Driver Assistance Systems and improving con-
24 sumer responses to safety recalls are in addition to any

1 other funds provided for those purposes for fiscal year
2 2022 in this Act.

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

7 For payment of obligations incurred in carrying out
8 provisions of sections 402, 404, and 405 of title 23,
9 United States Code, and section 4001(a)(6) of the Fixing
10 America’s Surface Transportation Act (Public Law 114–
11 94), or any successor surface transportation reauthoriza-
12 tion Act authorizing appropriations for fiscal year 2022,
13 to remain available until expended, \$855,488,000, to be
14 derived from the Highway Trust Fund (other than the
15 Mass Transit Account): *Provided*, That none of the funds
16 in this Act shall be available for the planning or execution
17 of programs for which the total obligations in fiscal year
18 2022 are in excess of \$855,488,000 for programs author-
19 ized under 23 U.S.C. 402, 404, and 405, and section
20 4001(a)(6) of the Fixing America’s Surface Transpor-
21 tation Act or any successor surface transportation reau-
22 thorization Act authorizing appropriations for fiscal year
23 2022: *Provided further*, That of the sums appropriated
24 under this heading—

1 (1) \$384,800,000 shall be for the highway safe-
2 ty program under section 402 of title 23, United
3 States Code;

4 (2) \$390,900,000 shall be for national priority
5 safety programs under section 405 of title 23,
6 United States Code;

7 (3) \$49,702,000 shall be for the high-visibility
8 enforcement program under section 404 of title 23,
9 United States Code; and

10 (4) \$30,086,000 shall be for administrative ex-
11 penses under section 4001(a)(6) of the Fixing Amer-
12 ica’s Surface Transportation Act:

13 *Provided further*, That none of these funds shall be used
14 for construction, rehabilitation, or remodeling costs, or for
15 office furnishings and fixtures for state, local or private
16 buildings or structures: *Provided further*, That not to ex-
17 ceed \$500,000 of the funds made available for “National
18 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
19 paired Driving Countermeasures” (as described in sub-
20 section (d) of that section) shall be available for technical
21 assistance to the states: *Provided further*, That with re-
22 spect to the “Transfers” provision under 23 U.S.C.
23 405(a)(8), any amounts transferred to increase the
24 amounts made available under section 402 shall include
25 the obligation authority for such amounts: *Provided fur-*

1 *ther*, That the Administrator shall notify the House and
2 Senate Committees on Appropriations of any exercise of
3 the authority granted under the previous proviso or under
4 23 U.S.C. 405(a)(8) not later than 5 days after the date
5 of the transfer.

6 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

7 TRAFFIC SAFETY ADMINISTRATION

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

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

21 SEC. 142. In addition to the amounts made available
22 under the heading, “Operations and Research (Liquida-
23 tion of Contract Authorization) (Limitation on Obliga-
24 tions) (Highway Trust Fund)” for carrying out the provi-
25 sions of section 403 of title 23, United States Code,

1 \$7,000,000, to remain available until September 30, 2023,
2 shall be made available to the National Highway Traffic
3 Safety Administration from the general fund to provide
4 funding for grants, pilot program activities, and innovative
5 solutions to reduce impaired-driving fatalities in collabora-
6 tion with eligible entities under section 403 of title 23,
7 United States Code.

8 SEC. 143. None of the funds in this Act or any other
9 Act shall be used to enforce the requirements of section
10 405(a)(9) of title 23, United States Code.

11 FEDERAL RAILROAD ADMINISTRATION

12 SAFETY AND OPERATIONS

13 For necessary expenses of the Federal Railroad Ad-
14 ministration, not otherwise provided for, \$247,700,000, of
15 which \$30,000,000 shall remain available until expended:
16 *Provided*, That of the amounts made available under this
17 heading, not more than \$2,100,000, to remain available
18 until expended, shall be for the alteration and repair of
19 buildings and improvements for fire and life safety, emer-
20 gency power system, waste and potable water manage-
21 ment, and asbestos abatement projects, to carry out nec-
22 essary railroad safety, training, and research activities at
23 the Transportation Technology Center.

1 RAILROAD RESEARCH AND DEVELOPMENT

2 For necessary expenses for railroad research and de-
3 velopment, \$53,826,000, to remain available until ex-
4 pended.

5 PASSENGER RAIL IMPROVEMENT, MODERNIZATION, AND
6 EXPANSION

7 For investments in railroad infrastructure to improve
8 mobility, operational performance, or growth of intercity
9 rail passenger transportation (as defined in section 24102
10 of title 49, United States Code), \$625,000,000, to remain
11 available until expended: *Provided*, That the Secretary
12 shall distribute amounts made available under this head-
13 ing as discretionary grants to be awarded to a State; a
14 group of States; an Interstate Compact; a public agency
15 or publicly chartered authority established by 1 or more
16 States; a political subdivision of a State; a tribal govern-
17 ment; the National Railroad Passenger Corporation; or a
18 combination of such entities, on a competitive basis: *Pro-*
19 *vided further*, That capital projects eligible for amounts
20 made available under this heading shall be for—

21 (1) providing intercity rail passenger transpor-
22 tation;

23 (2) improving intercity rail passenger transpor-
24 tation performance (including congestion mitigation,
25 reliability improvements, achievement of on-time per-

1 performance standards established under section 207 of
2 the Passenger Rail Investment and Improvement
3 Act of 2008 (49 U.S.C. 24101 note), reduced trip
4 times, increased train frequencies, higher operating
5 speeds, electrification, and other improvements as
6 determined by the Secretary); or

7 (3) expanding or establishing intercity rail pas-
8 senger transportation and facilities, including activi-
9 ties defined in section 26105(2) of title 49, United
10 States Code:

11 *Provided further*, That projects eligible for amounts made
12 available under this heading shall include acquiring, con-
13 structing, or improving infrastructure assets, equipment,
14 or facilities of use in or for the primary benefit of intercity
15 rail passenger transportation (including tunnels, bridges,
16 stations, track and track structures, communication and
17 signalization improvements, electrification, highway-rail
18 grade crossing improvements, and passenger rolling
19 stock): *Provided further*, That projects eligible for amounts
20 made available under this heading shall include planning,
21 developing, designing, engineering, location surveying,
22 mapping, environmental analyses and studies, and acquir-
23 ing rights-of-way or making payments for railroad track-
24 age rights agreements for eligible projects in the second
25 proviso under this heading: *Provided further*, That the

1 Federal share of the costs for which an amount is provided
2 under this heading shall be, at the option of the recipient,
3 up to 90 percent: *Provided further*, That the proceeds of
4 Federal credit assistance under chapter 6 of title 23,
5 United States Code, or sections 501 through 504 of the
6 Railroad Revitalization and Regulatory Reform Act of
7 1976 (Public Law 94–210) shall be considered to be part
8 of the non-Federal share of project costs if the loan is
9 repayable from non-Federal funds, unless otherwise re-
10 quested: *Provided further*, That the National Railroad
11 Passenger Corporation may use ticket and other revenues
12 generated from its operations and other sources to satisfy
13 the non-Federal share of project costs for which an
14 amount is made available under this heading: *Provided*
15 *further*, That projects conducted using amounts made
16 available under this heading shall comply with the grant
17 conditions under section 22905 of title 49, United States
18 Code: *Provided further*, That, notwithstanding the pre-
19 ceding proviso, the Secretary shall apply the domestic buy-
20 ing preferences of section 24305(f) of title 49, United
21 States Code, to projects conducted by the National Rail-
22 road Passenger Corporation using amounts made available
23 under this heading, in lieu of the requirements of section
24 22905(a) of title 49, United States Code: *Provided further*,
25 That the Secretary may withhold up to 2 percent of the

1 amounts made available under this heading for the costs
2 of award and project management oversight of grants.

3 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
4 IMPROVEMENTS

5 For necessary expenses related to consolidated rail
6 infrastructure and safety improvements grants, as author-
7 ized by section 22907 of title 49, United States Code,
8 \$500,000,000, to remain available until expended: *Pro-*
9 *vided*, That of the amounts made available under this
10 heading—

11 (1) not less than \$150,000,000 shall be for
12 projects eligible under section 22907(c)(2) of title
13 49, United States Code, that support the develop-
14 ment of new intercity passenger rail service routes
15 including alignments for existing routes;

16 (2) not less than \$25,000,000 shall be for
17 projects to reduce trespassing on railroad property
18 and along railroad rights-of-way (including capital
19 projects and engineering solutions), suicide preven-
20 tion activities, deployment of trespasser prevention
21 technology, and enforcement activities: *Provided*,
22 That for amounts made available in this paragraph,
23 the Secretary shall give preference to projects that
24 are located in counties with the most pedestrian
25 trespasser casualties; and

1 (3) not more than \$5,000,000 shall be for
2 projects eligible under section 22907(c)(8) of title
3 49, United States Code: *Provided*, That for amounts
4 made available in this paragraph, eligible projects
5 under section 22907(c)(8) of title 49, United States
6 Code, shall also include railroad systems planning
7 (including the preparation of regional intercity pas-
8 senger rail plans and State Rail Plans) and railroad
9 project development activities (including railroad
10 project planning, preliminary engineering, design,
11 environmental analysis, feasibility studies, and the
12 development and analysis of project alternatives):
13 *Provided further*, That the Secretary shall not limit eligible
14 projects from consideration for funding for planning, engi-
15 neering, environmental, construction, and design elements
16 of the same project in the same application: *Provided fur-*
17 *ther*, That section 22907(e)(1)(A) of title 49, United
18 States Code, shall not apply to amounts made available
19 under this heading: *Provided further*, That section
20 22907(e)(1)(A) of title 49, United States Code, shall not
21 apply to amounts made available under this heading in
22 previous fiscal years if such funds are announced in a no-
23 tice of funding opportunity that includes funds made avail-
24 able under this heading: *Provided further*, That unobli-
25 gated balances remaining after 6 years from the date of

1 of 1 percent of the amounts made available under both
2 this heading and the “National Network Grants to the Na-
3 tional Railroad Passenger Corporation” heading to fund
4 the costs of project management and oversight of activities
5 authorized by section 11101(c) of the Fixing America’s
6 Surface Transportation Act (division A of Public Law
7 114–94): *Provided further*, That in addition to the project
8 management oversight funds authorized under section
9 11101(c) of such Act, the Secretary may retain up to an
10 additional \$6,000,000 of the amounts made available
11 under this heading to fund expenses associated with the
12 Northeast Corridor Commission established under section
13 24905 of title 49, United States Code: *Provided further*,
14 That of the amounts made available under this heading
15 and the “National Network Grants to the National Rail-
16 road Passenger Corporation” heading, not less than
17 \$75,000,000 shall be made available to bring Amtrak-
18 served facilities and stations into compliance with the
19 Americans with Disabilities Act of 1990 (42 U.S.C. 12101
20 et seq.).

21 NATIONAL NETWORK GRANTS TO THE NATIONAL

22 RAILROAD PASSENGER CORPORATION

23 To enable the Secretary of Transportation to make
24 grants to the National Railroad Passenger Corporation for
25 activities associated with the National Network as author-

1 ized by section 11101(b) of the Fixing America’s Surface
2 Transportation Act (division A of Public Law 114–94),
3 \$1,500,000,000, to remain available until expended: *Pro-*
4 *vided*, That the Secretary may retain up to an additional
5 \$3,000,000 of the amounts made available under this
6 heading to fund expenses associated with the State-Sup-
7 ported Route Committee established under section 24712
8 of title 49, United States Code: *Provided further*, That
9 none of the funds made available under this heading shall
10 be used by the National Railroad Passenger Corporation
11 to give notice under subsection (a) or (b) of section 24706
12 of title 49, United States Code, with respect to long-dis-
13 tance routes (as defined in section 24102 of title 49,
14 United States Code) on which the National Railroad Pas-
15 senger Corporation is the sole operator on a host railroad’s
16 line and a positive train control system is not required by
17 law or regulation, or, except in an emergency or during
18 maintenance or construction outages impacting such
19 routes, to otherwise discontinue, reduce the frequency of,
20 suspend, or substantially alter the route of rail service on
21 any portion of such route operated in fiscal year 2018,
22 including implementation of service permitted by section
23 24305(a)(3)(A) of title 49, United States Code, in lieu of
24 rail service.

1 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

2 ADMINISTRATION

3 (INCLUDING RESCISSIONS)

4 SEC. 150. None of the funds made available to the
5 National Railroad Passenger Corporation may be used to
6 fund any overtime costs in excess of \$35,000 for any indi-
7 vidual employee: *Provided*, That the President of Amtrak
8 may waive the cap set in the preceding proviso for specific
9 employees when the President of Amtrak determines such
10 a cap poses a risk to the safety and operational efficiency
11 of the system: *Provided further*, That the President of Am-
12 trak shall report to the House and Senate Committees on
13 Appropriations no later than 60 days after the date of en-
14 actment of this Act, a summary of all overtime payments
15 incurred by Amtrak for 2021 and the 3 prior calendar
16 years: *Provided further*, That such summary shall include
17 the total number of employees that received waivers and
18 the total overtime payments Amtrak paid to employees re-
19 ceiving waivers for each month for 2021 and for the 3
20 prior calendar years.

21 SEC. 151. None of the funds made available by this
22 Act may be used by the National Railroad Passenger Cor-
23 poration in contravention of the Worker Adjustment and
24 Retraining Notification Act (29 U.S.C. 2101 et seq.).

1 SEC. 152. The amounts made available to the Sec-
2 retary or to the Federal Railroad Administration for the
3 costs of award and project management oversight of
4 grants which are administered by the Federal Railroad
5 Administration, in this and prior Acts, may be merged to
6 support activities relating to award and project manage-
7 ment oversight of grants administered by the Federal
8 Railroad Administration, in the same manner as appro-
9 priated for in this and prior Acts: *Provided*, That this sec-
10 tion shall not apply to the amounts made available under
11 the headings “Northeast Corridor Grants to the National
12 Railroad Passenger Corporation” and “National Network
13 Grants to the National Railroad Passenger Corporation”
14 in this and prior Acts: *Provided further*, That this section
15 shall not apply to amounts that were previously designated
16 by the Congress as an emergency requirement pursuant
17 to a concurrent resolution on the budget or section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 SEC. 153. Of the unobligated balances of funds re-
21 maining from—

22 (1) “Railroad Safety Grants” accounts totaling
23 \$1,715,414.34 appropriated by the following public
24 laws are hereby permanently rescinded:

1 (A) Public Law 105–277 a total of
2 \$7,052.79 under the heading “Railroad Safe-
3 ty”;

4 (B) Public Law 113–235 a total of
5 \$190,265.91 from section 153 under the head-
6 ing “Administrative Provisions—Federal Rail-
7 road Administration”; and

8 (C) Public Law 114–113 a total of
9 \$1,518,095.64; and

10 (2) “Capital Assistance for High Speed Rail
11 Corridors and Intercity Passenger Rail Service” ac-
12 count totaling \$13,327,006.39 appropriated by Pub-
13 lic Law 111–117 is hereby permanently rescinded.

14 FEDERAL TRANSIT ADMINISTRATION

15 ADMINISTRATIVE EXPENSES

16 For necessary administrative expenses of the Federal
17 Transit Administration’s programs authorized by chapter
18 53 of title 49, United States Code, \$132,500,000 which
19 shall remain available until September 30, 2023: *Provided*,
20 That of the amounts made available under this heading,
21 no more than \$1,000,000 shall be available for the nec-
22 essary expenses of administering funds made available in
23 paragraph (1) under the heading “Highway Infrastructure
24 Programs” and shall remain available until expended: *Pro-*
25 *vided further*, That upon submission to the Congress of

1 the fiscal year 2023 President’s budget, the Secretary of
2 Transportation shall transmit to Congress the annual re-
3 port on capital investment grants, including proposed allo-
4 cations for fiscal year 2023.

5 TRANSIT FORMULA GRANTS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (LIMITATION ON OBLIGATIONS)

8 (HIGHWAY TRUST FUND)

9 For payment of obligations incurred in the Federal
10 Public Transportation Assistance Program in this ac-
11 count, and for payment of obligations incurred in carrying
12 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
13 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
14 5340, as amended by the Fixing America’s Surface Trans-
15 portation Act, section 20005(b) of Public Law 112–141,
16 and section 3006(b) of the Fixing America’s Surface
17 Transportation Act, or any successor surface transpor-
18 tation reauthorization Act authorizing appropriations for
19 fiscal year 2022, \$13,000,000,000, to be derived from the
20 Mass Transit Account of the Highway Trust Fund and
21 to remain available until expended: *Provided*, That funds
22 available for the implementation or execution of programs
23 authorized under 49 U.S.C. 5305, 5307, 5310, 5311,
24 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
25 5340, as amended by the Fixing America’s Surface Trans-

1 portation Act, section 20005(b) of Public Law 112–141,
2 and section 3006(b) of the Fixing America’s Surface
3 Transportation Act, shall not exceed total obligations of
4 \$12,150,348,462 in fiscal year 2022: *Provided further*,
5 That the Federal share of the cost of activities carried
6 out under 49 U.S.C. section 5312 shall not exceed 80 per-
7 cent, except that if there is substantial public interest or
8 benefit, the Secretary may approve a greater Federal
9 share.

