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116TH CONGRESS   1ST SESSION

H. R. _____

[Report No. 116-___]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

____ --, 2019

Mr. Price of North Carolina introduced the following bill; which was referred to the Committee on Appropriations

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A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Transportation, and Housing and Urban
Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $113,910,000, of which not to exceed $3,065,000 shall be available for the immediate Office of the Secretary; not to exceed $1,000,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,428,000 shall be available for the Office of the General Counsel; not to exceed $10,331,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,300,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,244,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,142,000 shall be available for the Office of Public Affairs; not to exceed $1,859,000 shall be available for the Office of the Executive Secretariat; not to exceed $12,181,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to ex-
ceed $16,814,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: Provided further, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $42,948,000, of which $21,166,000 shall remain available until September 30, 2022, and of which $15,000,000, to
remain available until expended, is for new competitive
grants under section 5505 of title 49, United States Code,
for Tier I University Transportation Centers: Provided,
That such amounts are in addition to amounts previously
provided for such program: Provided further, That section
5505(c)(4)(A) of title 49, United States Code, shall not
apply to amounts for additional Tier I University Trans-
portation Centers provided under this heading: Provided
further, That there may be credited to this appropriation,
to be available until expended, funds received from States,
counties, municipalities, other public authorities, and pri-
vate sources for expenses incurred for training: Provided
further, That any reference in law, regulation, judicial pro-
ceedings, or elsewhere to the Research and Innovative
Technology Administration shall continue to be deemed to
be a reference to the Office of the Assistant Secretary for
Research and Technology of the Department of Transpor-
tation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation in-
frastructure, $1,000,000,000, to remain available through
September 30, 2022: Provided, That the Secretary of
Transportation shall distribute funds provided under this
heading as discretionary grants to be awarded to a State,
local government, transit agency, port authority, or a col-
laboration among such entities on a competitive basis for
projects that will have a significant local or regional im-
pact: Provided further, That projects eligible for funding
provided under this heading shall include, but not be lim-
ited to, highway or bridge projects eligible under title 23,
United States Code; public transportation projects eligible
under chapter 53 of title 49, United States Code; pas-
senger and freight rail transportation projects; and port
infrastructure investments (including inland port infra-
structure and land ports of entry): Provided further, That
of the amount made available under this heading, the Sec-
retary shall use $15,000,000 for the planning, preparation
or design of projects eligible for funding under this head-
ing, with an emphasis on transit, transit oriented develop-
ment, and multimodal projects: Provided further, That of
the amount made available under this heading, the Sec-
retary shall use $20,000,000 for the planning, preparation
or design of projects eligible for funding under this head-
ing located in areas of persistent poverty: Provided further,
That the term persistent poverty means any county that
has had 20 percent or more of its population living in pov-
erty over the past 30 years, as measured by the 1990 and
2000 decennial census and the most recent Small Area
Income and Poverty Estimates, or any census tract with
a poverty rate of at least 20 percent as measured by the
2013-2017 five-year data series available from the American Community Survey of the Census Bureau: Provided further, That grants awarded under the previous three provisos shall not be subject to a minimum grant size: Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an equitable distribution of funds between urban and rural areas, and the investment in a variety of transportation modes, including public transit, passenger rail, and pedestrian improvements: Provided further, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $50,000,000: Provided further, That not more than 15 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for
which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That of the funds awarded under this heading not more than 50 percent shall be for projects located in a rural area with a population equal to or less than 200,000: *Provided further*, That for projects located in a rural area, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the funds awarded under this heading not more than 50 percent shall be for projects located in an urbanized area with a population of more than 200,000: *Provided further*, That funds for an urbanized area under the previous proviso may be obligated to projects in the metropolitan area established under section 134 of title 23, United States Code, that encompasses such urbanized area: *Provided further*, That the Secretary shall consider the benefits of a project on urban and rural areas to the fullest extent to include all relevant geographic areas: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That
the Secretary shall conduct a new competition to select
the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up
to $25,000,000 of the funds provided under this heading,
and may transfer portions of those funds to the Adminis-
trators of the Federal Highway Administration, the Fed-
eral Transit Administration, the Federal Railroad Admin-
istration, and the Maritime Administration to fund the
award and oversight of grants and credit assistance made
under the National Infrastructure Investments program:
*Provided further*, That the Secretary shall consider and
award projects based solely on the selection criteria from
the fiscal year 2017 Notice of Funding Opportunity: *Pro-
vided further*, That, notwithstanding the previous proviso,
the Secretary shall not use the Federal share or an appli-
cant’s ability to generate non-Federal revenue as a selec-
tion criteria in awarding projects: *Provided further*, That
the Secretary shall issue the Notice of Funding Oppor-
tunity no later than 60 days after enactment of this Act:
*Provided further*, That such Notice of Funding Oppor-
tunity shall require application submissions 90 days after
the publishing of such Notice: *Provided further*, That of
the applications submitted under the previous two pro-
visos, the Secretary shall make grants no later than 270
days after enactment of this Act in such amounts that
the Secretary determines: Provided further, That such sums provided for national infrastructure investments for multimodal safety projects under title VIII of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 432) shall remain available through fiscal year 2024 for the liquidation of valid obligations of active grants awarded with this funding: Provided further, That the preceding proviso shall be applied as if it were in effect on September 30, 2019.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $5,000,000, to remain available until expended: Provided, That the Secretary shall notify the House and Senate Committees on Appropriations no less than 15 days prior to exercising the transfer authority granted under section 116(h) of title 49, United States Code.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation’s financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2021.
For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2021.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,470,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $15,879,000, to remain available until expended: Provided, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): Provided further, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for ex-
penses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