10 TRANSIT INFRASTRUCTURE GRANTS

11 For an additional amount for buses and bus facilities
12 grants under section 5339 of title 49, United States Code,
13 low or no emission grants under section 5339(c) of such
14 title, technical assistance and workforce development
15 under section 5314 of such title, competitive grants under
16 sections 5307 and 5311 of such title related to planning
17 for zero emission vehicles, ferry boats grants under section
18 5307(h) of such title, bus testing facilities under section
19 5318 of such title, innovative mobility solutions grants
20 under section 5312 of such title and grants to improve
21 the resilience of transit assets, \$580,000,000, to remain
22 available until expended: *Provided*, That of the sums pro-
23 vided under this heading—

24 (1) \$203,000,000 shall be available for the
25 buses and bus facilities grants as authorized under

1 section 5339(b) of such title: *Provided*, That activi-
2 ties that increase green space surrounding a bus
3 transportation hub structure are eligible for a grant
4 under this paragraph;

5 (2) \$240,000,000 shall be available for the low
6 or no emission grants as authorized under section
7 5339(e) of such title: *Provided*, That the minimum
8 grant award shall be not less than \$750,000: *Pro-*
9 *vided further*, That grants authorized under this
10 paragraph shall only be available for zero-emission
11 buses and the facilities to support those buses;

12 (3) \$5,000,000 shall be provided under section
13 5314 of such title for two centers to provide tech-
14 nical assistance and coordinate the bus industry
15 transition to zero-emission buses;

16 (4) \$5,000,000 shall be available for competi-
17 tive grants to recipients eligible under section 5307
18 and 5311 of such title for the planning of public
19 transportation service associated with the transition
20 to zero-emission bus fleets: *Provided*, That no less
21 than \$1,000,000 shall be available to recipients with
22 fewer than 150 buses within their bus fleets and no
23 less than \$2,000,000 shall be available to recipients
24 with at least 150 but not more than 500 buses with-
25 in their bus fleets;

1 (5) \$20,000,000 shall be available for ferry
2 boat grants as authorized under section 5307(h) of
3 such title: *Provided*, That amounts made available
4 under this subparagraph shall only be available for
5 low or zero-emission ferries or ferries using electric
6 battery or fuel cell components and the infrastruc-
7 ture to support such ferries;

8 (6) \$2,000,000 shall be available for the oper-
9 ation and maintenance of the bus testing facilities
10 selected under section 5318 of such title, and the
11 Federal cost share for such amounts shall be 100
12 percent;

13 (7) \$25,000,000 shall be available for the dem-
14 onstration and deployment of innovative mobility so-
15 lutions as authorized under section 5312 of title 49,
16 United States Code, and the Federal cost share for
17 such amounts shall be 100 percent: *Provided*, That
18 such amounts shall be available for competitive re-
19 search or cooperative agreements that will transform
20 transit systems by modeling, simulating, and imple-
21 menting scenario plans with an emphasis on projects
22 that use artificial intelligence to facilitate planning:
23 *Provided further*, That the Secretary shall provide
24 preference to projects that will improve access to
25 jobs, housing, health care, education, and address

1 food insecurity and shall also address how individ-
2 uals without access to advanced technology will ben-
3 efit from such solutions: *Provided further*, That any
4 applicant from an urbanized area shall integrate the
5 payment structures of all transit agencies within
6 that urbanized area and, to the extent possible,
7 other mobility solutions: *Provided further*, That
8 grants shall be awarded to no more than 5 recipients
9 and the Secretary shall require applicants to provide
10 initial plans before selecting finalists;

11 (8) \$50,000,000 shall be available for not more
12 than five competitive integrated smart mobility
13 grants to recipients eligible under section 5307 and
14 5311 of title 49, United States Code, for planning
15 and capital projects that support the adoption of in-
16 novative approaches to mobility that will improve
17 safety, accessibility, air-quality, and equity in access
18 to community services and economic opportunities,
19 including first and last mile options such as opti-
20 mizing transit route planning and using integrated
21 travel planning and payment systems: *Provided*,
22 That the Secretary shall provide preference to
23 projects that will improve access to jobs, housing,
24 health care, education, and address food insecurity
25 and shall also address how individuals without ac-

1 cess to advanced technology will benefit from such
2 solutions: *Provided further*, That the Secretary shall
3 provide preference to projects that include job reten-
4 tion and retraining for current employees: *Provided*
5 *further*, That an eligible subrecipient is any entity el-
6 igible to be a recipient: *Provided further*, That the
7 Federal share for projects funded under this para-
8 graph shall not exceed 80 percent of the net project
9 cost; and

10 (9) \$30,000,000 shall be available for competi-
11 tive climate resilience and adaptation grants to re-
12 cipients eligible under sections 5307 and 5311 of
13 title 49, United States Code, for capital projects
14 that improve the resilience of transit assets related
15 to climate hazards by protecting transit infrastruc-
16 ture, including stations, tunnels, and tracks, from
17 flooding, extreme temperatures, and other climate-
18 related hazards: *Provided*, That an eligible sub-
19 recipient is any entity eligible to be a recipient: *Pro-*
20 *vided further*, That the Secretary shall take such
21 measures as to ensure an equitable geographic dis-
22 tribution of funds and an equitable distribution of
23 funds among recipients eligible under sections 5307,
24 5311, and 5337 of title 49, United States Code: *Pro-*
25 *vided further*, That not more than 15 percent of the

1 amounts made available under this heading may be
2 awarded to projects in a single state: *Provided fur-*
3 *ther*, That the Federal share for projects funded
4 under this paragraph shall not exceed 80 percent of
5 the net project cost, except that if there is a sub-
6 stantial public interest or benefit, the Secretary may
7 approve a greater Federal share:

8 *Provided further*, That amounts made available by this
9 heading shall be derived from the general fund: *Provided*
10 *further*, That the amounts made available under this head-
11 ing shall not be subject to any limitation on obligations
12 for transit programs set forth in any Act.

13 TECHNICAL ASSISTANCE AND TRAINING

14 For necessary expenses to carry out section 5314 of
15 title 49, United States Code, \$7,500,000, to remain avail-
16 able until September 30, 2023: *Provided*, That the assist-
17 ance provided under this heading does not duplicate the
18 activities of section 5311(b) or section 5312 of title 49,
19 United States Code.

20 CAPITAL INVESTMENT GRANTS

21 For necessary expenses to carry out fixed guideway
22 capital investment grants under section 5309 of title 49,
23 United States Code, and section 3005(b) of the Fixing
24 America's Surface Transportation Act (Public Law 114-
25 94), \$2,473,000,000, to remain available until September

1 30, 2025: *Provided*, That the Secretary shall continue to
2 administer the Capital Investment Grants Program in ac-
3 cordance with the procedural and substantive require-
4 ments of section 5309 of title 49, United States Code, and
5 of section 3005(b) of the Fixing America’s Surface Trans-
6 portation Act: *Provided further*, That projects that receive
7 a grant agreement under the Expedited Project Delivery
8 for Capital Investment Grants Pilot Program under sec-
9 tion 3005(b) of the Fixing America’s Surface Transpor-
10 tation Act shall be deemed eligible for funding provided
11 for projects under section 5309 of title 49, United States
12 Code, without further evaluation or rating under such sec-
13 tion: *Provided further*, That such funding shall not exceed
14 the Federal share under section 3005(b).

15 GRANTS TO THE WASHINGTON METROPOLITAN AREA

16 TRANSIT AUTHORITY

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

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

6 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

7 ADMINISTRATION

8 (INCLUDING RESCISSIONS)

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

14 SEC. 161. Notwithstanding any other provision of
15 law, funds appropriated or limited by this Act under the
16 heading “Capital Investment Grants” of the Federal
17 Transit Administration for projects specified in this Act
18 or identified in the report accompanying this Act not obli-
19 gated by September 30, 2025, and other recoveries, shall
20 be directed to projects eligible to use the funds for the
21 purposes for which they were originally provided.

22 SEC. 162. Notwithstanding any other provision of
23 law, any funds appropriated before October 1, 2021, under
24 any section of chapter 53 of title 49, United States Code,
25 that remain available for expenditure, may be transferred

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

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

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

17 SEC. 165. None of the funds made available by this
18 Act or any other Act shall be used to impede or hinder
19 project advancement or approval for any project seeking
20 a Federal contribution from the capital investment grant
21 program of greater than 40 percent of project costs as
22 authorized under section 5309 of title 49, United States
23 Code.

24 SEC. 166. Of the unobligated amounts made available
25 for prior fiscal years to Formula Grants in Treasury Ac-

1 count 69-X-1129, a total of \$6,734,356 are hereby perma-
2 nently rescinded: *Provided*, That no amounts may be re-
3 scinded from amounts that were designated by the Con-
4 gress as an emergency or disaster relief requirement pur-
5 suant to a concurrent resolution on the budget or the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985.

7 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
8 CORPORATION

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

18 OPERATIONS AND MAINTENANCE
19 (HARBOR MAINTENANCE TRUST FUND)

20 For necessary expenses to conduct the operations,
21 maintenance, and capital infrastructure activities on por-
22 tions of the St. Lawrence Seaway owned, operated, and
23 maintained by the Great Lakes St. Lawrence Seaway De-
24 velopment Corporation, \$40,000,000, to be derived from
25 the Harbor Maintenance Trust Fund, pursuant to section

1 210 of the Water Resources Development Act of 1986 (33
2 U.S.C. 2238): *Provided*, That of the amounts made avail-
3 able under this heading, not more than \$14,500,000 shall
4 be for the seaway infrastructure program: *Provided fur-*
5 *ther*, That \$1,500,000 of the unobligated balances from
6 the amounts made available for capital asset renewal ac-
7 tivities under the heading “Saint Lawrence Seaway Devel-
8 opment Corporation—Operations and Maintenance” in
9 any prior Act may be used to conduct the operations and
10 maintenance of the Seaway International Bridge.

11 MARITIME ADMINISTRATION

12 MARITIME SECURITY PROGRAM

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

18 CABLE SECURITY FLEET

19 For the cable security fleet program, as authorized
20 under chapter 532 of title 46, United States Code,
21 \$10,000,000, to remain available until expended.

22 TANKER SECURITY FLEET

23 For necessary expenses to establish and maintain a
24 fleet of United States-flagged product tank vessels as au-
25 thorized under chapter 534 of title 46, United States

1 Code, \$60,000,000, to remain available until expended:
2 *Provided*, That the amounts made available under this
3 heading shall become available on the effective date speci-
4 fied in section 3511(d)(1) of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283).

7 OPERATIONS AND TRAINING

8 For necessary expenses of operations and training ac-
9 tivities authorized by law, \$171,253,000: *Provided*, That
10 of the amounts made available under this heading—

11 (1) \$83,675,000, to remain available until Sep-
12 tember 30, 2023, shall be for the operations of the
13 United States Merchant Marine Academy;

14 (2) \$10,500,000, to remain available until ex-
15 pended, shall be for facilities maintenance and re-
16 pair, equipment, and capital improvements at the
17 United States Merchant Marine Academy;

18 (3) \$6,000,000, to remain available until Sep-
19 tember 30, 2023, shall be for the Maritime Environ-
20 mental and Technical Assistance program authorized
21 under section 50307 of title 46, United States Code:
22 *Provided*, That not less than \$4,000,000 shall be for
23 activities authorized under subparagraphs (A) and
24 (B) of section 50307(b)(1) of title 46, United States
25 Code, that reduce vessel and port air emissions; and

1 (4) \$14,819,000, to remain available until ex-
2 pended, shall be for the America’s Marine Highway
3 Program to make grants for the purposes authorized
4 under paragraphs (1) and (3) of section 55601(b) of
5 title 46, United States Code: *Provided*, That the
6 Secretary shall give preference to those projects that
7 reduce air emissions and vehicle miles traveled:
8 *Provided further*, That the Administrator of the Maritime
9 Administration shall transmit to the House and Senate
10 Committees on Appropriations the annual report on sexual
11 assault and sexual harassment at the United States Mer-
12 chant Marine Academy as required pursuant to section
13 3510 of the National Defense Authorization Act for Fiscal
14 Year 2017 (46 U.S.C. 51318): *Provided further*, That
15 available balances under this heading for the Short Sea
16 Transportation Program (now known as the America’s
17 Marine Highway Program) from prior year recoveries
18 shall be available to carry out activities authorized under
19 paragraphs (1) and (3) of section 55601(b) of title 46,
20 United States Code.

21 STATE MARITIME ACADEMY OPERATIONS

22 For necessary expenses of operations, support, and
23 training activities for State Maritime Academies,
24 \$363,300,000: *Provided*, That of the amounts made avail-
25 able under this heading—

1 (1) \$30,500,000, to remain available until ex-
2 pended, shall be for maintenance, repair, life exten-
3 sion, insurance, and capacity improvement of Na-
4 tional Defense Reserve Fleet training ships, and for
5 support of training ship operations at the State
6 Maritime Academies, of which not more than
7 \$8,000,000, to remain available until expended, shall
8 be for expenses related to training mariners; and for
9 costs associated with training vessel sharing pursu-
10 ant to section 51504(g)(3) of title 46, United States
11 Code, for costs associated with mobilizing, operating
12 and demobilizing the vessel, including travel costs
13 for students, faculty and crew, the costs of the gen-
14 eral agent, crew costs, fuel, insurance, operational
15 fees, and vessel hire costs, as determined by the Sec-
16 retary;

17 (2) \$320,600,000, to remain available until ex-
18 pended, shall be for the National Security Multi-Mis-
19 sion Vessel Program, including funds for construc-
20 tion, planning, administration, and design of school
21 ships;

22 (3) \$2,400,000, to remain available until Sep-
23 tember 30, 2026, shall be for the Student Incentive
24 Program;

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

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

4 *Provided further*, That projects eligible for amounts made
5 available under this heading shall be only for—

6 (1) port gate improvements;

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

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

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

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

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

1 (7) facilities improvements that reduce port air
2 emissions and environmental impacts (such as elec-
3 trification of port facilities, electric vehicle charging,
4 zero emission vehicle infrastructure, alternative fuel
5 infrastructure, shorepower, and non-road vehicles,
6 engines, and other such facilities used in support of
7 cargo operations);

8 (8) construction activities that improve natural
9 disaster preparedness and resiliency (including miti-
10 gation and adaptation planning); or

11 (9) a combination of activities described above:

12 *Provided further*, That projects eligible for amounts made
13 available under this heading may not include the purchase
14 or installation of fully automated cargo handling equip-
15 ment or terminal infrastructure that is designed for fully
16 automated cargo handling equipment: *Provided further*,
17 That for the purposes of the preceding proviso, “fully
18 automated cargo handling equipment” means cargo han-
19 dling equipment that is remotely operated or remotely
20 monitored and does not require the exercise of human
21 intervention or control: *Provided further*, That a grant
22 award under this heading shall be not less than
23 \$1,000,000: *Provided further*, That the proceeds of Fed-
24 eral credit assistance under chapter 6 of title 23, United
25 States Code, or sections 501 through 504 of the Railroad

1 Revitalization and Regulatory Reform Act of 1976 (Public
2 Law 94–210) shall be considered to be part of the non-
3 Federal share of project costs if the loan is repayable from
4 non-Federal funds, unless otherwise requested.

5 ADMINISTRATIVE PROVISION—MARITIME

6 ADMINISTRATION

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

20 PIPELINE AND HAZARDOUS MATERIALS SAFETY

21 ADMINISTRATION

22 OPERATIONAL EXPENSES

23 For necessary operational expenses of the Pipeline
24 and Hazardous Materials Safety Administration,
25 \$29,100,000, of which \$4,500,000 shall remain available

1 until September 30, 2024: *Provided*, That the Secretary
2 of Transportation shall issue a final rule on automatic and
3 remote-controlled shut-off valves and hazardous liquid
4 pipeline facilities leak detection systems as required under
5 section 4 and section 8 of the Pipeline Safety, Regulatory
6 Certainty, and Job Creation Act of 2011 (Public Law
7 112–90), respectively, not later than 90 days after the
8 date of enactment of this Act: *Provided further*, That the
9 amounts made available under this heading shall be re-
10 duced by \$5,000 per day for each day that such rule has
11 not been issued following the expiration of the deadline
12 set forth in the preceding proviso.

13 HAZARDOUS MATERIALS SAFETY

14 For expenses necessary to discharge the hazardous
15 materials safety functions of the Pipeline and Hazardous
16 Materials Safety Administration, \$66,391,500, to remain
17 available until September 30, 2024: *Provided*, That up to
18 \$800,000 in fees collected under section 5108(g) of title
19 49, United States Code, shall be deposited in the general
20 fund of the Treasury as offsetting receipts: *Provided fur-*
21 *ther*, That there may be credited to this appropriation, to
22 be available until expended, funds received from States,
23 counties, municipalities, other public authorities, and pri-
24 vate sources for expenses incurred for training, for reports
25 publication and dissemination, and for travel expenses in-

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

3 PIPELINE SAFETY

4 (PIPELINE SAFETY FUND)

5 (OIL SPILL LIABILITY TRUST FUND)

6 For expenses necessary to carry out a pipeline safety
7 program, as authorized by section 60107 of title 49,
8 United States Code, and to discharge the pipeline program
9 responsibilities of the Oil Pollution Act of 1990 (Public
10 Law 101–380), \$182,650,000, to remain available until
11 September 30, 2024, of which \$27,650,000 shall be de-
12 rived from the Oil Spill Liability Trust Fund; of which
13 \$146,600,000 shall be derived from the Pipeline Safety
14 Fund; of which \$400,000 shall be derived from the fees
15 collected under section 60303 of title 49, United States
16 Code, and deposited in the Liquefied Natural Gas Siting
17 Account for compliance reviews of liquefied natural gas
18 facilities; and of which \$8,000,000 shall be derived from
19 fees collected under section 60302 of title 49, United
20 States Code, and deposited in the Underground Natural
21 Gas Storage Facility Safety Account for the purpose of
22 carrying out section 60141 of title 49, United States Code:
23 *Provided*, That not less than \$1,058,000 of the amounts
24 made available under this heading shall be for the One-
25 Call State grant program: *Provided further*, That any

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

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

4 For expenses necessary to carry out the Emergency
5 Preparedness Grants program, not more than
6 \$28,318,000 shall remain available until September 30,
7 2024, from amounts made available by section 5116(h)
8 and subsections (b) and (c) of section 5128 of title 49,
9 United States Code: *Provided*, That notwithstanding sec-
10 tion 5116(h)(4) of title 49, United States Code, not more
11 than 4 percent of the amounts made available from this
12 account shall be available to pay administrative costs of
13 carrying out sections 5116, 5107(e), and 5108(g)(2) of
14 title 49, United States Code: *Provided further*, That not-
15 withstanding subsections (b) and (c) of section 5128 of
16 title 49, United States Code, and the limitation on obliga-
17 tions provided under this heading, prior year recoveries
18 recognized in the current year shall be available to develop
19 and deliver hazardous materials emergency response train-
20 ing for emergency responders, including response activities
21 for the transportation of crude oil, ethanol, flammable liq-
22 uids, and other hazardous commodities by rail, consistent
23 with National Fire Protection Association standards, and
24 to make such training available through an electronic for-
25 mat: *Provided further*, That the prior year recoveries made

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

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Inspector
7 General to carry out the provisions of the Inspector Gen-
8 eral Act of 1978, as amended, \$103,150,000: *Provided*,
9 That the Inspector General shall have all necessary au-
10 thority, in carrying out the duties specified in the Inspec-
11 tor General Act, as amended (5 U.S.C. App. 3), to inves-
12 tigate allegations of fraud, including false statements to
13 the government (18 U.S.C. 1001), by any person or entity
14 that is subject to regulation by the Department of Trans-
15 portation.

16 GENERAL PROVISIONS—DEPARTMENT OF

17 TRANSPORTATION

18 SEC. 180. (a) During the current fiscal year, applica-
19 ble appropriations to the Department of Transportation
20 shall be available for maintenance and operation of air-
21 craft; hire of passenger motor vehicles and aircraft; pur-
22 chase of liability insurance for motor vehicles operating
23 in foreign countries on official department business; and
24 uniforms or allowances therefor, as authorized by sections
25 5901 and 5902 of title 5, United States Code.

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

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

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

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

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

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

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

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

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

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

24 SEC. 186. Rebates, refunds, incentive payments,
25 minor fees, and other funds received by the Department

1 of Transportation from travel management centers,
2 charge card programs, the subleasing of building space,
3 and miscellaneous sources are to be credited to appropria-
4 tions of the Department of Transportation and allocated
5 to organizational units of the Department of Transpor-
6 tation using fair and equitable criteria and such funds
7 shall be available until expended.

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

23 SEC. 188. Funds appropriated by this Act to the op-
24 erating administrations may be obligated for the Office of
25 the Secretary for the costs related to assessments or reim-

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

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

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

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

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

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

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

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

20 This title may be cited as the “Department of Trans-
21 portation Appropriations Act, 2022”.

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

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$15,000,000, to remain available until September 30,
13 2023: *Provided*, That not to exceed \$25,000 of the amount
14 made available under this heading shall be available to the
15 Secretary of Housing and Urban Development (referred
16 to in this title as the “Secretary”) for official reception
17 and representation expenses as the Secretary may deter-
18 mine.

19 ADMINISTRATIVE SUPPORT OFFICES

20 For necessary salaries and expenses for Administra-
21 tive Support Offices, \$594,418,000, to remain available
22 until September 30, 2023: *Provided*, That of the sums ap-
23 propriated under this heading—

24 (1) \$77,906,000 shall be available for the Office
25 of the Chief Financial Officer;

1 (2) \$112,274,000 shall be available for the Of-
2 fice of the General Counsel, of which not less than
3 \$20,000,000 shall be for the Departmental Enforce-
4 ment Center;

5 (3) \$276,843,000 shall be available for the Of-
6 fice of the Assistant Secretary for Administration
7 (which includes the Office of Administration, the Of-
8 fice of the Chief Human Capital Officer, and the Of-
9 fice of the Chief Procurement Officer), of which not
10 more than \$5,143,000 may be for modernization and
11 deferred maintenance of the Weaver Building;

12 (4) \$59,652,000 shall be available for the Office
13 of Field Policy and Management;

14 (5) \$4,300,000 shall be available for the Office
15 of Departmental Equal Employment Opportunity;
16 and

17 (6) \$63,443,000 shall be available for the Office
18 of the Chief Information Officer:

19 *Provided further*, That funds made available under this
20 heading may be used for necessary administrative and
21 non-administrative expenses of the Department, not other-
22 wise provided for, including purchase of uniforms, or al-
23 lowances therefor, as authorized by sections 5901 and
24 5902 of title 5, United States Code; hire of passenger
25 motor vehicles; and services as authorized by section 3109

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

11 PROGRAM OFFICES

12 For necessary salaries and expenses for Program Of-
13 fices, \$950,329,000, to remain available until September
14 30, 2023: *Provided*, That of the sums appropriated under
15 this heading—

16 (1) \$258,896,000 shall be available for the Of-
17 fice of Public and Indian Housing, of which not less
18 than \$39,000,000 shall be for the Office of Native
19 American Programs;

20 (2) \$142,381,000 shall be available for the Of-
21 fice of Community Planning and Development;

22 (3) \$412,703,000 shall be available for the Of-
23 fice of Housing, of which not less than \$13,300,000
24 shall be for the Office of Recapitalization;

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

11 PUBLIC AND INDIAN HOUSING

12 TENANT-BASED RENTAL ASSISTANCE

13 For activities and assistance for the provision of ten-
14 ant-based rental assistance authorized under the United
15 States Housing Act of 1937, as amended (42 U.S.C. 1437
16 et seq.) (in this title “the Act”), not otherwise provided
17 for, \$25,215,714,000, to remain available until expended,
18 which shall be available on October 1, 2021 (in addition
19 to the \$4,000,000,000 previously appropriated under this
20 heading that shall be available on October 1, 2021), and
21 \$4,000,000,000, to remain available until expended, which
22 shall be available on October 1, 2022: *Provided*, That the
23 amounts made available under this heading are provided
24 as follows:

1 (1) \$24,950,926,000 shall be available for re-
2 newals of expiring section 8 tenant-based annual
3 contributions contracts (including renewals of en-
4 hanced vouchers under any provision of law author-
5 izing such assistance under section 8(t) of the Act)
6 and including renewal of other special purpose incre-
7 mental vouchers: *Provided*, That notwithstanding
8 any other provision of law, from amounts provided
9 under this paragraph and any carryover, the Sec-
10 retary for the calendar year 2022 funding cycle shall
11 provide renewal funding for each public housing
12 agency based on validated voucher management sys-
13 tem (VMS) leasing and cost data for the prior cal-
14 endar year and by applying an inflation factor as es-
15 tablished by the Secretary, by notice published in
16 the Federal Register, and by making any necessary
17 adjustments for the costs associated with the first-
18 time renewal of vouchers under this paragraph, in-
19 cluding tenant protection and Choice Neighborhoods
20 vouchers: *Provided further*, That costs associated
21 with any foregone increases in tenant rent payments
22 due to the implementation of rent incentives as au-
23 thorized pursuant to waivers or alternative require-
24 ments of the Jobs-Plus initiative as described under
25 the heading “Self-Sufficiency Programs” shall be re-

1 newed: *Provided further*, That funds provided under
2 this paragraph in this Act and prior Acts may be
3 used to fund a total number of unit months under
4 lease which exceeds a public housing agency's au-
5 thorized level of units under contract, except for
6 public housing agencies participating in the Moving
7 to Work (MTW) demonstration, which are instead
8 governed in accordance with the requirements of the
9 MTW demonstration program or their MTW agree-
10 ments, if any: *Provided further*, That amounts
11 repurposed pursuant to the preceding proviso that
12 were previously designated by the Congress as an
13 emergency requirement pursuant to the Balanced
14 Budget and Emergency Deficit Control Act of 1985
15 or a concurrent resolution on the budget are des-
16 ignated by the Congress as an emergency require-
17 ment pursuant to section 1(f), or as being for dis-
18 aster relief pursuant to section 1(g), respectively, of
19 H. Res. 467 as engrossed in the House of Rep-
20 resentatives on June 14, 2021: *Provided further*,
21 That the Secretary shall, to the extent necessary to
22 stay within the amount specified under this para-
23 graph (except as otherwise modified under this para-
24 graph), prorate each public housing agency's alloca-
25 tion otherwise established pursuant to this para-

1 graph: *Provided further*, That except as provided in
2 the following provisos, the entire amount specified
3 under this paragraph (except as otherwise modified
4 under this paragraph) shall be obligated to the pub-
5 lic housing agencies based on the allocation and pro
6 rata method described above, and the Secretary shall
7 notify public housing agencies of their annual budget
8 by the latter of 60 days after enactment of this Act
9 or March 1, 2022: *Provided further*, That the Sec-
10 retary may extend the notification period with the
11 prior written approval of the House and Senate
12 Committees on Appropriations: *Provided further*,
13 That public housing agencies participating in the
14 MTW demonstration shall be funded in accordance
15 with the requirements of the MTW demonstration
16 program or their MTW agreements, if any, and shall
17 be subject to the same pro rata adjustments under
18 the previous provisos: *Provided further*, That the
19 Secretary may offset public housing agencies' cal-
20 endar year 2022 allocations based on the excess
21 amounts of public housing agencies' net restricted
22 assets accounts, including HUD-held programmatic
23 reserves (in accordance with VMS data in calendar
24 year 2021 that is verifiable and complete), as deter-
25 mined by the Secretary: *Provided further*, That pub-

1 lic housing agencies participating in the MTW dem-
2 onstration shall also be subject to the offset, as de-
3 termined by the Secretary, excluding amounts sub-
4 ject to the single fund budget authority provisions of
5 their MTW agreements, from the agencies' calendar
6 year 2022 MTW funding allocation: *Provided fur-*
7 *ther*, That the Secretary shall use any offset referred
8 to in the previous two provisos throughout the cal-
9 endar year to prevent the termination of rental as-
10 sistance for families as the result of insufficient
11 funding, as determined by the Secretary, and to
12 avoid or reduce the proration of renewal funding al-
13 locations: *Provided further*, That up to \$100,000,000
14 shall be available only: (1) for adjustments in the al-
15 locations for public housing agencies, after applica-
16 tion for an adjustment by a public housing agency
17 that experienced a significant increase, as deter-
18 mined by the Secretary, in renewal costs of vouchers
19 (including Mainstream vouchers) resulting from un-
20 foreseen circumstances or from portability under
21 section 8(r) of the Act; (2) for vouchers that were
22 not in use during the previous 12-month period in
23 order to be available to meet a commitment pursu-
24 ant to section 8(o)(13) of the Act, or an adjustment
25 for a funding obligation not yet expended in the pre-

1 vious calendar year for a MTW-eligible activity to
2 develop affordable housing for an agency added to
3 the MTW demonstration under the expansion au-
4 thority provided in section 239 of the Transpor-
5 tation, Housing and Urban Development, and Re-
6 lated Agencies Appropriations Act, 2016 (division L
7 of Public Law 114–113); (3) for adjustments for
8 costs associated with HUD–Veterans Affairs Sup-
9 portive Housing (HUD–VASH) vouchers; (4) for
10 public housing agencies that despite taking reason-
11 able cost savings measures, as determined by the
12 Secretary, would otherwise be required to terminate
13 rental assistance for families, including Mainstream
14 families, as a result of insufficient funding; (5) for
15 adjustments in the allocations for public housing
16 agencies that (i) are leasing a lower-than-average
17 percentage of their authorized vouchers, (ii) have low
18 amounts of budget authority in their net restricted
19 assets accounts and HUD-held programmatic re-
20 serves, relative to other agencies, and (iii) are not
21 participating in the Moving to Work demonstration,
22 to enable such agencies to lease more vouchers; and
23 (6) for public housing agencies that have experi-
24 enced increased costs or loss of units in an area for
25 which the President declared a disaster under title

1 IV of the Robert T. Stafford Disaster Relief and
2 Emergency Assistance Act (42 U.S.C. 5170 et seq.):
3 *Provided further*, That the Secretary shall allocate
4 amounts under the previous proviso based on need,
5 as determined by the Secretary;

6 (2) \$100,000,000 shall be for section 8 rental
7 assistance for relocation and replacement of housing
8 units that are demolished or disposed of pursuant to
9 section 18 of the Act, conversion of section 23
10 projects to assistance under section 8, the family
11 unification program under section 8(x) of the Act,
12 relocation of witnesses (including victims of violent
13 crimes) in connection with efforts to combat crime
14 in public and assisted housing pursuant to a request
15 from a law enforcement or prosecution agency, en-
16 hanced vouchers under any provision of law author-
17 izing such assistance under section 8(t) of the Act,
18 Choice Neighborhood vouchers, mandatory and vol-
19 untary conversions, and tenant protection assistance
20 including replacement and relocation assistance or
21 for project-based assistance to prevent the displace-
22 ment of unassisted elderly tenants currently residing
23 in section 202 properties financed between 1959 and
24 1974 that are refinanced pursuant to Public Law
25 106–569, as amended, or under the authority as

1 provided under this Act: *Provided*, That of the
2 amounts made available under this paragraph, up to
3 \$10,000,000 shall be available to provide public
4 housing agencies with enhanced vouchers for fami-
5 lies residing in State-assisted projects financed be-
6 tween 1970 and 1979 that were subject to a use
7 agreement under the Low-Income Housing Preserva-
8 tion and Resident Homeownership Act of 1990 (title
9 VI of Public Law 101–625; LIHPRHA) or the
10 Emergency Low Income Housing Preservation Act
11 of 1987 (title II of Public Law 100–242; ELIHPA)
12 on the date the affordability protections at such
13 projects expire or terminate during calendar years
14 2021 and 2022: *Provided further*, That the State
15 housing finance agency shall submit the request to
16 the Secretary for enhanced vouchers for families re-
17 siding in such eligible State-assisted projects no
18 later than the latter of 120 days prior to the expira-
19 tion or termination of affordability protections at
20 such projects or 120 days after enactment of this
21 Act: *Provided further*, That such enhanced vouchers
22 shall not be considered replacement vouchers: *Pro-*
23 *vided further*, That when a public housing develop-
24 ment is submitted for demolition or disposition
25 under section 18 of the Act, the Secretary shall pro-

1 vide section 8 rental assistance when the units pose
2 an imminent health and safety risk to residents:
3 *Provided further,* That the Secretary may provide
4 section 8 rental assistance from amounts made
5 available under this paragraph for units assisted
6 under a project-based subsidy contract funded under
7 the “Project-Based Rental Assistance” heading
8 under this title where the owner has received a No-
9 tice of Default and the units pose an imminent
10 health and safety risk to residents: *Provided further,*
11 That to the extent that the Secretary determines
12 that such units are not feasible for continued rental
13 assistance payments or transfer of the subsidy con-
14 tract associated with such units to another project
15 or projects and owner or owners, any remaining
16 amounts associated with such units under such con-
17 tract shall be recaptured and such recaptured
18 amounts, in an amount equal to the cost of rental
19 assistance provided pursuant to the previous proviso,
20 up to the total amounts recaptured, shall be trans-
21 ferred to and merged with amounts used under this
22 paragraph: *Provided further,* That of the amounts
23 made available under this paragraph, no less than
24 \$5,000,000 may be available to provide tenant pro-
25 tection assistance, not otherwise provided under this

1 paragraph, to residents residing in low vacancy
2 areas and who may have to pay rents greater than
3 30 percent of household income, as the result of: (A)
4 the maturity of a HUD-insured, HUD-held, or sec-
5 tion 202 loan that requires the permission of the
6 Secretary prior to loan prepayment; (B) the expira-
7 tion of a rental assistance contract for which the
8 tenants are not eligible for enhanced voucher or ten-
9 ant protection assistance under existing law; or (C)
10 the expiration of affordability restrictions accom-
11 panying a mortgage or preservation program admin-
12 istered by the Secretary: *Provided further*, That such
13 tenant protection assistance made available under
14 the previous proviso may be provided under the au-
15 thority of section 8(t) or section 8(o)(13) of the
16 United States Housing Act of 1937 (42 U.S.C.
17 1437f(t)): *Provided further*, That the Secretary shall
18 issue guidance to implement the previous provisos,
19 including, but not limited to, requirements for defin-
20 ing eligible at-risk households not later than 60 days
21 after the date of enactment of this Act: *Provided*
22 *further*, That any tenant protection voucher made
23 available from amounts under this paragraph shall
24 not be reissued by any public housing agency, except
25 the replacement vouchers as defined by the Sec-

1 retary by notice, when the initial family that re-
2 ceived any such voucher no longer receives such
3 voucher, and the authority for any public housing
4 agency to issue any such voucher shall cease to exist:
5 *Provided further*, That the Secretary may only pro-
6 vide replacement vouchers for units that were occu-
7 pied within the previous 24 months that cease to be
8 available as assisted housing, subject only to the
9 availability of funds;

10 (3) \$2,469,535,000 shall be for administrative
11 and other expenses of public housing agencies in ad-
12 ministering the section 8 tenant-based rental assist-
13 ance program, of which up to \$10,000,000 shall be
14 available to the Secretary to allocate to public hous-
15 ing agencies that need additional funds to admin-
16 ister their section 8 programs, including fees associ-
17 ated with section 8 tenant protection rental assist-
18 ance, the administration of disaster related vouchers,
19 HUD-VASH vouchers, and other special purpose in-
20 cremental vouchers: *Provided*, That no less than
21 \$2,459,535,000 of the amount provided in this para-
22 graph shall be allocated to public housing agencies
23 for the calendar year 2022 funding cycle based on
24 section 8(q) of the Act (and related Appropriation
25 Act provisions) as in effect immediately before the

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

1 thorized under section 8, including related develop-
2 ment activities;

3 (4) \$500,253,000 shall be for the renewal of
4 tenant-based assistance contracts under section 811
5 of the Cranston-Gonzalez National Affordable Hous-
6 ing Act (42 U.S.C. 8013), including necessary ad-
7 ministrative expenses: *Provided*, That administrative
8 and other expenses of public housing agencies in ad-
9 ministering the special purpose vouchers in this
10 paragraph shall be funded under the same terms
11 and be subject to the same pro rata reduction as the
12 percent decrease for administrative and other ex-
13 penses to public housing agencies under paragraph
14 (3) of this heading: *Provided further*, That up to
15 \$10,000,000 shall be available only for (1) adjust-
16 ments in the allocation for public housing agencies,
17 after applications for an adjustment by a public
18 housing agency that experienced a significant in-
19 crease, as determined by the Secretary, in Main-
20 stream renewal costs resulting from unforeseen cir-
21 cumstances, and (2) public housing agencies that de-
22 spite taking reasonable cost saving measures, as de-
23 termined by the Secretary, would otherwise be re-
24 quired to terminate the rental assistance for Main-
25 stream families as a result of insufficient funding:

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

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

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

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

1 (6) \$20,000,000 shall be for incremental rental
2 voucher assistance for use through a supported
3 housing program administered in conjunction with
4 the Department of Veterans Affairs as authorized
5 under section 8(o)(19) of the United States Housing
6 Act of 1937: *Provided*, That the Secretary of Hous-
7 ing and Urban Development shall make such fund-
8 ing available, notwithstanding section 203 (competi-
9 tion provision) of this title, to public housing agen-
10 cies that partner with eligible VA Medical Centers or
11 other entities as designated by the Secretary of Vet-
12 erans Affairs, based on geographical need for such
13 assistance as identified by the Secretary of Veterans
14 Affairs, public housing agency administrative per-
15 formance, and other factors as specified by the Sec-
16 retary of Housing and Urban Development in con-
17 sultation with the Secretary of Veterans Affairs:
18 *Provided further*, That of the amounts made avail-
19 able under this paragraph, up to \$5,000,000 may be
20 allocated to public housing agencies administering
21 temporary case management and supportive services
22 to HUD-VASH eligible veterans that have not yet
23 received a referral from the Department of Veterans
24 Affairs: *Provided further*, That the Secretary of
25 Housing and Urban Development may waive, or