**WORKING CAPITAL FUND**

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $424,901,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House
and Senate Committees on Appropriations and are approved by such Committees.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $4,646,000, to remain available until September 30, 2021: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation: Provided further, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading “Minority Business Resource Center Program”.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements
shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

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

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

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

Sec. 104. For an additional amount for “Office of the Secretary—Salaries and Expenses”, $2,052,000, to become available on the date on which the Secretary announces the selection of projects to receive awards for each of the following competitive grants, with respect to funds made available for fiscal year 2017 or fiscal year 2018 for such grants:

(a) Federal-State Partnership for State of Good Repair Grants, as authorized by section 24911 of title 49, United States Code, and as funded under the heading “Federal Railroad Administration—Federal-State Partnership for State of Good Repair Grants” by Public Law 115–31 and as funded under the heading “Federal Railroad Administration—Federal-State Partnership for State of Good Repair” by Public Law 115–141;

(b) Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, and as funded under the heading “Federal Railroad Administration—Consolidated Rail Infrastructure and Safety Improvements” by Public Law 115–141; and

(c) Restoration and Enhancement Grants, as authorized by section 22908 of title 49, United States Code, and
as funded under the heading “Federal Railroad Administration—Restoration and Enhancement Grants” by Public Law 115–31 and as funded under the heading “Federal Railroad Administration—Restoration and Enhancement” by Public Law 115–141.

SEC. 105. (a) Of the amount made available to “Office of the Secretary—Research and Technology”, $1,000,000 shall be for the Secretary of Transportation to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on effective ways to measure the resilience of transportation systems and services to natural disasters, natural hazards, and other potential disruptions.

(b) The study conducted pursuant to subsection (a) shall—

(1) identify and examine approaches used by Federal agencies, States, metropolitan planning organizations, local governments, and other organizations, including approaches described in academic literature, to develop metrics for transportation resilience, including methodologies used for quantitative and qualitative data collection and analysis; and

(2) provide findings and recommendations on approaches to measuring resilience that have shown
or promise success, and strategies to overcome challenges in measuring resilience.

(c) No later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall enter into the arrangement described in subsection (a).

(d) No later than 210 days after the date of enactment of this Act, the National Academies of Sciences, Engineering, and Medicine shall provide an interim report of its findings to the Committees on Appropriations of the House of Representatives and Senate.

(e) No later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committees on Appropriations of the House of Representatives and Senate the final study developed by the National Academies of Sciences, Engineering, and Medicine.