1 specify alternative requirements for (in consultation
2 with the Secretary of Veterans Affairs), any provi-
3 sion of any statute or regulation that the Secretary
4 of Housing and Urban Development administers in
5 connection with the use of funds made available
6 under this paragraph (except for requirements re-
7 lated to fair housing, nondiscrimination, labor stand-
8 ards, and the environment), upon a finding by the
9 Secretary that any such waivers or alternative re-
10 quirements are necessary for the effective delivery
11 and administration of such voucher assistance: *Pro-*
12 *vided further*, That assistance made available under
13 this paragraph shall continue to remain available for
14 homeless veterans upon turn-over;

15 (7) \$25,000,000 shall be made available for the
16 family unification program as authorized under sec-
17 tion 8(x) of the Act: *Provided*, That the amounts
18 made available under this paragraph are provided as
19 follows:

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

1 (B) \$20,000,000 shall be for new incre-
2 mental voucher assistance to assist eligible
3 youth as defined by such section 8(x)(2)(B) of
4 the Act: *Provided*, That assistance made avail-
5 able under this subparagraph shall continue to
6 remain available for such eligible youth upon
7 turnover: *Provided further*, That of the total
8 amount made available under this subpara-
9 graph, up to \$10,000,000 shall be available on
10 a noncompetitive basis to public housing agen-
11 cies that partner with public child welfare agen-
12 cies to identify such eligible youth, that request
13 such assistance to timely assist such eligible
14 youth, and that meet any other criteria as spec-
15 ified by the Secretary: *Provided further*, That
16 the Secretary shall review utilization of the as-
17 sistance made available under the previous pro-
18 viso, at an interval to be determined by the Sec-
19 retary, and unutilized voucher assistance that is
20 no longer needed shall be recaptured by the
21 Secretary and reallocated pursuant to the pre-
22 vious proviso:
23 *Provided further*, That for any public housing agency
24 administering voucher assistance appropriated in a
25 prior Act under the family unification program, or

1 made available and competitively selected under this
2 paragraph, that determines that it no longer has an
3 identified need for such assistance upon turnover,
4 such agency shall notify the Secretary, and the Sec-
5 retary shall recapture such assistance from the agen-
6 cy and reallocate it to any other public housing
7 agency or agencies based on need for voucher assist-
8 ance in connection with such specified program or
9 eligible youth, as applicable;

10 (8) \$1,000,000,000 shall be made available for
11 new incremental voucher assistance under section
12 8(o) of the United States Housing Act of 1937 to
13 be allocated pursuant to a method, as determined by
14 the Secretary, which may include a formula that
15 may include such factors as severe cost burden, over-
16 crowding, substandard housing for very low-income
17 renters, homelessness, and administrative capacity,
18 where such allocation method shall include both
19 rural and urban areas: *Provided*, That the Secretary
20 may specify additional terms and conditions to en-
21 sure that public housing agencies provide vouchers
22 for use by survivors of domestic violence, or individ-
23 uals and families who are homeless, as defined in
24 section 103(a) of the McKinney-Vento Homeless As-
25 sistance Act (42 U.S.C. 11302(a)), or at risk of

1 homelessness, as defined in section 401(1) of such
2 Act (42 U.S.C. 11360(1));

3 (9) \$150,000,000 shall be for mobility-related
4 services, as defined by the Secretary, for voucher
5 families with children modeled after services pro-
6 vided in connection with the mobility demonstration
7 authorized under section 235 of division G of the
8 Consolidated Appropriations Act, 2019 (42 U.S.C.
9 1437f note; Public Law 116–6), *Provided*, That the
10 Secretary shall make funding available to public
11 housing agencies on a competitive basis and shall
12 give preference to public housing agencies with high-
13 er concentrations of housing choice voucher families
14 with children residing in high-poverty neighborhoods:
15 *Provided further*, That the Secretary may recapture
16 from the public housing agencies unused balances
17 based on utilization of such awards and reallocate
18 such amounts to any other public housing agency or
19 agencies based on need for such mobility-related
20 services as identified under such competition; and

21 (10) the Secretary shall separately track all
22 special purpose vouchers funded under this heading.

1 HOUSING CERTIFICATE FUND

2 (INCLUDING RESCISSIONS)

3 Unobligated balances, including recaptures and car-
4 ryover, remaining from funds appropriated to the Depart-
5 ment of Housing and Urban Development under this
6 heading, the heading “Annual Contributions for Assisted
7 Housing” and the heading “Project-Based Rental Assist-
8 ance”, for fiscal year 2022 and prior years may be used
9 for renewal of or amendments to section 8 project-based
10 contracts and for performance-based contract administra-
11 tors, notwithstanding the purposes for which such funds
12 were appropriated: *Provided*, That any obligated balances
13 of contract authority from fiscal year 1974 and prior fiscal
14 years that have been terminated shall be rescinded: *Pro-*
15 *vided further*, That amounts heretofore recaptured, or re-
16 captured during the current fiscal year, from section 8
17 project-based contracts from source years fiscal year 1975
18 through fiscal year 1987 are hereby rescinded, and an
19 amount of additional new budget authority, equivalent to
20 the amount rescinded is hereby appropriated, to remain
21 available until expended, for the purposes set forth under
22 this heading, in addition to amounts otherwise available.

23 PUBLIC HOUSING FUND

24 For 2022 payments to public housing agencies for the
25 operation and management of public housing, as author-

1 ized by section 9(e) of the United States Housing Act of
2 1937 (42 U.S.C. 1437g(e)) (in this heading “the Act”),
3 and to carry out capital and management activities for
4 public housing agencies, as authorized under section 9(d)
5 of the Act (42 U.S.C. 1437g(d)), \$8,640,000,000, to re-
6 main available until September 30, 2025: *Provided*, That
7 the amounts made available under this heading are pro-
8 vided as follows:

9 (1) \$4,897,000,000 shall be available to the
10 Secretary to allocate pursuant to the Operating
11 Fund formula at part 990 of title 24, Code of Fed-
12 eral Regulations, for 2022 payments: *Provided*, That
13 the amount of any forgone increases in tenant rent
14 payments due to the implementation of rent incen-
15 tives as authorized pursuant to waivers or alter-
16 native requirements of the Jobs-Plus initiative as de-
17 scribed under the heading “Self-Sufficiency Pro-
18 grams” shall be factored into the public housing
19 agencies’ general operating fund eligibility pursuant
20 to such formula;

21 (2) \$25,000,000 shall be available to the Sec-
22 retary to allocate pursuant to a need-based applica-
23 tion process notwithstanding section 203 of this title
24 and not subject to such Operating Fund formula to
25 public housing agencies that experience, or are at

1 risk of, financial shortfalls, as determined by the
2 Secretary: *Provided*, That after all such shortfall
3 needs are met, the Secretary may distribute any re-
4 maining funds to all public housing agencies on a
5 pro-rata basis pursuant to such Operating Fund for-
6 mula;

7 (3) \$3,400,000,000 shall be available to the
8 Secretary to allocate pursuant to the Capital Fund
9 formula at section 905.400 of title 24, Code of Fed-
10 eral Regulations: *Provided*, That for funds provided
11 under this paragraph, the limitation in section
12 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
13 *ther*, That the Secretary may waive the limitation in
14 the previous proviso to allow public housing agencies
15 to fund activities authorized under section
16 9(e)(1)(C) of the Act: *Provided further*, That the
17 Secretary shall notify public housing agencies re-
18 questing waivers under the previous proviso if the
19 request is approved or denied within 14 days of sub-
20 mitting the request: *Provided further*, That from the
21 funds made available under this paragraph, the Sec-
22 retary shall provide bonus awards in fiscal year
23 2022 to public housing agencies that are designated
24 high performers: *Provided further*, That the Depart-
25 ment shall notify public housing agencies of their

1 formula allocation not later than 60 days after the
2 date of enactment of this Act;

3 (4) \$65,000,000 shall be available for the Sec-
4 retary to make grants, notwithstanding section 203
5 of this title, to public housing agencies for emer-
6 gency capital needs, including safety and security
7 measures necessary to address crime and drug-re-
8 lated activity, as well as needs resulting from unfore-
9 seen or unpreventable emergencies and natural dis-
10 asters excluding Presidentially declared emergencies
11 and natural disasters under the Robert T. Stafford
12 Disaster Relief and Emergency Act (42 U.S.C. 5121
13 et seq.) occurring in fiscal year 2022, of which
14 \$45,000,000 shall be available for public housing
15 agencies under administrative and judicial receiver-
16 ships or under the control of a Federal monitor:
17 *Provided*, That of the amount made available under
18 this paragraph, not less than \$10,000,000 shall be
19 for safety and security measures: *Provided further*,
20 That in addition to the amount in the previous pro-
21 viso for such safety and security measures, any
22 amounts that remain available, after all applications
23 received on or before September 30, 2023, for emer-
24 gency capital needs have been processed, shall be al-

1 located to public housing agencies for such safety
2 and security measures;

3 (5) \$65,000,000 shall be for competitive grants
4 to public housing agencies to evaluate and reduce
5 lead-based paint hazards in public housing by car-
6 rying out the activities of risk assessments, abate-
7 ment, and interim controls (as those terms are de-
8 fined in section 1004 of the Residential Lead-Based
9 Paint Hazard Reduction Act of 1992 (42 U.S.C.
10 4851b)) and for competitive grants to public housing
11 agencies for activities authorized under the Healthy
12 Homes Initiative, pursuant to sections 501 and 502
13 of the Housing and Urban Development Act of
14 1970, which shall include research, studies, testing,
15 and demonstration efforts, including education and
16 outreach concerning mold, radon, carbon monoxide
17 poisoning, fires, and other housing-related diseases
18 and hazards: *Provided*, That for purposes of environ-
19 mental review, a grant under this paragraph shall be
20 considered funds for projects or activities under title
21 I of the United States Housing Act of 1937 (42
22 U.S.C. 1437 et seq.) for purposes of section 26 of
23 such Act (42 U.S.C. 1437x) and shall be subject to
24 the regulations implementing such section: *Provided*
25 *further*, That amounts made available under this

1 paragraph may be combined with amounts made
2 available under this paragraph in the Consolidated
3 Appropriations Act, 2021 (Public Law 116–260)
4 and used in accordance with the purposes and re-
5 quirements under this paragraph: *Provided*, That of
6 the amounts made available under this paragraph,
7 up to \$5,000,000 may be used for a radon testing
8 and mitigation resident safety demonstration pro-
9 gram (the radon demonstration) in public housing
10 under the same terms and conditions under this
11 heading in paragraph (9) of the Consolidated Appro-
12 priations Act, 2021 (Public Law 116–260): *Provided*
13 *further*, That amounts made available under this
14 paragraph may be used for competitive grants to
15 public housing agencies that improve water and en-
16 ergy efficiency, or reduce the risk of harm to occu-
17 pants or property from natural hazards;

18 (6) \$15,000,000 shall be to support the costs of
19 administrative and judicial receiverships and for
20 competitive grants to PHAs in receivership, des-
21 ignated troubled or substandard, or otherwise at
22 risk, as determined by the Secretary, for costs asso-
23 ciated with public housing asset improvement, in ad-
24 dition to other amounts for that purpose provided
25 under any heading under this title; and

1 (7) \$23,000,000 shall be to support ongoing
2 public housing financial and physical assessment ac-
3 tivities;

4 (8) \$100,000,000 shall be for competitive
5 grants to public housing agencies for capital im-
6 provements to reduce utility consumption or improve
7 the climate resilience of public housing: *Provided*,
8 That for purposes of environmental review, grants
9 under this paragraph shall be considered funds for
10 projects or activities under title I of the United
11 States Housing Act of 1937 (42 U.S.C. 1437 et
12 seq.) for purposes of section 26 of such Act (42
13 U.S.C. 1437x) and shall be subject to the regula-
14 tions implementing such section; and

15 (9) \$50,000,000 shall be available for public
16 housing to promote energy and water efficiency ini-
17 tiatives, including an Energy Performance Contract
18 Incentive pilot program for public housing author-
19 ized under section 9(e)(2)(C) of the United States
20 Housing Act of 1937 and utilities benchmarking re-
21 quired pursuant to sections 990.185(c) and 990.190
22 of title 24, Code of Federal Regulations: *Provided*,
23 That to enable innovative strategies within the En-
24 ergy Performance Contract Incentive pilot program,
25 the Secretary may waive such statutory and regu-

1 latory requirements as may be necessary to permit
2 public housing agencies to propose alternative energy
3 performance contract incentives or requirements and
4 to carry out innovative approaches to program ad-
5 ministration: *Provided further*, That for purposes of
6 environmental review, grants under this paragraph
7 shall be considered funds for projects or activities
8 under title I of the United States Housing Act of
9 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
10 tion 26 of such Act (42 U.S.C. 1437x) and shall be
11 subject to the regulations implementing such section:
12 *Provided further*, That notwithstanding any other provi-
13 sion of law or regulation, during fiscal year 2022, the Sec-
14 retary of Housing and Urban Development may not dele-
15 gate to any Department official other than the Deputy
16 Secretary and the Assistant Secretary for Public and In-
17 dian Housing any authority under paragraph (2) of sec-
18 tion 9(j) of the Act regarding the extension of the time
19 periods under such section: *Provided further*, That for pur-
20 poses of such section 9(j), the term “obligate” means, with
21 respect to amounts, that the amounts are subject to a
22 binding agreement that will result in outlays, immediately
23 or in the future.

1 CHOICE NEIGHBORHOODS INITIATIVE

2 For competitive grants under the Choice Neighbor-
3 hoods Initiative (subject to section 24 of the United States
4 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
5 specified under this heading), for transformation, rehabili-
6 tation, and replacement housing needs of public and
7 HUD-assisted housing and to transform neighborhoods of
8 poverty into functioning, sustainable, mixed-income neigh-
9 borhoods with appropriate services, schools, public assets,
10 transportation, and access to jobs, \$400,000,000, to re-
11 main available until September 30, 2026: *Provided*, That
12 grant funds may be used for resident and community serv-
13 ices, community development, and affordable housing
14 needs in the community, and for conversion of vacant or
15 foreclosed properties to affordable housing: *Provided fur-*
16 *ther*, That not more than 20 percent of the amount of any
17 grant made with amounts made available under this head-
18 ing may be used for necessary supportive services notwith-
19 standing subsection (d)(1)(L) of such section 24: *Provided*
20 *further*, That the use of amounts made available under
21 this heading shall not be deemed to be for public housing,
22 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
23 *ther*, That grantees shall commit to an additional period
24 of affordability determined by the Secretary of not fewer
25 than 20 years: *Provided further*, That the Secretary may

1 specify a period of affordability that is less than 20 years
2 with respect to homeownership units developed with
3 grants from amounts made available under this heading:
4 *Provided further*, That grantees shall provide a match in
5 State, local, other Federal, or private funds: *Provided fur-*
6 *ther*, That grantees may include local governments, tribal
7 entities, public housing agencies, and nonprofit organiza-
8 tions: *Provided further*, That for-profit developers may
9 apply jointly with a public entity: *Provided further*, That
10 for purposes of environmental review, a grantee shall be
11 treated as a public housing agency under section 26 of
12 the United States Housing Act of 1937 (42 U.S.C. 1437x)
13 and grants from amounts made available under this head-
14 ing shall be subject to the regulations issued by the Sec-
15 retary to implement such section: *Provided further*, That
16 of the amounts made available under this heading, not less
17 than \$200,000,000 shall be awarded to public housing
18 agencies: *Provided further*, That such grantees shall create
19 partnerships with other local organizations, including as-
20 sisted housing owners, service agencies, and resident orga-
21 nizations: *Provided further*, That the Secretary shall con-
22 sult with the Secretaries of Education, Labor, Transpor-
23 tation, Health and Human Services, Agriculture, and
24 Commerce, the Attorney General, and the Administrator
25 of the Environmental Protection Agency to coordinate and

1 leverage other appropriate Federal resources: *Provided*
2 *further*, That not more than \$10,000,000 of the amounts
3 made available under this heading may be provided as
4 grants to undertake comprehensive local planning with
5 input from residents and the community: *Provided further*,
6 That unobligated balances, including recaptures, remain-
7 ing from amounts made available under the heading “Re-
8 vitalization of Severely Distressed Public Housing (HOPE
9 VI)” in fiscal year 2011 and prior fiscal years may be used
10 for purposes under this heading, notwithstanding the pur-
11 poses for which such amounts were appropriated: *Provided*
12 *further*, That the Secretary shall issue the Notice of Fund-
13 ing Opportunity for amounts made available under this
14 heading not later than 90 days after the date of enactment
15 of this Act: *Provided further*, That the Secretary shall
16 make grant awards not later than 1 year after the date
17 of enactment of this Act in such amounts that the Sec-
18 retary determines: *Provided further*, That notwithstanding
19 section 24(o) of the United States Housing Act of 1937
20 (42 U.S.C. 1437v(o)), the Secretary may, until September
21 30, 2022, obligate any available unobligated balances
22 made available under this heading in this or any prior Act.

23 SELF-SUFFICIENCY PROGRAMS

24 For activities and assistance related to Self-Suffi-
25 ciency Programs, to remain available until September 30,

1 2025, \$200,000,000: *Provided*, That the amounts made
2 available under this heading are provided as follows:

3 (1) \$150,000,000 shall be for the Family Self-
4 Sufficiency program to support family self-suffi-
5 ciency coordinators under section 23 of the United
6 States Housing Act of 1937 (42 U.S.C. 1437u), to
7 promote the development of local strategies to co-
8 ordinate the use of assistance under sections 8 and
9 9 of such Act with public and private resources, and
10 to enable eligible families to achieve economic inde-
11 pendence and self-sufficiency: *Provided*, That the
12 Secretary may, by notice published in the Federal
13 Register, waive or specify alternative requirements
14 for the requirements under subsections (b)(3),
15 (b)(4), (b)(5), or (c)(1) of section 23 of such Act in
16 order to facilitate the operation of a unified self-suf-
17 ficiency program for individuals receiving assistance
18 under different provisions of such Act, as deter-
19 mined by the Secretary: *Provided further*, That upon
20 the Secretary issuing a final rule for the proposed
21 rule entitled “Streamlining and Implementation of
22 Economic Growth, Regulatory Relief, and Consumer
23 Protection Act Changes to Family Self-Sufficiency
24 (FSS) Program” published in the Federal Register
25 on September 21, 2020 (85 Fed. Reg. 59234) or

1 any final rule based substantially on such proposed
2 rule, an owner or sponsor of a multifamily property
3 receiving project-based rental assistance under sec-
4 tion 8 of such Act shall be eligible to receive awards
5 from the Secretary under this paragraph in this and
6 prior Acts to support family self-sufficiency coordi-
7 nators: *Provided further*, That owners or sponsors of
8 a multifamily property receiving project-based rental
9 assistance under section 8 of such Act may volun-
10 tarily make a Family Self-Sufficiency program avail-
11 able to the assisted tenants of such property in ac-
12 cordance with procedures established by the Sec-
13 retary: *Provided further*, That such procedures es-
14 tablished pursuant to the preceding proviso shall
15 permit participating tenants to accrue escrow funds
16 in accordance with section 23(d)(2) of such Act and
17 shall allow owners to use funding from residual re-
18 ceipt accounts to hire coordinators for their own
19 Family Self-Sufficiency program;

20 (2) \$35,000,000 shall be for the Resident Op-
21 portunity and Self-Sufficiency program to provide
22 for supportive services, service coordinators, and
23 congregate services, as authorized by section 34 of
24 the United States Housing Act of 1937 (42 U.S.C.
25 1437z-6) and the Native American Housing Assist-

1 ance and Self-Determination Act of 1996 (25 U.S.C.
2 4101 et seq.); and

3 (3) \$15,000,000 shall be for a Jobs-Plus initia-
4 tive modeled after the Jobs-Plus demonstration: *Pro-*
5 *vided*, That amounts made available in this para-
6 graph shall be for competitive grants to public hous-
7 ing agencies or owners or sponsors of multifamily
8 properties receiving project-based rental assistance
9 under section 8 that, in partnership with, local work-
10 force investment boards established under section
11 107 of the Workforce Innovation and Opportunity
12 Act of 2014 (29 U.S.C. 3122), and other agencies
13 and organizations that provide support to help pub-
14 lic housing residents, or tenants residing in a unit
15 assisted under a project-based section 8 contract (in-
16 cluding section 8(o)(13) of the United States Hous-
17 ing Act of 1973), obtain employment or increase
18 earnings, or both: *Provided further*, That applicants
19 shall demonstrate the ability to provide services to
20 such residents or tenants, partner with workforce in-
21 vestment boards, and leverage service dollars: *Pro-*
22 *vided further*, That the Secretary may allow public
23 housing agencies to request exemptions from rent
24 and income limitation requirements under sections 3
25 and 6 of the United States Housing Act of 1937 (42

1 U.S.C. 1437a, 1437d), as necessary to implement
2 the Jobs-Plus program, on such terms and condi-
3 tions as the Secretary may approve upon a finding
4 by the Secretary that any such waivers or alternative
5 requirements are necessary for the effective imple-
6 mentation of the Jobs-Plus initiative as a voluntary
7 program for residents: *Provided further*, That the
8 Secretary shall publish a notice in the Federal Reg-
9 ister of any waivers or alternative requirements pur-
10 suant to the preceding proviso not later than 10
11 days before the effective date of such notice: *Pro-*
12 *vided further*, That the costs of any rent incentives
13 as authorized pursuant to such waivers or alter-
14 native requirements shall not be charged against the
15 competitive grant amounts made available in this
16 paragraph.

17 NATIVE AMERICAN PROGRAMS

18 For activities and assistance authorized under title
19 I of the Native American Housing Assistance and Self-
20 Determination Act of 1996 (in this heading
21 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the
22 Housing and Community Development Act of 1974 (42
23 U.S.C. 5301 et seq.) with respect to Indian tribes, and
24 related training and technical assistance, \$950,000,000,
25 to remain available until September 30, 2026: *Provided*,

1 That the amounts made available under this heading are
2 provided as follows:

3 (1) \$722,000,000 shall be for the Native Amer-
4 ican Housing Block Grants program, as authorized
5 under title I of NAHASDA: *Provided*, That, not-
6 withstanding NAHASDA, to determine the amount
7 of the allocation under title I of such Act for each
8 Indian tribe, the Secretary shall apply the formula
9 under section 302 of such Act with the need compo-
10 nent based on single-race census data and with the
11 need component based on multi-race census data,
12 and the amount of the allocation for each Indian
13 tribe shall be the greater of the two resulting alloca-
14 tion amounts: *Provided further*, That the Secretary
15 shall notify grantees of their formula allocation not
16 later than 60 days after the date of enactment of
17 this Act;

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

1 retary shall consider need and administrative capaci-
2 ty, and shall give priority to projects that will spur
3 construction and rehabilitation of housing: *Provided*
4 *further*, That the Secretary may also give priority to
5 projects that improve water or energy efficiency or
6 increase resilience to natural hazards for housing
7 units owned, operated, or assisted by eligible recipi-
8 ents authorized under NAHASDA: *Provided further*,
9 That a grant funded pursuant to this paragraph
10 shall be in an amount not greater than \$5,000,000:
11 *Provided further*, That any amounts transferred for
12 the necessary costs of administering and overseeing
13 the obligation and expenditure of such additional
14 amounts in prior Acts may also be used for the nec-
15 essary costs of administering and overseeing such
16 additional amount;

17 (3) \$1,000,000 shall be for the cost of guaran-
18 teed notes and other obligations, as authorized by
19 title VI of NAHASDA: *Provided*, That such costs,
20 including the costs of modifying such notes and
21 other obligations, shall be as defined in section 502
22 of the Congressional Budget Act of 1974 (2 U.S.C.
23 661a): *Provided further*, That for fiscal year 2022
24 amounts made available in this Act for the cost of
25 guaranteed notes and other obligations and any un-

1 obligated balances, including recaptures and carry-
2 over, remaining from amounts made available for
3 this purpose under this heading or under the head-
4 ing “Native American Housing Block Grants” in
5 prior Acts shall be available to subsidize the total
6 principal amount of any notes and other obligations,
7 any part of which is to be guaranteed, not to exceed
8 \$50,000,000;

9 (4) \$70,000,000 shall be for grants to Indian
10 tribes for carrying out the Indian Community Devel-
11 opment Block Grant program under title I of the
12 Housing and Community Development Act of 1974,
13 notwithstanding section 106(a)(1) of such Act, of
14 which, notwithstanding any other provision of law
15 (including section 203 of this Act), not more than
16 \$4,000,000 may be used for emergencies that con-
17 stitute imminent threats to health and safety: *Pro-*
18 *vided*, That not to exceed 20 percent of any grant
19 made with amounts made available in this para-
20 graph shall be expended for planning and manage-
21 ment development and administration: *Provided fur-*
22 *ther*, That the Secretary may give priority to
23 projects that include activities that improve water or
24 energy efficiency or increase resilience to natural
25 hazards; and

1 (5) \$7,000,000 shall be for providing training
2 and technical assistance to Indian tribes, Indian
3 housing authorities, and tribally designated housing
4 entities, to support the inspection of Indian housing
5 units, for contract expertise, and for training and
6 technical assistance related to amounts made avail-
7 able under this heading and other headings in this
8 Act for the needs of Native American families and
9 Indian country: *Provided*, That of the amounts made
10 available in this paragraph, not less than \$2,000,000
11 shall be for a national organization as authorized
12 under section 703 of NAHASDA (25 U.S.C. 4212):
13 *Provided further*, That amounts made available in
14 this paragraph may be used, contracted, or com-
15 peted as determined by the Secretary: *Provided fur-*
16 *ther*, That notwithstanding chapter 63 of title 31,
17 United States Code (commonly known as the Fed-
18 eral Grant and Cooperative Agreements Act of
19 1977), the amounts made available in this para-
20 graph may be used by the Secretary to enter into co-
21 operative agreements with public and private organi-
22 zations, agencies, institutions, and other technical
23 assistance providers to support the administration of
24 negotiated rulemaking under section 106 of
25 NAHASDA (25 U.S.C. 4116), the administration of

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

5 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
6 ACCOUNT

7 For the cost of guaranteed loans, as authorized by
8 section 184 of the Housing and Community Development
9 Act of 1992 (12 U.S.C. 1715z–13a), \$3,000,000, to re-
10 main available until expended: *Provided*, That such costs,
11 including the costs of modifying such loans, shall be as
12 defined in section 502 of the Congressional Budget Act
13 of 1974 (2 U.S.C. 661a): *Provided further*, That an addi-
14 tional \$500,000, to remain available until expended, shall
15 be for administrative contract expenses, including manage-
16 ment processes to carry out the loan guarantee program:
17 *Provided further*, That for fiscal year 2022 amounts made
18 available in this and prior Acts for the cost of guaranteed
19 loans, as authorized by section 184 of the Housing and
20 Community Development Act of 1992 (12 U.S.C. 1715z–
21 13a), that are unobligated, including recaptures and car-
22 ryover, shall be available to subsidize total loan principal,
23 any part of which is to be guaranteed, not to exceed
24 \$1,400,000,000, to remain available until September 30,
25 2023.

1 NATIVE HAWAIIAN HOUSING BLOCK GRANT

2 For the Native Hawaiian Housing Block Grant pro-
3 gram, as authorized under title VIII of the Native Amer-
4 ican Housing Assistance and Self-Determination Act of
5 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain
6 available until September 30, 2026: *Provided*, That not-
7 withstanding section 812(b) of such Act (25 U.S.C.
8 4231(b)), the Department of Hawaiian Home Lands may
9 not invest grant amounts made available under this head-
10 ing in investment securities and other obligations: *Pro-*
11 *vided further*, That amounts made available under this
12 heading in this and prior fiscal years may be used to pro-
13 vide rental assistance to eligible Native Hawaiian families
14 both on and off the Hawaiian Home Lands, notwith-
15 standing any other provision of law.

16 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

17 PROGRAM ACCOUNT

18 New commitments to guarantee loans, as authorized
19 by section 184A of the Housing and Community Develop-
20 ment Act of 1992 (12 U.S.C. 1715z–13b), any part of
21 which is to be guaranteed, shall not exceed \$28,000,000
22 in total loan principal: *Provided*, That the Secretary may
23 enter into commitments to guarantee loans used for refi-
24 nancing.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

3 For carrying out the Housing Opportunities for Per-
4 sons with AIDS program, as authorized by the AIDS
5 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
6 \$600,000,000, to remain available until September 30,
7 2023, except that amounts allocated pursuant to section
8 854(c)(5) of such Act shall remain available until Sep-
9 tember 30, 2024: *Provided*, That prior to allocating
10 amounts under this heading pursuant to the allocation for-
11 mula under section 854(c) of such Act, the Secretary shall
12 set aside no more than \$6,000,000 of the total amount
13 made available under this heading and shall allocate such
14 amount (notwithstanding such section 854(c)) as an addi-
15 tional amount to all grantees that would experience a re-
16 duced formula allocation in fiscal year 2022 when com-
17 pared to the fiscal year 2021 allocation, in an amount pro-
18 portional to the reduction: *Provided further*, That the Sec-
19 retary shall allocate amounts in the previous proviso such
20 that allocations to such grantees do not exceed 105 per-
21 cent of their fiscal year 2021 allocations: *Provided further*,
22 That any amounts remaining from the amount set aside
23 and allocated under the previous two provisos may be allo-
24 cated pursuant to section 854(c)(5) of such Act: *Provided*
25 *further*, That in awarding nonformula amounts the Sec-

1 retary shall give first priority to the renewal or replace-
2 ment of expiring contracts for permanent supportive hous-
3 ing that initially were funded under section 854(c)(5) of
4 such Act from funds made available under this heading
5 in fiscal year 2010 and prior fiscal years for grantees of
6 such expiring contracts that propose to integrate best
7 practices in a new or updated service model or dem-
8 onstrate the effectiveness of current service models: *Pro-*
9 *vided further*, That in the event a grantee's application
10 under the previous proviso does not meet the requirements
11 for such priority, the Secretary may renew such contract
12 for a period not to exceed 1 year and shall give priority
13 for new awards to applicants that propose to serve the
14 jurisdiction or jurisdictions previously served by such
15 grantee: *Provided further*, That the Secretary shall also
16 give priority to any applicants that propose models that
17 include a measurable demonstration outcome: *Provided*
18 *further*, That the application process for such nonformula
19 amounts that applies such priorities, including the process
20 for submitting and approving proposals for the renewal
21 or replacement of such contracts, shall be established by
22 the Secretary in a notice: *Provided further*, That the De-
23 partment shall notify grantees of their formula allocation
24 not later than 60 days after the date of enactment of this
25 Act.

1 COMMUNITY DEVELOPMENT FUND

2 For carrying out the community development block
3 grant program under title I of the Housing and Commu-
4 nity Development Act of 1974, as amended (42 U.S.C.
5 5301 et seq.) (in this heading “the 1974 Act”),
6 \$4,688,000,000, to remain available until September 30,
7 2024, unless otherwise specified: *Provided*, That unless ex-
8 plicitly provided for under this heading, not to exceed 20
9 percent of any grant made with funds made available
10 under this heading shall be expended for planning and
11 management development and administration: *Provided*
12 *further*, That a metropolitan city, urban county, unit of
13 general local government, or insular area that directly or
14 indirectly receives funds under this heading may not sell,
15 trade, or otherwise transfer all or any portion of such
16 funds to another such entity in exchange for any other
17 funds, credits, or non-Federal considerations, but shall use
18 such funds for activities eligible under title I of the 1974
19 Act: *Provided further*, That notwithstanding section
20 105(e)(1) of the 1974 Act, no funds made available under
21 this heading may be provided to a for-profit entity for an
22 economic development project under section 105(a)(17)
23 unless such project has been evaluated and selected in ac-
24 cordance with guidelines required under subsection (e)(2)
25 of section 105: *Provided further*, That of the total amount

1 provided under this heading, up to \$25,000,000 shall be
2 for activities authorized under section 8071 of the SUP-
3 PORT for Patients and Communities Act (Public Law
4 115–271): *Provided further*, That the funds allocated pur-
5 suant to the preceding proviso shall not adversely affect
6 the amount of any formula assistance received by a state
7 under this heading: *Provided further*, That the Secretary
8 shall allocate the funds for such activities based on the
9 notice establishing the funding formula published in the
10 Federal Register on April 17, 2019 (84 Fed. Reg. 16027)
11 except that the formula shall use age-adjusted rates of
12 drug overdose deaths for 2018 based on data from the
13 Centers for Disease Control and Prevention: *Provided fur-*
14 *ther*, That of the amount made available under this head-
15 ing, not more than \$935,500,000 shall be available for
16 grants for the Economic Development Initiative (EDI) to
17 finance a variety of targeted housing, economic, and com-
18 munity development investments for the purposes, and in
19 the amounts, specified for this account in the table titled
20 “Incorporation of Community Project Funding” included
21 in the report accompanying this Act and in accordance
22 with the terms and conditions specified in such report:
23 *Provided further*, That the Secretary shall not waive or
24 specify alternative requirements related to fair housing,
25 nondiscrimination, labor standards, and the environment

1 in connection with the obligation by the Secretary or the
2 use by the recipient of amounts made available in the pre-
3 ceding proviso: *Provided further*, That none of the
4 amounts made available in the previous two provisos shall
5 be used for reimbursement of expenses incurred prior to
6 the obligation of funds: *Provided further*, That the Depart-
7 ment of Housing and Urban Development shall notify
8 grantees of their formula allocation not later than 60 days
9 after the date of enactment of this Act.

10 COMMUNITY DEVELOPMENT LOAN GUARANTEES

11 PROGRAM ACCOUNT

12 Subject to section 502 of the Congressional Budget
13 Act of 1974 (2 U.S.C. 661a), during fiscal year 2022,
14 commitments to guarantee loans under section 108 of the
15 Housing and Community Development Act of 1974 (42
16 U.S.C. 5308), any part of which is guaranteed, shall not
17 exceed a total principal amount of \$300,000,000, notwith-
18 standing any aggregate limitation on outstanding obliga-
19 tions guaranteed in subsection (k) of such section 108:
20 *Provided*, That the Secretary shall collect fees from bor-
21 rowers, notwithstanding subsection (m) of such section
22 108, to result in a credit subsidy cost of zero for guaran-
23 teeing such loans, and any such fees shall be collected in
24 accordance with section 502(7) of the Congressional
25 Budget Act of 1974: *Provided further*, That such commit-

1 ment authority funded by fees may be used to guarantee,
2 or make commitments to guarantee, notes or other obliga-
3 tions issued by any State on behalf of non-entitlement
4 communities in the State in accordance with the require-
5 ments of such section 108: *Provided further*, That any
6 State receiving such a guarantee or commitment under the
7 preceding proviso shall distribute all funds subject to such
8 guarantee to the units of general local government in non-
9 entitlement areas that received the commitment.

10 HOME INVESTMENT PARTNERSHIPS PROGRAM

11 For the HOME Investment Partnerships program, as
12 authorized under title II of the Cranston-Gonzalez Na-
13 tional Affordable Housing Act, as amended (42 U.S.C.
14 12721 et seq.), \$1,850,000,000, to remain available until
15 September 30, 2025: *Provided*, That of the amount made
16 available under this heading, up to \$50,000,000 shall be
17 for awards to States and insular areas for assistance to
18 homebuyers as authorized under section 212(a)(1) of such
19 Act (42 U.S.C. 12742(a)(1)), in addition to amounts oth-
20 erwise available for such purpose: *Provided further*, That
21 amounts made available under the preceding proviso shall
22 be allocated in the same manner as amounts otherwise
23 made available under this heading, except that amounts
24 that would have been reserved and allocated to units of
25 general local government within the State pursuant to sec-

1 tion 217 of such Act (42 U.S.C. 12747) shall be provided
2 to the State: *Provided further*, That the Secretary may
3 waive or specify alternative requirements for any provision
4 of such Act in connection with the use of amounts made
5 available under the previous two provisos (except for re-
6 quirements related to fair housing, nondiscrimination,
7 labor standards, and the environment) upon a finding that
8 any such waivers or alternative requirements are nec-
9 essary to expedite or facilitate the use of amounts awarded
10 pursuant to the preceding provisos: *Provided further*, That
11 notwithstanding section 231(b) of such Act (42 U.S.C.
12 12771(b)), all unobligated balances remaining from
13 amounts recaptured pursuant to such section that remain
14 available until expended shall be combined with amounts
15 made available under this heading and allocated in accord-
16 ance with the formula under section 217(b)(1)(A) of such
17 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That
18 the Department shall notify grantees of their formula allo-
19 cations not later than 60 days after the date of enactment
20 of this Act: *Provided further*, That section 218(g) of such
21 Act (42 U.S.C. 12748(g)) shall not apply with respect to
22 the right of a jurisdiction to draw funds from its HOME
23 Investment Trust Fund that otherwise expired or would
24 expire in 2016, 2017, 2018, 2019, 2020, 2021, 2022,
25 2023, or 2024 under that section: *Provided further*, That

1 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not
2 apply to any uninvested funds that otherwise were de-
3 ducted or would be deducted from the line of credit in
4 the participating jurisdiction's HOME Investment Trust
5 Fund in 2018, 2019, 2020, 2021, 2022, 2023, or 2024
6 under that section.