SEC. 106. (a) Of the amount made available to “Office of the Secretary—Research and Technology”, $10,000,000 shall be for the establishment of a Highly Automated Systems Safety Center of Excellence within the Department of Transportation, in order to have a Department of Transportation workforce capable of reviewing, validating, and certifying the safety of automated technologies.
(b) The Highly Automated Systems Safety Center of Excellence shall ——

(1) serve as a single place within the Department of Transportation for expertise in automation and human behavior, computer science, machine learning, sensors, and other technologies involving automated systems;

(2) support all Operating Administrations of the Department of Transportation; and

(3) have a workforce composed of Department of Transportation employees, including direct hires or detailers from Operating Administrations.

c) Employees of the Highly Automated Systems Safety Center of Excellence shall audit, inspect, and certify highly automated systems to ensure their safety.

d) No later than 90 days after the date of enactment of this Act, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the Senate on staffing needs and the staffing plan for the Highly Automated Systems Safety Center of Excellence.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including oper-
ations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, $10,677,758,000, to remain available until September 30, 2021, of which $9,833,400,000 shall be derived from the Airport and Airway Trust Fund: Provided, That of the sums appropriated under this heading —

(1) not less than $1,603,969,000 shall be available for aviation safety activities;

(2) not to exceed $7,841,720,000 shall be available for air traffic organization activities;

(3) not to exceed $24,949,000 shall be available for commercial space transportation activities;

(4) not to exceed $816,398,000 shall be available for finance and management activities;

(5) not to exceed $61,258,000 shall be available for NextGen and operations planning activities;

(6) not to exceed $114,165,000 shall be available for security and hazardous materials safety; and

(7) not to exceed $215,299,000 shall be available for staff offices, of which $5,000,000 is for the
Minority Serving Institutions internship program, $5,000,000 is for the aviation maintenance technician development program (as described in section 624 of Public Law 115–254), and $5,000,000 is for the aviation workforce development program (as described in section 625 of Public Law 115–254):

Provided further, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 5 percent: Provided further, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than 60 days after the submission of the budget request, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: Provided further, That the amount herein appropriated shall be reduced by $100,000 for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to the Congress: Provided
further, That not later than 60 days after the submission of the budget request, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authori-
ties, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $169,000,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: Provided further, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport: Provided further, That the opening, closing, reorganization, or redesignation of field or regional offices shall be subject to the requirements of section 405 of this Act.
FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,000,000,000, of which $512,823,000 shall remain available until September 30, 2021, $2,372,127,000 shall remain available until September 30, 2022, and $115,050,000 shall remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses in-
curred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than 60 days after the submission of the budget request, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2021 through 2025, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,100,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2022: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: Provided further, That funds made available under this head-
ing shall be used in accordance with the report accom-
panying this Act: *Provided further*, That not to exceed 10
percent of any funding level specified under this heading
in the report accompanying this Act may be transferred
to any other funding level specified under this heading in
the report accompanying this Act: *Provided further*, That
no transfer may increase or decrease any funding level by
more than 10 percent: *Provided further*, That any transfer
in excess of 10 percent shall be treated as a reprogram-
ing of funds under section 405 of this Act and shall not
be available for obligation or expenditure except in compli-
ance with the procedures set forth in that section.

**GRANTS-IN-AID FOR AIRPORTS**

*(LIQUIDATION OF CONTRACT AUTHORIZATION)*

*(LIMITATION ON OBLIGATIONS)*

*(AIRPORT AND AIRWAY TRUST FUND)*

*(INCLUDING TRANSFER OF FUNDS)*

For liquidation of obligations incurred for grants-in-
aid for airport planning and development, and noise com-
patibility planning and programs as authorized under sub-
chapter I of chapter 471 and subchapter I of chapter 475
of title 49, United States Code, and under other law au-
thorizing such obligations; for procurement, installation,
and commissioning of runway incursion prevention devices
and systems at airports of such title; for grants authorized
under section 41743 of title 49, United States Code; and
for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2020, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government’s share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of funds limited under this
heading, not more than $112,600,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $33,210,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to “Office of the Secretary, Salaries and Expenses” to carry out the Small Community Air Service Development Program: \textit{Provided further}, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

\textbf{GRANTS-IN-AID FOR AIRPORTS}

For an additional amount for “Grants-In-Aid for Airports”, to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $500,000,000, to remain available through September 30, 2022: \textit{Provided}, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories,
or minimum percentages under chapter 471: *Provided further*, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading: *Provided further*, That section 47115(j) of title 49, United States Code, shall not apply with respect to amounts made available under this heading: *Provided further*, That priority consideration shall be, without regard to airport size, based on project justification and completeness of pre-grant actions.

**ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION**

**Sec. 110.** None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2020.
SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

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

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.
SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

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

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner’s or operator’s aircraft registration number from any display of the Federal Aviation Administration’s Aircraft Situational Display to Industry data that is made available to the public, except data made
available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than eight political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

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

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.
SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible.

SEC. 119D. Of the funds provided under the heading “Grants-in-aid for Airports”, up to $3,500,000 may be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: Provided, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: Provided further, That losses incurred
as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: Provided further, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $453,549,689, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America’s Surface
Transportation (FAST) Act (Public Law 114-94) shall not exceed total obligations of $46,365,092,000 for fiscal year 2020: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

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

There is hereby appropriated to the Secretary of Transportation $1,750,000,000: Provided, That the amounts made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2020 in this or any other Act for “Federal-aid Highways” under chapter 1 of title 23, United States Code, and shall not affect the distribution or amount of funds provided in any other Act: Provided further, That of the sums made available under this heading:

(1) $1,493,100,000 shall be for activities eligible under section 133(b) of title 23, United States Code, for the elimination of hazards and the installation of protective devices at railway-highway crossings, and to provide necessary charging infrastructure along corridor ready or corridor pending alternative fuel corridors as defined under 23 U.S.C. 151;

(2) $5,451,000 shall be for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of title 23, United States Code;

(3) $1,449,000 shall be for activities eligible under the Territorial Highway Program, as de-
scribed in section 165(c)(6) of title 23, United States Code;
(4) $166,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;
(5) $50,000,000 shall be for competitive grants for activities described in section 130(a) of title 23, United States Code;
(6) $15,000,000 shall be for grants for Accelerated Digital Construction Management Systems;
(7) $12,000,000 shall be for the Regional Infrastructure Accelerator Demonstration Program authorized under section 1441 of the FAST Act;
(8) $5,000,000 shall be for a National Road Network Pilot Program for the Federal Highway Administration to create a national level, geo-spatial dataset that uses data already collected under the Highway Performance Monitoring System; and
(9) $2,000,000 shall be for research that leads to decreases in highway and pedestrian fatalities among Tribal populations:
Provided further, That the funds made available under this heading for activities eligible under section 133(b) of title 23, United States Code, for the elimination of hazards and the installation of protective devices at railway-highway
crossings, and to provide charging infrastructure for alternative fuel corridors, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of title 23, United States Code shall not apply to funds made available under this heading: Provided further, That the funds made available under this heading in paragraph (1), shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2023: Provided further, That the funds made available under this heading in paragraph (1), shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2020 is distributed among the States in section 120(a)(5) of this Act: Provided further, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Program shall be administered as if allocated under sections 165(b) and 165(c), respectively, of such title and shall remain available through September 30, 2023: Provided further, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: Provided further, That the funds made available
under this heading for the nationally significant Federal
lands and tribal projects program under section 1123 of
the FAST Act shall remain available through September
30, 2023: *Provided further*, That the funds made available
under this heading in paragraph (5) for the elimination
of hazards and the installation of protective devices at rail-
way-highway crossings shall be available for projects eligi-
ble under section 22907(c) of title 49, United States Code,
for commuter authorities, as defined in section 24102(2)
of title 49, United States Code, that experienced at least
one accident investigated by the National Transportation
Safety Board between January 1, 2008 and December 31,
2018: *Provided further*, That amounts provided under this
heading in paragraphs (5), (6), and (7) shall remain avail-
able until expended: *Provided further*, That funds made
available under this heading for Advanced Digital Con-
struction Management Systems shall be for competitive
grants to State and local governments to develop and ex-
and the capacity to use and deploy Advanced Digital
Construction Management Systems and the minimum
grant amount shall be $500,000.

**ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY
ADMINISTRATION**

Sec. 120. (a) For fiscal year 2020, the Secretary of
Transportation shall—
(1) not distribute from the obligation limitation for Federal-aid highways—

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

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

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

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

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

(3) determine the proportion that—

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

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

(A) the proportion determined under para-
graph (3); by
(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

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

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.
(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

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

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

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

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

(5) subsections (b) and (e) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

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

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

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);
(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2020, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an
amount distributed cannot be obligated during that fiscal year; and

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

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

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

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

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

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

(A) remain available for a period of 4 fiscal years; and
(B) be in addition to the amount of any
limitation imposed on obligations for Federal-
aid highway and highway safety construction
programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED
FUNDS.—

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

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

(B) the Secretary determines will not be
allocated to the States (or will not be apportioned to the States under section 204 of title
23, United States Code), and will not be available for obligation, for such fiscal year because
of the imposition of any obligation limitation for
such fiscal year.