7 SELF-HELP AND ASSISTED HOMEOWNERSHIP

8 OPPORTUNITY PROGRAM

9 For the Self-Help and Assisted Homeownership Op-
10 portunity Program, as authorized under section 11 of the
11 Housing Opportunity Program Extension Act of 1996 (42
12 U.S.C. 12805 note), and for related activities and assist-
13 ance, \$65,000,000, to remain available until September
14 30, 2024: *Provided*, That the amounts made available
15 under this heading are provided as follows:

16 (1) \$15,000,000 shall be for the Self-Help
17 Homeownership Opportunity Program as authorized
18 under such section 11;

19 (2) \$45,000,000 shall be for the second, third,
20 and fourth capacity building entities specified in sec-
21 tion 4(a) of the HUD Demonstration Act of 1993
22 (42 U.S.C. 9816 note), of which not less than
23 \$5,000,000 shall be for rural capacity building ac-
24 tivities; and

1 and the Rural Housing Stability Assistance pro-
2 grams authorized under subtitle D of such title IV
3 (42 U.S.C. 11408): *Provided further*, That the Sec-
4 retary shall prioritize funding under the Continuum
5 of Care program to continuums of care that have
6 demonstrated a capacity to reallocate funding from
7 lower performing projects to higher performing
8 projects: *Provided further*, That the Secretary shall
9 provide incentives to create projects that coordinate
10 with housing providers and healthcare organizations
11 to provide permanent supportive housing and rapid
12 re-housing services: *Provided further*, That the of the
13 amounts made available for the Continuum of Care
14 program under this paragraph, not less than
15 \$52,000,000 shall be for the grants for new rapid
16 re-housing and supportive service projects providing
17 coordinated entry, and for eligible activities that the
18 Secretary determines to be critical in order to assist
19 survivors of domestic violence, dating violence, sex-
20 ual assault or stalking: *Provided further*, That
21 amounts made available for the Continuum of Care
22 program under this heading in this Act and any re-
23 maining unobligated balances from prior Acts may
24 be used to competitively or non-competitively renew
25 or replace grants for youth homeless demonstration

1 projects under the Continuum of Care program, not-
2 withstanding any conflict with the requirements of
3 the Continuum of Care program;

4 (3) up to \$7,000,000 shall be for the national
5 homeless data analysis project: *Provided further*,
6 That notwithstanding the provisions of the Federal
7 Grant and Cooperative Agreements Act of 1977 (31
8 U.S.C. 6301–6308), the amounts made available
9 under this paragraph and any remaining unobligated
10 balances under this heading for such purposes in
11 prior Acts may be used by the Secretary to enter
12 into cooperative agreements with such entities as
13 may be determined by the Secretary, including pub-
14 lic and private organizations, agencies, and institu-
15 tions; and

16 (4) up to \$92,000,000 shall be to implement
17 projects to demonstrate how a comprehensive ap-
18 proach to serving homeless youth, age 24 and under,
19 in up to 25 communities with a priority for commu-
20 nities with substantial rural populations in up to
21 eight locations, can dramatically reduce youth home-
22 lessness: *Provided further*, That of the amount made
23 available under this paragraph, up to \$10,000,000
24 shall be to provide technical assistance on improving
25 system responses to youth homelessness, and collec-

1 tion, analysis, use, and reporting of data and per-
2 formance measures under the comprehensive ap-
3 proaches to serve homeless youth, in addition to and
4 in coordination with other technical assistance funds
5 provided under this title: *Provided further*, That the
6 Secretary may use up to 10 percent of the amount
7 made available under the previous proviso to build
8 the capacity of current technical assistance providers
9 or to train new technical assistance providers with
10 verifiable prior experience with systems and pro-
11 grams for youth experiencing homelessness:

12 *Provided further*, That youth aged 24 and under seeking
13 assistance under this heading shall not be required to pro-
14 vide third party documentation to establish their eligibility
15 under subsection (a) or (b) of section 103 of the McKin-
16 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
17 receive services: *Provided further*, That unaccompanied
18 youth aged 24 and under or families headed by youth aged
19 24 and under who are living in unsafe situations may be
20 served by youth-serving providers funded under this head-
21 ing: *Provided further*, That persons eligible under section
22 103(a)(5) of the McKinney-Vento Homeless Assistance
23 Act may be served by any project funded under this head-
24 ing to provide both transitional housing and rapid re-hous-
25 ing: *Provided further*, That for all matching funds require-

1 ments applicable to funds made available under this head-
2 ing for this fiscal year and prior fiscal years, a grantee
3 may use (or could have used) as a source of match funds
4 other funds administered by the Secretary and other Fed-
5 eral agencies unless there is (or was) a specific statutory
6 prohibition on any such use of any such funds: *Provided*
7 *further*, That none of the funds made available under this
8 heading shall be available to provide funding for new
9 projects, except for projects created through reallocation,
10 unless the Secretary determines that the continuum of
11 care has demonstrated that projects are evaluated and
12 ranked based on the degree to which they improve the con-
13 tinuum of care's system performance: *Provided further*,
14 That any unobligated amounts remaining from funds
15 made available under this heading in fiscal year 2012 and
16 prior years for project-based rental assistance for rehabili-
17 tation projects with 10-year grant terms may be used for
18 purposes under this heading, notwithstanding the pur-
19 poses for which such funds were appropriated: *Provided*
20 *further*, That unobligated balances, including recaptures
21 and carryover, remaining from funds transferred to or ap-
22 propriated under this heading in fiscal year 2019 or prior
23 years, except for rental assistance amounts that were re-
24 captured and made available until expended, shall be avail-
25 able for the current purposes authorized under this head-

1 ing in addition to the purposes for which such funds origi-
2 nally were appropriated.

3 HOUSING PROGRAMS

4 PROJECT-BASED RENTAL ASSISTANCE

5 For activities and assistance for the provision of
6 project-based subsidy contracts under the United States
7 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
8 heading “the Act”), not otherwise provided for,
9 \$13,610,000,000, to remain available until expended,
10 which shall be available on October 1, 2021 (in addition
11 to the \$400,000,000 previously appropriated under this
12 heading that became available October 1, 2021), and
13 \$400,000,000, to remain available until expended, which
14 shall be available on October 1, 2022: *Provided*, That the
15 amounts made available under this heading shall be for
16 expiring or terminating section 8 project-based subsidy
17 contracts (including section 8 moderate rehabilitation con-
18 tracts), for amendments to section 8 project-based subsidy
19 contracts (including section 8 moderate rehabilitation con-
20 tracts), for contracts entered into pursuant to section 441
21 of the McKinney-Vento Homeless Assistance Act (42
22 U.S.C. 11401), for renewal of section 8 contracts for units
23 in projects that are subject to approved plans of action
24 under the Emergency Low Income Housing Preservation
25 Act of 1987 or the Low-Income Housing Preservation and

1 Resident Homeownership Act of 1990, and for administra-
2 tive and other expenses associated with project-based ac-
3 tivities and assistance funded under this heading: *Provided*
4 *further*, That the amount of any foregone increases in ten-
5 ant rent payments due to the implementation of rent in-
6 centives as authorized pursuant to waivers or alternative
7 requirements of the Jobs-Plus initiative as described
8 under the heading “Self-Sufficiency Programs” shall be
9 factored into housing assistance payments under project-
10 based subsidy contracts: *Provided further*, That of the
11 total amounts made available under this heading, not to
12 exceed \$355,000,000 shall be for performance-based con-
13 tract administrators or contractors for section 8 project-
14 based assistance, for carrying out 42 U.S.C. 1437f: *Pro-*
15 *vided further*, That the Secretary may also use such
16 amounts made available in the preceding proviso for per-
17 formance-based contract administrators or contractors for
18 the administration of:

19 (1) interest reduction payments pursuant to
20 section 236(a) of the National Housing Act (12
21 U.S.C. 1715z-1(a));

22 (2) rent supplement payments pursuant to sec-
23 tion 101 of the Housing and Urban Development
24 Act of 1965 (12 U.S.C. 1701s);

1 (3) rental assistance payments under section
2 236(f)(2) of the National Housing Act (12 U.S.C.
3 1715z-1(f)(2));

4 (4) project rental assistance contracts for hous-
5 ing for the elderly under section 202(c)(2) of the
6 Housing Act of 1959 (12 U.S.C. 1701q(c)(2));

7 (5) project rental assistance contracts for sup-
8 portive housing for persons with disabilities under
9 section 811(d)(2) of the Cranston-Gonzalez National
10 Affordable Housing Act (42 U.S.C. 8013(d)(2));

11 (6) project assistance contracts pursuant to sec-
12 tion 202(h) of the Housing Act of 1959 (Public Law
13 86-372; 73 Stat. 667); and

14 (7) loans under section 202 of the Housing Act
15 of 1959 (12 U.S.C. 1701q):

16 *Provided further*, That amounts recaptured under this
17 heading, the heading “Annual Contributions for Assisted
18 Housing”, or the heading “Housing Certificate Fund”,
19 may be used for renewals of or amendments to section
20 8 project-based contracts or for performance-based con-
21 tract administrators or contractors, notwithstanding the
22 purposes for which such amounts were appropriated: *Pro-*
23 *vided further*, That of the total amounts made available
24 under this heading, \$10,000,000 shall be for tenant capac-
25 ity-building and technical assistance activities authorized

1 under section 514(f) of the Multifamily Assisted Housing
2 Reform and Affordability Act of 1997, notwithstanding
3 the amount specified in such section: *Provided further*,
4 That, notwithstanding any other provision of law, upon
5 the request of the Secretary, project funds that are held
6 in residual receipts accounts for any project subject to a
7 section 8 project-based Housing Assistance Payments con-
8 tract that authorizes the Department or a housing finance
9 agency to require that surplus project funds be deposited
10 in an interest-bearing residual receipts account and that
11 are in excess of an amount to be determined by the Sec-
12 retary, shall be remitted to the Department and deposited
13 in this account, to be available until expended: *Provided*
14 *further*, That amounts deposited pursuant to the preceding
15 proviso shall be available in addition to the amount other-
16 wise provided under this heading for uses authorized
17 under this heading.

18 HOUSING FOR THE ELDERLY

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

1 term, for senior preservation rental assistance contracts,
2 including renewals, as authorized by section 811(e) of the
3 American Homeownership and Economic Opportunity Act
4 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
5 ices associated with the housing, \$1,033,000,000 to re-
6 main available until September 30, 2025: *Provided*, That
7 the Secretary may give preference to capital advance
8 projects that promote water and energy efficiency or are
9 resilient to natural hazards: *Provided further*, That of the
10 amount made available under this heading, up to
11 \$125,000,000 shall be for service coordinators and the
12 continuation of existing congregate service grants for resi-
13 dents of assisted housing projects: *Provided further*, That
14 amounts made available under this heading shall be avail-
15 able for Real Estate Assessment Center inspections and
16 inspection-related activities associated with section 202
17 projects: *Provided further*, That the Secretary may waive
18 the provisions of section 202 governing the terms and con-
19 ditions of project rental assistance, except that the initial
20 contract term for such assistance shall not exceed 5 years
21 in duration: *Provided further*, That upon request of the
22 Secretary, project funds that are held in residual receipts
23 accounts for any project subject to a section 202 project
24 rental assistance contract, and that upon termination of
25 such contract are in excess of an amount to be determined

1 by the Secretary, shall be remitted to the Department and
2 deposited in this account, to remain available until Sep-
3 tember 30, 2025: *Provided further*, That amounts depos-
4 ited in this account pursuant to the previous proviso shall
5 be available, in addition to the amounts otherwise provided
6 by this heading, for the purposes authorized under this
7 heading: *Provided further*, That unobligated balances, in-
8 cluding recaptures and carryover, remaining from funds
9 transferred to or appropriated under this heading shall be
10 available for the current purposes authorized under this
11 heading in addition to the purposes for which such funds
12 originally were appropriated: *Provided further*, That of the
13 total amount made available under this heading, up to
14 \$10,000,000 shall be used to expand the supply of inter-
15 generational dwelling units (as such term is defined in sec-
16 tion 202 of the Legacy Act of 2003 (12 U.S.C. 1701q
17 note)) for elderly caregivers raising children: *Provided fur-*
18 *ther*, That for the purposes of the previous proviso the Sec-
19 retary may waive, or specify alternative requirements for,
20 any provision of section 202 of the Housing Act of 1959
21 (12 U.S.C. 1701q) in order to facilitate the development
22 of such units, except for requirements related to fair hous-
23 ing, nondiscrimination, labor standards, and the environ-
24 ment.

1 HOUSING FOR PERSONS WITH DISABILITIES

2 For capital advances, including amendments to cap-
3 ital advance contracts, for supportive housing for persons
4 with disabilities, as authorized by section 811 of the Cran-
5 ston-Gonzalez National Affordable Housing Act (42
6 U.S.C. 8013), for project rental assistance for supportive
7 housing for persons with disabilities under section
8 811(d)(2) of such Act, for project assistance contracts
9 pursuant to subsection (h) of section 202 of the Housing
10 Act of 1959, as added by section 205(a) of the Housing
11 and Community Development Amendments of 1978 (Pub-
12 lic Law 95–557: 92 Stat. 2090), including amendments
13 to contracts for such assistance and renewal of expiring
14 contracts for such assistance for up to a 1-year term, for
15 project rental assistance to State housing finance agencies
16 and other appropriate entities as authorized under section
17 811(b)(3) of the Cranston-Gonzalez National Affordable
18 Housing Act, and for supportive services associated with
19 the housing for persons with disabilities as authorized by
20 section 811(b)(1) of such Act, \$352,000,000, to remain
21 available until September 30, 2025: *Provided*, That the
22 Secretary may give preference to capital advance projects
23 that promote water and energy efficiency or are resilient
24 to natural hazards: *Provided further*, That amounts made
25 available under this heading shall be available for Real Es-

1 tate Assessment Center inspections and inspection-related
2 activities associated with section 811 projects: *Provided*
3 *further*, That unobligated balances, including recaptures
4 and carryover, remaining from funds transferred to or ap-
5 propriated under this heading shall be used for the current
6 purposes authorized under this heading in addition to the
7 purposes for which such funds originally were appro-
8 priated.

9 HOUSING COUNSELING ASSISTANCE

10 For contracts, grants, and other assistance excluding
11 loans, as authorized under section 106 of the Housing and
12 Urban Development Act of 1968 (12 U.S.C. 1701x)
13 \$100,000,000, to remain available until September 30,
14 2023, including up to \$4,500,000 for administrative con-
15 tract services: *Provided*, That funds shall be used for pro-
16 viding counseling and advice to tenants and homeowners,
17 both current and prospective, with respect to property
18 maintenance, financial management or literacy, and such
19 other matters as may be appropriate to assist them in im-
20 proving their housing conditions, meeting their financial
21 needs, and fulfilling the responsibilities of tenancy or
22 homeownership, for program administration, and for hous-
23 ing counselor training: *Provided further*, That for purposes
24 of awarding grants from amounts made available under
25 this heading, the Secretary may enter into multiyear

1 agreements, as appropriate, subject to the availability of
2 annual appropriations.

3 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
4 FUND

5 For necessary expenses as authorized by the National
6 Manufactured Housing Construction and Safety Stand-
7 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
8 \$14,000,000, to remain available until expended, of which
9 \$14,000,000 shall be derived from the Manufactured
10 Housing Fees Trust Fund (established under section
11 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
12 not to exceed the total amount appropriated under this
13 heading shall be available from the general fund of the
14 Treasury to the extent necessary to incur obligations and
15 make expenditures pending the receipt of collections to the
16 Fund pursuant to section 620 of such Act: *Provided fur-*
17 *ther*, That the amount made available under this heading
18 from the general fund shall be reduced as such collections
19 are received during fiscal year 2022 so as to result in a
20 final fiscal year 2022 appropriation from the general fund
21 estimated at zero, and fees pursuant to such section 620
22 shall be modified as necessary to ensure such a final fiscal
23 year 2022 appropriation: *Provided further*, That for the
24 dispute resolution and installation programs, the Sec-
25 retary may assess and collect fees from any program par-

1 ticipant: *Provided further*, That such collections shall be
2 deposited into the Trust Fund, and the Secretary, as pro-
3 vided herein, may use such collections, as well as fees col-
4 lected under section 620 of such Act, for necessary ex-
5 penses of such Act: *Provided further*, That, notwith-
6 standing the requirements of section 620 of such Act, the
7 Secretary may carry out responsibilities of the Secretary
8 under such Act through the use of approved service pro-
9 viders that are paid directly by the recipients of their serv-
10 ices.

11 FEDERAL HOUSING ADMINISTRATION

12 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

13 New commitments to guarantee single family loans
14 insured under the Mutual Mortgage Insurance Fund shall
15 not exceed \$400,000,000,000, to remain available until
16 September 30, 2023: *Provided*, That during fiscal year
17 2022, obligations to make direct loans to carry out the
18 purposes of section 204(g) of the National Housing Act
19 (12 U.S.C. 1710(g)), as amended, shall not exceed
20 \$1,000,000: *Provided further*, That the foregoing amount
21 in the previous proviso shall be for loans to nonprofit and
22 governmental entities in connection with sales of single
23 family real properties owned by the Secretary and for-
24 merly insured under the Mutual Mortgage Insurance
25 Fund: *Provided further*, That for administrative contract

1 expenses of the Federal Housing Administration,
2 \$150,000,000, to remain available until September 30,
3 2023: *Provided further*, That notwithstanding the limita-
4 tion in the first sentence of section 255(g) of the National
5 Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year
6 2022 the Secretary may insure and enter into new com-
7 mitments to insure mortgages under section 255 of the
8 National Housing Act only to the extent that the net cred-
9 it subsidy cost for such insurance does not exceed zero.

10 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

11 New commitments to guarantee loans insured under
12 the General and Special Risk Insurance Funds, as author-
13 ized by sections 238 and 519 of the National Housing Act
14 (12 U.S.C. 1715z–3 and 1735c), shall not exceed
15 \$30,000,000,000 in total loan principal, any part of which
16 is to be guaranteed, to remain available until September
17 30, 2023: *Provided*, That during fiscal year 2022, gross
18 obligations for the principal amount of direct loans, as au-
19 thorized by sections 204(g), 207(l), 238, and 519(a) of
20 the National Housing Act, shall not exceed \$1,000,000,
21 which shall be for loans to nonprofit and governmental en-
22 tities in connection with the sale of single family real prop-
23 erties owned by the Secretary and formerly insured under
24 such Act.

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

4 New commitments to issue guarantees to carry out
5 the purposes of section 306 of the National Housing Act,
6 as amended (12 U.S.C. 1721(g)), shall not exceed
7 \$900,000,000,000, to remain available until September
8 30, 2023: *Provided*, That \$35,000,000, to remain avail-
9 able until September 30, 2023, shall be for necessary sala-
10 ries and expenses of the Government National Mortgage
11 Association: *Provided further*, That to the extent that
12 guaranteed loan commitments exceed \$155,000,000,000
13 on or before April 1, 2022, an additional \$100 for nec-
14 essary salaries and expenses shall be available until ex-
15 pended for each \$1,000,000 in additional guaranteed loan
16 commitments (including a pro rata amount for any
17 amount below \$1,000,000), but in no case shall funds
18 made available by this proviso exceed \$3,000,000: *Pro-*
19 *vided further*, That receipts from Commitment and
20 Multiclass fees collected pursuant to title III of the Na-
21 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
22 ited as offsetting collections to this account.

1 POLICY DEVELOPMENT AND RESEARCH

2 RESEARCH AND TECHNOLOGY

3 For contracts, grants, and necessary expenses of pro-
4 grams of research and studies relating to housing and
5 urban problems, not otherwise provided for, as authorized
6 by title V of the Housing and Urban Development Act
7 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
8 out the functions of the Secretary of Housing and Urban
9 Development under section 1(a)(1)(i) of Reorganization
10 Plan No. 2 of 1968, and for technical assistance,
11 \$165,000,000, to remain available until September 30,
12 2023: *Provided*, That with respect to amounts made avail-
13 able under this heading, notwithstanding section 203 of
14 this title, the Secretary may enter into cooperative agree-
15 ments with philanthropic entities, other Federal agencies,
16 State or local governments and their agencies, Indian
17 Tribes, tribally designated housing entities, or colleges or
18 universities for research projects: *Provided further*, That
19 with respect to the preceding proviso, such partners to the
20 cooperative agreements shall contribute at least a 50 per-
21 cent match toward the cost of the project: *Provided fur-*
22 *ther*, That for non-competitive agreements entered into in
23 accordance with the preceding two provisos, the Secretary
24 shall comply with section 2(b) of the Federal Funding Ac-
25 countability and Transparency Act of 2006 (Public Law

1 109–282, 31 U.S.C. note) in lieu of compliance with sec-
2 tion 102(a)(4)(C) of the Department of Housing and
3 Urban Development Reform Act of 1989 (42 U.S.C.
4 3545(a)(4)(C)) with respect to documentation of award
5 decisions: *Provided further*, That prior to obligation of
6 technical assistance funding, the Secretary shall submit a
7 plan to the House and Senate Committees on Appropria-
8 tions on how the Secretary will allocate funding for this
9 activity at least 30 days prior to obligation: *Provided fur-*
10 *ther*, That none of the funds provided under this heading
11 may be available for the doctoral dissertation research
12 grant program: *Provided further*, That an additional
13 \$20,000,000, to remain available until September 30,
14 2024, shall be for competitive grants to nonprofit or gov-
15 ernmental entities to provide legal assistance (including
16 assistance related to pretrial activities, trial activities,
17 post-trial activities and alternative dispute resolution) at
18 no cost to eligible low-income tenants at risk of or subject
19 to eviction: *Provided further*, That in awarding grants
20 under the preceding proviso, the Secretary shall give pref-
21 erence to applicants that include a marketing strategy for
22 residents of areas with high rates of eviction, have experi-
23 ence providing no-cost legal assistance to low-income indi-
24 viduals, including those with limited English proficiency
25 or disabilities, and have sufficient capacity to administer

1 such assistance: *Provided further*, That the Secretary shall
2 ensure, to the extent practicable, that the proportion of
3 eligible tenants living in rural areas who will receive legal
4 assistance with grant funds made available under this
5 heading is not less than the overall proportion of eligible
6 tenants who live in rural areas.

7 FAIR HOUSING AND EQUAL OPPORTUNITY

8 FAIR HOUSING ACTIVITIES

9 For contracts, grants, and other assistance, not oth-
10 erwise provided for, as authorized by title VIII of the Civil
11 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section
12 561 of the Housing and Community Development Act of
13 1987 (42 U.S.C. 3616a), \$85,000,000, to remain available
14 until September 30, 2023: *Provided*, That notwithstanding
15 section 3302 of title 31, United States Code, the Secretary
16 may assess and collect fees to cover the costs of the Fair
17 Housing Training Academy, and may use such funds to
18 develop on-line courses and provide such training: *Pro-*
19 *vided further*, That none of the funds made available under
20 this heading may be used to lobby the executive or legisla-
21 tive branches of the Federal Government in connection
22 with a specific contract, grant, or loan: *Provided further*,
23 That of the funds made available under this heading,
24 \$1,000,000 shall be available to the Secretary for the cre-
25 ation and promotion of translated materials and other pro-

1 grams that support the assistance of persons with limited
2 English proficiency in utilizing the services provided by
3 the Department of Housing and Urban Development.

4 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
5 HOMES

6 LEAD HAZARD REDUCTION
7 (INCLUDING TRANSFER OF FUNDS)

8 For the Lead Hazard Reduction Program, as author-
9 ized by section 1011 of the Residential Lead-Based Paint
10 Hazard Reduction Act of 1992 (42 U.S.C. 4852), and for
11 related activities and assistance, \$460,000,000, to remain
12 available until September 30, 2024: *Provided*, That the
13 amounts made available under this heading are provided
14 as follows:

15 (1) \$310,000,000 shall be for the award of
16 grants pursuant to such section 1011, of which not
17 less than \$105,000,000 shall be provided to areas
18 with the highest lead-based paint abatement needs;

19 (2) \$85,000,000 shall be for the Healthy
20 Homes Initiative, pursuant to sections 501 and 502
21 of the Housing and Urban Development Act of
22 1970, which shall include research, studies, testing,
23 and demonstration efforts, including education and
24 outreach concerning lead-based paint poisoning and
25 other housing-related diseases and hazards, and

1 mitigating housing-related health and safety hazards
2 in housing of low-income families: *Provided*, That
3 \$5,000,000 of such amount shall be for the imple-
4 mentation of projects in up to five communities that
5 are served by both the Healthy Homes Initiative and
6 the Department of Energy weatherization programs
7 to demonstrate whether the coordination of Healthy
8 Homes remediation activities with weatherization ac-
9 tivities achieves cost savings and better outcomes in
10 improving the safety and quality of homes;

11 (3) \$5,000,000 shall be for the award of grants
12 and contracts for research pursuant to sections 1051
13 and 1052 of the Residential Lead-Based Paint Haz-
14 ard Reduction Act of 1992 (42 U.S.C. 4854,
15 4854a);

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

23 (5) \$60,000,000 of the amounts made available
24 under this heading shall be for a lead-risk assess-
25 ment demonstration for public housing agencies to

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

9 *Provided further*, That for purposes of environmental re-
10 view, pursuant to the National Environmental Policy Act
11 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
12 law that further the purposes of such Act, a grant under
13 the Healthy Homes Initiative, or the Lead Technical Stud-
14 ies program under this heading or under prior appropria-
15 tions Acts for such purposes under this heading, shall be
16 considered to be funds for a special project for purposes
17 of section 305(c) of the Multifamily Housing Property
18 Disposition Reform Act of 1994 (42 U.S.C. 3547): *Pro-*
19 *vided further*, That each applicant for a grant or coopera-
20 tive agreement under this heading shall certify adequate
21 capacity that is acceptable to the Secretary to carry out
22 the proposed use of funds pursuant to a notice of funding
23 opportunity: *Provided further*, That amounts made avail-
24 able under this heading in this or prior appropriations
25 Acts, still remaining available, may be used for any pur-

1 pose under this heading notwithstanding the purpose for
2 which such amounts were appropriated if a program com-
3 petition is undersubscribed and there are other program
4 competitions under this heading that are oversubscribed.

5 INFORMATION TECHNOLOGY FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For modifications to and infrastructure for Depart-
8 ment-wide and program-specific information technology
9 systems, for the continuing operation and maintenance of
10 both Department-wide and program-specific information
11 systems, and for program-related maintenance activities,
12 \$278,200,000 shall remain available until September 30,
13 2023: *Provided*, That any amounts transferred to this
14 Fund under this Act shall remain available until Sep-
15 tember 30, 2025.

16 OFFICE OF INSPECTOR GENERAL

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

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

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

23 SEC. 202. None of the funds made available by this
24 Act may be used during fiscal year 2022 to investigate
25 or prosecute under the Fair Housing Act any otherwise

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

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

12 SEC. 204. Funds of the Department of Housing and
13 Urban Development subject to the Government Corpora-
14 tion Control Act or section 402 of the Housing Act of
15 1950 shall be available, without regard to the limitations
16 on administrative expenses, for legal services on a contract
17 or fee basis, and for utilizing and making payment for
18 services and facilities of the Federal National Mortgage
19 Association, Government National Mortgage Association,
20 Federal Home Loan Mortgage Corporation, Federal Fi-
21 nancing Bank, Federal Reserve banks or any member
22 thereof, Federal Home Loan banks, and any insured bank
23 within the meaning of the Federal Deposit Insurance Cor-
24 poration Act, as amended (12 U.S.C. 1811-1).

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

7 SEC. 206. Corporations and agencies of the Depart-
8 ment of Housing and Urban Development which are sub-
9 ject to the Government Corporation Control Act are here-
10 by authorized to make such expenditures, within the limits
11 of funds and borrowing authority available to each such
12 corporation or agency and in accordance with law, and to
13 make such contracts and commitments without regard to
14 fiscal year limitations as provided by section 104 of such
15 Act as may be necessary in carrying out the programs set
16 forth in the budget for 2022 for such corporation or agen-
17 cy except as hereinafter provided: *Provided*, That collec-
18 tions of these corporations and agencies may be used for
19 new loan or mortgage purchase commitments only to the
20 extent expressly provided for in this Act (unless such loans
21 are in support of other forms of assistance provided for
22 in this or prior appropriations Acts), except that this pro-
23 viso shall not apply to the mortgage insurance or guaranty
24 operations of these corporations, or where loans or mort-

1 gage purchases are necessary to protect the financial in-
2 terest of the United States Government.

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

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

15 SEC. 209. (a) Notwithstanding any other provision
16 of law, subject to the conditions listed under this section,
17 for fiscal years 2022 and 2023, the Secretary of Housing
18 and Urban Development may authorize the transfer of
19 some or all project-based assistance, debt held or insured
20 by the Secretary and statutorily required low-income and
21 very low-income use restrictions if any, associated with one
22 or more multifamily housing project or projects to another
23 multifamily housing project or projects.

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

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

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

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

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

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

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

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

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

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

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

24 (7) If either the transferring project or the re-
25 ceiving project or projects meets the condition speci-

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

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

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

24 (d) For purposes of this section—

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

5 (2) the term “multifamily housing project”
6 means housing that meets one of the following con-
7 ditions—

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

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

15 (C) housing that is assisted under section
16 202 of the Housing Act of 1959 (12 U.S.C.
17 1701q);

18 (D) housing that is assisted under section
19 202 of the Housing Act of 1959 (12 U.S.C.
20 1701q), as such section existed before the en-
21 actment of the Cranston-Gonzales National Af-
22 fordable Housing Act;

23 (E) housing that is assisted under section
24 811 of the Cranston-Gonzales National Afford-
25 able Housing Act (42 U.S.C. 8013); or

1 (F) housing or vacant land that is subject
2 to a use agreement;

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

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

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

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

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

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

23 (F) assistance payments made under sec-
24 tion 811(d)(2) of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act (42 U.S.C.
2 8013(d)(2));

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

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

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

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

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

1 (1) is enrolled as a student at an institution of
2 higher education (as defined under section 102 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1002));

5 (2) is under 24 years of age;

6 (3) is not a veteran;

7 (4) is unmarried;

8 (5) does not have a dependent child;

9 (6) is not a person with disabilities, as such
10 term is defined in section 3(b)(3)(E) of the United
11 States Housing Act of 1937 (42 U.S.C.
12 1437a(b)(3)(E)) and was not receiving assistance
13 under such section 8 as of November 30, 2005;

14 (7) is not a youth who left foster care at age
15 14 or older and is at risk of becoming homeless; and

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

20 (b) For purposes of determining the eligibility of a
21 person to receive assistance under section 8 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
23 cial assistance (in excess of amounts received for tuition
24 and any other required fees and charges) that an indi-
25 vidual receives under the Higher Education Act of 1965

1 (20 U.S.C. 1001 et seq.), from private sources, or from
2 an institution of higher education (as defined under sec-
3 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
4 1002)), shall be considered income to that individual, ex-
5 cept for a person over the age of 23 with dependent chil-
6 dren.

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

14 SEC. 212. Notwithstanding any other provision of
15 law, in fiscal year 2022, in managing and disposing of any
16 multifamily property that is owned or has a mortgage held
17 by the Secretary of Housing and Urban Development, and
18 during the process of foreclosure on any property with a
19 contract for rental assistance payments under section 8
20 of the United States Housing Act of 1937 (42 U.S.C.
21 1437f) or any other Federal programs, the Secretary shall
22 maintain any rental assistance payments under section 8
23 of the United States Housing Act of 1937 and other pro-
24 grams that are attached to any dwelling units in the prop-
25 erty. To the extent the Secretary determines, in consulta-

1 tion with the tenants and the local government that such
2 a multifamily property owned or having a mortgage held
3 by the Secretary is not feasible for continued rental assist-
4 ance payments under such section 8 or other programs,
5 based on consideration of (1) the costs of rehabilitating
6 and operating the property and all available Federal,
7 State, and local resources, including rent adjustments
8 under section 524 of the Multifamily Assisted Housing
9 Reform and Affordability Act of 1997 (in this section
10 “MAHRAA”) (42 U.S.C. 1437f note), and (2) environ-
11 mental conditions that cannot be remedied in a cost-effec-
12 tive fashion, the Secretary may, in consultation with the
13 tenants of that property, contract for project-based rental
14 assistance payments with an owner or owners of other ex-
15 isting housing properties, or provide other rental assist-
16 ance. The Secretary shall also take appropriate steps to
17 ensure that project-based contracts remain in effect prior
18 to foreclosure, subject to the exercise of contractual abate-
19 ment remedies to assist relocation of tenants for imminent
20 major threats to health and safety after written notice to
21 and informed consent of the affected tenants and use of
22 other available remedies, such as partial abatements or re-
23 ceivership. After disposition of any multifamily property
24 described in this section, the contract and allowable rent

1 levels on such properties shall be subject to the require-
2 ments under section 524 of MAHRAA.

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

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

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

15 SEC. 216. The Secretary shall, for fiscal year 2022,
16 notify the public through the Federal Register and other
17 means, as determined appropriate, of the issuance of a no-
18 tice of the availability of assistance or notice of funding
19 opportunity (NOFO) for any program or discretionary
20 fund administered by the Secretary that is to be competi-
21 tively awarded. Notwithstanding any other provision of
22 law, for fiscal year 2022, the Secretary may make the
23 NOFO available only on the Internet at the appropriate
24 Government website or through other electronic media, as
25 determined by the Secretary.

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

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

22 (2) The authority under paragraph (1) to
23 transfer funds shall not apply to the Office of Fair
24 Housing and Equal Opportunity, the Office of Lead

1 Hazard Control and Healthy Homes, or the Office
2 of Departmental Equal Employment Opportunity.

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

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

21 (b) The Secretary shall take action under subsection
22 (c) when a multifamily housing project with a contract
23 under section 8 of the United States Housing Act of 1937
24 (42 U.S.C. 1437f) or a contract for similar project-based
25 assistance—

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

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

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

15 (c)(1) Within 15 days of the issuance of the Real Es-
16 tate Assessment Center (“REAC”) inspection, the Sec-
17 retary shall provide the owner with a Notice of Default
18 with a specified timetable, determined by the Secretary,
19 for correcting all deficiencies. The Secretary shall provide
20 a copy of the Notice of Default to the tenants, the local
21 government, any mortgagees, and any contract adminis-
22 trator. If the owner’s appeal results in a UPCS score of
23 60 or above, the Secretary may withdraw the Notice of
24 Default.

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

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

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

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

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

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

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

24 (G) seek judicial appointment of a receiver to
25 manage the property and cure all project deficiencies

1 or seek a judicial order of specific performance re-
2 quiring the owner to cure all project deficiencies;

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

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

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

20 (1) the costs of rehabilitating and operating the
21 property and all available Federal, State, and local
22 resources, including rent adjustments under section
23 524 of the Multifamily Assisted Housing Reform
24 and Affordability Act of 1997 (“MAHRAA”); and

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

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

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

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

21 (3) any administrative or legislative rec-
22 ommendations to further improve the living condi-
23 tions at properties covered under a housing assist-
24 ance payment contract.

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

6 SEC. 220. None of the funds made available by this
7 Act, or any other Act, for purposes authorized under sec-
8 tion 8 (only with respect to the tenant-based rental assist-
9 ance program) and section 9 of the United States Housing
10 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
11 any public housing agency for any amount of salary, in-
12 cluding bonuses, for the chief executive officer of which,
13 or any other official or employee of which, that exceeds
14 the annual rate of basic pay payable for a position at level
15 IV of the Executive Schedule at any time during any pub-
16 lic housing agency fiscal year 2022.

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

1 SEC. 222. None of the funds made available in this
2 Act shall be used by the Federal Housing Administration,
3 the Government National Mortgage Association, or the
4 Department of Housing and Urban Development to in-
5 sure, securitize, or establish a Federal guarantee of any
6 mortgage or mortgage backed security that refinances or
7 otherwise replaces a mortgage that has been subject to
8 eminent domain condemnation or seizure, by a State, mu-
9 nicipality, or any other political subdivision of a State.

10 SEC. 223. None of the funds made available by this
11 Act may be used to terminate the status of a unit of gen-
12 eral local government as a metropolitan city (as defined
13 in section 102 of the Housing and Community Develop-
14 ment Act of 1974 (42 U.S.C. 5302)) with respect to
15 grants under section 106 of such Act (42 U.S.C. 5306).

16 SEC. 224. Amounts made available by this Act that
17 are appropriated, allocated, advanced on a reimbursable
18 basis, or transferred to the Office of Policy Development
19 and Research of the Department of Housing and Urban
20 Development and functions thereof, for research, evalua-
21 tion, or statistical purposes, and that are unexpended at
22 the time of completion of a contract, grant, or cooperative
23 agreement, may be deobligated and shall immediately be-
24 come available and may be reobligated in that fiscal year
25 or the subsequent fiscal year for the research, evaluation,

1 or statistical purposes for which the amounts are made
2 available to that Office subject to reprogramming require-
3 ments in section 405 of this Act.