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

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

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

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.
SEC. 123. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: Provided, That the written
notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: Provided, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term “earmarked amount” means—
(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 5 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.
(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 126. The following are repealed:


(2) Section 324 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (Public Law 99–190; 99 Stat. 1288).

(3) Section 325 of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104–50; 109 Stat. 456).

Notwithstanding any other provision of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall be collected for any such vehicles exiting from such bridge in both Staten Island and Brooklyn.

SEC. 127. Section 125(d) of title 23, United States Code, is amended by striking paragraph (4).

SEC. 128. Until final guidance is published, the Administrator of the Federal Highway Administration shall make determinations on Buy America waivers for those waivers that were submitted before April 17, 2018, as if
the notice of proposed rulemaking of that date was not in effect.

Sec. 129. Section 1948 of SAFETEA-LU (Public Law 109–59; 119 Stat. 1514) is repealed.

Sec. 129A. Section 119(e)(5) of title 23, United States Code, is amended to read as follows:

“(5) REQUIREMENT FOR PLAN.—

“(A) IN GENERAL.—Notwithstanding section 120, beginning on October 1, 2019, and each fiscal year thereafter, if the Secretary determines that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity for which funds are obligated by the State in that fiscal year under this section shall be 65 percent.

“(B) DETERMINATION.—The Secretary shall make the determination under subparagraph (A) not later than the day before the beginning of each fiscal year.”.
(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act, $288,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution, or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $288,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2020, of which $9,073,000 to remain available for obligation until September 30, 2022, is for the research and technology program.
MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America’s Surface Transportation Act, $388,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $388,800,000 in fiscal year 2020 for “Motor Carrier Safety Grants”: Provided further, That of the sums appropriated under this heading:

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

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

(3) $44,900,000 shall be available for the high priority activities program; and

(4) $2,000,000 shall be made available for commercial motor vehicle operators grants, of which
$1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

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

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

SEC. 133. No funds made available by this or any other Act may be obligated or expended under the authority in 49 U.S.C. 31141(c) to review and issue a decision on a petition to preempt State meal and rest break laws that may differ from those in 49 C.F.R. 395.

SEC. 134. Notwithstanding any restriction under part II of subtitle B of title V of the FAST Act, not later than 6 months after enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall make available on a public website information regarding analysis of violations developed under the agency’s Compliance, Safety, Accountability program, consistent with the data that the agency made publicly available immediately before December 4, 2015.

SEC. 135. None of the funds made available in this Act may be used to promulgate or enforce a rule that eliminates the 30 minute rest break specified in part 395 of title 49, Code of Federal Regulations, as it was in operational effect on May 15, 2019.
For expenses necessary to discharge the functions of
the Secretary, with respect to traffic and highway safety
authorized under chapter 301 and part C of subtitle VI
of title 49, United States Code, $214,073,440, to remain
available until September 30, 2021, except that
$40,000,000 shall remain available through September
30, 2022, and no less than $18,500,000 shall be for re-
search on Automated Driving Systems, Advanced Driver
Assistance Systems, and vehicle electronics and cybersecu-
ry.

For payment of obligations incurred in carrying out
the provisions of 23 U.S.C. 403, including behavioral re-
search on Automated Driving Systems and Advanced
Driver Assistance Systems and improving consumer re-
sponses to safety recalls, section 4011 of the Fixing Amer-
ica’s Surface Transportation Act (Public Law 114–94),
and chapter 303 of title 49, United States Code,
$155,300,000, to be derived from the Highway Trust
Fund (other than the Mass Transit Account) and to re-
Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2020, are in excess of $155,300,000: Provided further, That of the sums appropriated under this heading:

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

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

Provided further, That within the $155,300,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2021, and shall be in addition to the amount of any limitation imposed on obligations for future years.
HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act, to remain available until expended, $623,017,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided,