4 SEC. 225. None of the funds provided in this Act or
5 any other Act may be used for awards, including perform-
6 ance, special act, or spot, for any employee of the Depart-
7 ment of Housing and Urban Development subject to ad-
8 ministrative discipline (including suspension from work),
9 in this fiscal year, but this prohibition shall not be effec-
10 tive prior to the effective date of any such administrative
11 discipline or after any final decision over-turning such dis-
12 cipline.

13 SEC. 226. With respect to grant amounts awarded
14 under the heading “Homeless Assistance Grants” for fis-
15 cal years 2015 through 2022 for the Continuum of Care
16 (CoC) program as authorized under subtitle C of title IV
17 of the McKinney-Vento Homeless Assistance Act, costs
18 paid by program income of grant recipients may count to-
19 ward meeting the recipient’s matching requirements, pro-
20 vided the costs are eligible CoC costs that supplement the
21 recipient’s CoC program.

22 SEC. 227. (a) From amounts made available under
23 this title under the heading “Homeless Assistance
24 Grants”, the Secretary may award 1-year transition
25 grants to recipients of funds for activities under subtitle

1 C of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11381 et seq.) to transition from one Continuum
3 of Care program component to another.

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

8 SEC. 228. The Promise Zone designations and Prom-
9 ise Zone Designation Agreements entered into pursuant
10 to such designations, made by the Secretary in prior fiscal
11 years, shall remain in effect in accordance with the terms
12 and conditions of such agreements.

13 SEC. 229. None of the funds made available by this
14 Act may be used to establish and apply review criteria,
15 including rating factors or preference points, for participa-
16 tion in or coordination with EnVision Centers, in the eval-
17 uation, selection, and award of any funds made available
18 and requiring competitive selection under this Act, except
19 with respect to any such funds otherwise authorized for
20 EnVision Center purposes under this Act.

21 SEC. 230. None of the funds made available by this
22 or any prior Act may be used to require or enforce any
23 changes to the terms and conditions of the public housing
24 annual contributions contract between the Secretary and
25 any public housing agency, as such contract was in effect

1 as of December 31, 2017, unless such changes are mutu-
2 ally agreed upon by the Secretary and such agency: *Pro-*
3 *vided*, That such agreement by an agency may be indi-
4 cated only by a written amendment to the terms and con-
5 ditions containing the duly authorized signature of its
6 chief executive: *Provided further*, That the Secretary may
7 not withhold funds to compel such agreement by an agen-
8 cy which certifies to its compliance with its contract.

9 SEC. 231. (a) None of the amounts made available
10 in this Act may be used to consider Family Self-Suffi-
11 ciency performance measures or performance scores in de-
12 termining funding awards for programs receiving Family
13 Self-Sufficiency program coordinator funding provided in
14 this Act.

15 (b) Subsection (a) shall have no effect after the appli-
16 cability date established by the Secretary in a notice up-
17 dating the “Family Self-Sufficiency Performance Meas-
18 urement System (‘Composite Score’)” published in the
19 Federal Register on November 15, 2018 (83 Fed. Reg.
20 57493).

21 SEC. 232. Any public housing agency designated as
22 a Moving to Work agency pursuant to section 239 of divi-
23 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
24 129 Stat. 2897) may, upon such designation, use funds
25 (except for special purpose funding, including special pur-

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

13 SEC. 233. None of the amounts made available by
14 this Act may be used to prohibit any public housing agen-
15 cy under receivership or the direction of a Federal monitor
16 from applying for, receiving, or using funds made available
17 under the heading “Public Housing Fund” for competitive
18 grants to evaluate and reduce lead-based paint hazards in
19 this Act or that remain available and not awarded from
20 prior Acts, or be used to prohibit a public housing agency
21 from using such funds to carry out any required work pur-
22 suant to a settlement agreement, consent decree, vol-
23 untary agreement, or similar document for a violation of
24 the Lead Safe Housing or Lead Disclosure Rules.

1 SEC. 234. None of the funds made available by this
2 title may be used to issue rules or guidance in contraven-
3 tion of section 210 of Public Law 115–254 (132 Stat.
4 3442) or section 312 of the Robert T. Stafford Disaster
5 Relief and Emergency Assistance Act (42 U.S.C. 5155).

6 SEC. 235. (a) Funds previously made available in the
7 Consolidated Appropriations Act, 2014 (Public Law 113–
8 76) for the “Choice Neighborhoods Initiative” that were
9 available for obligation through fiscal year 2016 are to re-
10 main available through fiscal year 2022 for the liquidation
11 of valid obligations incurred in fiscal years 2014 through
12 2016.

13 (b) Funds previously made available in the Consoli-
14 dated and Further Continuing Appropriations Act, 2015
15 (Public Law 113–235) for the “Choice Neighborhoods Ini-
16 tiative” that were available for obligation through fiscal
17 year 2017 are to remain available through fiscal year 2023
18 for the liquidation of valid obligations incurred in fiscal
19 years 2015 through 2017.

20 (c) Funds previously made available in the Consoli-
21 dated Appropriations Act, 2016 (Public Law 114–113) for
22 the “Choice Neighborhoods Initiative” that were available
23 for obligation through fiscal year 2018 are to remain avail-
24 able through fiscal year 2024 for the liquidation of valid
25 obligations incurred in fiscal years 2016 through 2018.

1 (d) Funds previously made available in the Consoli-
2 dated Appropriations Act, 2017 (Public Law 115–31) for
3 the “Choice Neighborhoods Initiative” that were available
4 for obligation through fiscal year 2019 are to remain avail-
5 able through fiscal year 2025 for the liquidation of valid
6 obligations incurred in fiscal years 2017 through 2019.

7 (e) Funds previously made available in the Consoli-
8 dated Appropriations Act, 2018 (Public Law 115–141) for
9 the “Choice Neighborhoods Initiative” that were available
10 for obligation through fiscal year 2020 are to remain avail-
11 able through fiscal year 2026 for the liquidation of valid
12 obligations incurred in fiscal years 2018 through 2020.

13 (f) Funds previously made available in the Consoli-
14 dated Appropriations Act, 2019 (Public Law 116–6) for
15 the “Choice Neighborhoods Initiative” that were available
16 for obligation through fiscal year 2021 are to remain avail-
17 able through fiscal year 2027 for the liquidation of valid
18 obligations incurred in fiscal years 2019 through 2021.

19 (g) Funds previously made available in the Further
20 Consolidated Appropriations Act, 2020 (Public Law 116–
21 94) for the “Choice Neighborhoods Initiative” that were
22 available for obligation through fiscal year 2022 are to re-
23 main available through fiscal year 2028 for the liquidation
24 of valid obligations incurred in fiscal years 2020 through
25 2022.

1 (h)(1) Subject to paragraph (2), this section shall be-
2 come effective immediately upon enactment of this Act.

3 (2) If this Act is enacted after September 30,
4 2021, subsection (a) shall be applied as if it were in
5 effect on September 30, 2021.

6 SEC. 236. (a) Amounts made available in paragraph
7 (1) under the heading “Native American Programs” in
8 title XII of division B of the Coronavirus Aid, Relief, and
9 Economic Security Act (Public Law 116–136) which were
10 allocated to Indian tribes or tribally designated housing
11 entities, and which are not accepted as of the date of en-
12 actment of this Act, are voluntarily returned, or otherwise
13 recaptured for any reason, may be used by the Secretary
14 to make additional grants for the same purpose and under
15 the same terms and conditions as amounts appropriated
16 by section 11003(a)(2) of the American Rescue Plan Act
17 of 2021 (Public Law 117–2).

18 (b) Amounts repurposed by this section that were
19 previously designated by the Congress as an emergency
20 requirement pursuant to the Balanced Budget and Emer-
21 gency Deficit Control Act of 1985 or a concurrent resolu-
22 tion on the budget are designated by the Congress as an
23 emergency requirement pursuant to section 1(f) of H. Res.
24 467 of the 117th Congress as engrossed in the House of
25 Representatives on June 14, 2021.

1 SEC. 237. (a) Funds previously made available in
2 chapter 9 of title X of the Disaster Relief Appropriations
3 Act, 2013 (Public Law 113–2, division A; 127 Stat. 36)
4 under the heading “Department of Housing and Urban
5 Development—Community Planning and Development—
6 Community Development Fund” that were available for
7 obligation through fiscal year 2017 are to remain available
8 until expended for the liquidation of valid obligations in-
9 curred in fiscal years 2013 through 2017.

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

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

24 (c) Notwithstanding any other provision of law, any
25 grantee of funds referred to in subsection (a) of this sec-

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

20 (d) Amounts repurposed pursuant to this section that
21 were previously designated by the Congress as an emer-
22 gency requirement pursuant to the Balanced Budget and
23 Emergency Deficit Control Act of 1985 or a concurrent
24 resolution on the budget are designated by the Congress
25 as an emergency requirement pursuant to section 1(f) of

1 H. Res. 467 of the 117th Congress as engrossed in the
2 House of Representatives on June 14, 2021.

3 SEC. 238. None of the funds made available to the
4 Department of Housing and Urban Development by this
5 or any other Act may be used to implement, administer,
6 enforce, or in any way make effective the proposed rule
7 entitled “Housing and Community Development Act of
8 1980: Verification of Eligible Status”, issued by the De-
9 partment of Housing and Urban Development on May 10,
10 2019 (Docket No. FR-6124-P-01), or any final rule based
11 substantially on such proposed rule.

12 This title may be cited as the “Department of Hous-
13 ing and Urban Development Appropriations Act, 2022”.

14 TITLE III

15 RELATED AGENCIES

16 ACCESS BOARD

17 SALARIES AND EXPENSES

18 For expenses necessary for the Access Board, as au-
19 thorized by section 502 of the Rehabilitation Act of 1973
20 (29 U.S.C. 792), \$9,750,000: *Provided*, That, notwith-
21 standing any other provision of law, there may be credited
22 to this appropriation funds received for publications and
23 training expenses.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936 (46 U.S.C. 46107), including
6 services as authorized by section 3109 of title 5, United
7 States Code; hire of passenger motor vehicles as author-
8 ized by section 1343(b) of title 31, United States Code;
9 and uniforms or allowances therefore, as authorized by
10 sections 5901 and 5902 of title 5, United States Code,
11 \$31,398,000: *Provided*, That not to exceed \$3,500 shall
12 be for official reception and representation expenses.

13 NATIONAL RAILROAD PASSENGER CORPORATION

14 OFFICE OF INSPECTOR GENERAL

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Inspector
17 General for the National Railroad Passenger Corporation
18 to carry out the provisions of the Inspector General Act
19 of 1978 (5 U.S.C. App. 3), \$26,762,000: *Provided*, That
20 the Inspector General shall have all necessary authority,
21 in carrying out the duties specified in such Act, to inves-
22 tigate allegations of fraud, including false statements to
23 the Government under section 1001 of title 18, United
24 States Code, by any person or entity that is subject to
25 regulation by the National Railroad Passenger Corpora-

1 tion: *Provided further*, That the Inspector General may
2 enter into contracts and other arrangements for audits,
3 studies, analyses, and other services with public agencies
4 and with private persons, subject to the applicable laws
5 and regulations that govern the obtaining of such services
6 within the National Railroad Passenger Corporation: *Pro-*
7 *vided further*, That the Inspector General may select, ap-
8 point, and employ such officers and employees as may be
9 necessary for carrying out the functions, powers, and du-
10 ties of the Office of Inspector General, subject to the appli-
11 cable laws and regulations that govern such selections, ap-
12 pointments, and employment within the National Railroad
13 Passenger Corporation: *Provided further*, That concurrent
14 with the President's budget request for fiscal year 2023,
15 the Inspector General shall submit to the House and Sen-
16 ate Committees on Appropriations a budget request for
17 fiscal year 2023 in similar format and substance to budget
18 requests submitted by executive agencies of the Federal
19 Government.

20 NATIONAL TRANSPORTATION SAFETY BOARD

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Transpor-
23 tation Safety Board, including hire of passenger motor ve-
24 hicles and aircraft; services as authorized by section 3109
25 of title 5, United States Code, but at rates for individuals

1 not to exceed the per diem rate equivalent to the rate for
2 a GS-15; uniforms, or allowances therefor, as authorized
3 by sections 5901 and 5902 of title 5, United States Code,
4 \$121,400,000, of which not to exceed \$2,000 may be used
5 for official reception and representation expenses: *Pro-*
6 *vided*, That the amounts made available to the National
7 Transportation Safety Board in this Act include amounts
8 necessary to make lease payments on an obligation in-
9 curred in fiscal year 2001 for a capital lease.

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

13 For payment to the Neighborhood Reinvestment Cor-
14 poration for use in neighborhood reinvestment activities,
15 as authorized by the Neighborhood Reinvestment Corpora-
16 tion Act (42 U.S.C. 8101 et seq.), \$185,000,000, of which
17 \$5,000,000 shall be for a multi-family rental housing pro-
18 gram.

19 SURFACE TRANSPORTATION BOARD
20 SALARIES AND EXPENSES

21 For necessary expenses of the Surface Transpor-
22 tation Board, including services authorized by section
23 3109 of title 5, United States Code, \$39,152,000: *Pro-*
24 *vided*, That, notwithstanding any other provision of law,
25 not to exceed \$1,250,000 from fees established by the Sur-

1 face Transportation Board shall be credited to this appro-
2 priation as offsetting collections and used for necessary
3 and authorized expenses under this heading: *Provided fur-*
4 *ther*, That the amounts made available under this heading
5 from the general fund shall be reduced on a dollar-for-
6 dollar basis as such offsetting collections are received dur-
7 ing fiscal year 2022, to result in a final appropriation from
8 the general fund estimated at not more than \$37,902,000.

9 UNITED STATES INTERAGENCY COUNCIL ON
10 HOMELESSNESS
11 OPERATING EXPENSES

12 For necessary expenses, including payment of sala-
13 ries, authorized travel, hire of passenger motor vehicles,
14 the rental of conference rooms, and the employment of ex-
15 perts and consultants under section 3109 of title 5, United
16 States Code, of the United States Interagency Council on
17 Homelessness in carrying out the functions pursuant to
18 title II of the McKinney-Vento Homeless Assistance Act,
19 as amended, \$4,000,000.

20 TITLE IV
21 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

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

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

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

15 SEC. 405. Except as otherwise provided in this Act,
16 none of the funds provided in this Act, provided by pre-
17 vious appropriations Acts to the agencies or entities fund-
18 ed in this Act that remain available for obligation or ex-
19 penditure in fiscal year 2022, or provided from any ac-
20 counts in the Treasury derived by the collection of fees
21 and available to the agencies funded by this Act, shall be
22 available for obligation or expenditure through a re-
23 programming of funds that—

24 (1) creates a new program;

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

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

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

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

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

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

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

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

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

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

1 SEC. 406. Except as otherwise specifically provided
2 by law, not to exceed 50 percent of unobligated balances
3 remaining available at the end of fiscal year 2022 from
4 appropriations made available for salaries and expenses
5 for fiscal year 2022 in this Act, shall remain available
6 through September 30, 2023, for each such account for
7 the purposes authorized: *Provided*, That a request shall
8 be submitted to the House and Senate Committees on Ap-
9 propriations for approval prior to the expenditure of such
10 funds: *Provided further*, That these requests shall be made
11 in compliance with reprogramming guidelines under sec-
12 tion 405 of this Act.

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

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

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

13 SEC. 409. No funds appropriated pursuant to this
14 Act may be expended by an entity unless the entity agrees
15 that in expending the assistance the entity will comply
16 with sections 2 through 4 of the Act of March 3, 1933
17 (41 U.S.C. 8301–8305, popularly known as the “Buy
18 American Act”).

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

23 SEC. 411. None of the funds made available in this
24 Act may be used for first-class airline accommodations in

1 contravention of sections 301–10.122 and 301–10.123 of
2 title 41, Code of Federal Regulations.

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

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

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

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

9 SEC. 414. None of the funds appropriated or other-
10 wise made available under this Act may be used by the
11 Surface Transportation Board to charge or collect any fil-
12 ing fee for rate or practice complaints filed with the Board
13 in an amount in excess of the amount authorized for dis-
14 trict court civil suit filing fees under section 1914 of title
15 28, United States Code.

16 SEC. 415. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

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

24 SEC. 416. (a) None of the funds made available in
25 this Act may be used to deny an Inspector General funded

1 under this Act timely access to any records, documents,
2 or other materials available to the department or agency
3 over which that Inspector General has responsibilities
4 under the Inspector General Act of 1978 (5 U.S.C. App.),
5 or to prevent or impede that Inspector General's access
6 to such records, documents, or other materials, under any
7 provision of law, except a provision of law that expressly
8 refers to the Inspector General and expressly limits the
9 Inspector General's right of access.

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

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

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

23 SEC. 417. None of the funds appropriated or other-
24 wise made available by this Act may be used to pay award
25 or incentive fees for contractors whose performance has

1 been judged to be below satisfactory, behind schedule, over
2 budget, or has failed to meet the basic requirements of
3 a contract, unless the Agency determines that any such
4 deviations are due to unforeseeable events, government-
5 driven scope changes, or are not significant within the
6 overall scope of the project and/or program unless such
7 awards or incentive fees are consistent with 16.401(e)(2)
8 of the Federal Acquisition Regulations.

9 SEC. 418. Within the amounts appropriated in this
10 Act, funding shall be allocated in the amounts specified
11 for those projects and purposes delineated in the table ti-
12 tled “Incorporation of Community Project Funding” in-
13 cluded in the report accompanying this Act.

14 SEC. 419. None of the funds made available in this
15 Act may be made available or used by employers or compa-
16 nies that have a contract with the Federal Government
17 to enter into a contract or agreement with an employee
18 or applicant, as a condition of employment, promotion,
19 compensation, benefits, or change in employment status
20 or contractual relationship, or as a term, condition, or
21 privilege of employment, if that contract or agreement
22 contains a nondisparagement or nondisclosure clause that
23 covers workplace harassment, including sexual harassment
24 or retaliation for reporting, resisting, opposing, or assist-
25 ing in the investigation of workplace harassment.

1 This Act may be cited as the “Transportation, Hous-
2 ing and Urban Development, and Related Agencies Appro-
3 priations Act, 2022”.

Union Calendar No. 72

117TH CONGRESS
1ST Session

H. R. 4550

[Report No. 117-99]

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

JULY 20, 2021

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