That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2020 are in excess of $623,017,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America’s Surface Transportation Act: Provided further,

That of the sums appropriated under this heading:

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

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

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

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

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

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

Sec. 142. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

Sec. 143. In addition to the amounts made available under the heading, “Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)” for carrying out the provisions of section 403 of title 23, United States Code, $17,000,000, to remain available until September 30, 2021, shall be made available to the National Highway Traffic Safety Administration from the general fund: Provided, That of the sums provided under this provision—
(a) not to exceed $7,000,000 shall be available to provide funding for grants, pilot program activities, and innovative solutions to reduce impaired-driving fatalities in collaboration with eligible entities under section 403 of title 23, United States Code; and

(b) not to exceed $10,000,000 shall be available to continue a high visibility enforcement paid-media campaign regarding highway-rail grade crossing safety in collaboration with the Federal Railroad Administration.

SEC. 144. An additional $500,000 shall be made available to the National Highway Traffic Safety Administration for a study to identify and examine child-specific safety considerations in vehicles equipped with Automated Driving Systems, particularly those that can be operated bi-directionally and offer unconventional seating. The study should also incorporate safety considerations for child restraint system (CRS) installation and promoting CRS usage for ride-share programs, and the risks associated with unattended child passengers in Automated Driving Systems-equipped vehicles. Upon completion of this study, the National Highway Traffic Safety Administration shall submit to the House and Senate Committees on Appropriations a report containing its findings, including detailing how the agency is coordinating with manu-
facturers to ensure children are protected in vehicles equipped with Automated Driving Systems.

SEC. 145. None of the funds appropriated or otherwise made available in this Act or any other Act may be used to finalize or enforce a proposed rule published by the National Highway Traffic Safety Administration and the Environmental Protection Agency on August 2, 2018, entitled “The Safer Affordable Fuel-Efficient Vehicles Rule” or any other successor rule.

SEC. 146. None of the funds in this Act or any other Act shall be used to enforce the requirements of 23 U.S.C. 405(a)(9).

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $226,698,000, of which $20,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $41,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT

FINANCING PROGRAM

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

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $350,000,000, to remain available until expended: Provided, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: Provided further, That the Secretary shall issue the Notice of Funding Opportunity for funds provided under this heading consistent with section 24911 of title 49, United States Code: Provided further, That the Secretary shall review all applications received in response to the Notice of Funding Opportunity required in the previous proviso: Provided further, That the Secretary shall announce the selection of projects to receive awards for the funds described in the previous two provisos no later than 180 days after enactment of this Act.
CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, $350,000,000, to remain available until expended: Provided, That of the sums appropriated under this heading—

(1) $40,000,000 shall be available for projects eligible under section 22907(c)(5) of title 49, United States Code, for projects for commuter authorities, as defined as section 24102(2) of title 49, United States Code, that experienced at least one accident investigated by the National Transportation Safety Board between January 1, 2008, and December 31, 2018; and

(2) $55,000,000 shall be available for projects eligible under section 22907(c)(2) of title 49, United States Code, that require the acquisition of rights-of-way, track, or track structure to support the development of new intercity passenger rail service routes:

Provided further, That section 22905(f) of title 49, United States Code, shall not apply to projects for commuter authorities in the first proviso: Provided further, That section
22905(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 22907(c)(1) of title 49, United States Code: Provided further, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: Provided further, That for amounts available under this heading eligible recipients under section 22907(b) of title 49, United States Code, shall include any non-profit association representing Class II railroads and Class III railroads (as those terms are defined in section 20102 of title 49, United States Code) and any holding company of a Class II railroad or Class III railroad (as those terms are defined in section 20102 of title 49, United States Code): Provided further, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: Provided further, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 22907(c) of title 49, United States Code: Provided further, That the Secretary may withhold up to one per-
cent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 22907 of title 49, United States Code: Provided further, That the Secretary shall issue the Notice of Funding Opportunity for funds provided under this heading no later than 30 days after enactment of this Act: Provided further, That such Notice of Funding Opportunity shall require application submissions 60 days after the publishing of such Notice: Provided further, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous two provisos no later than 180 days after enactment of this Act.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

For necessary expenses related to the deployment of magnetic levitation transportation projects, consistent with language in 1307(a) through (c) of Public Law 109–59, as amended by section 102 of Public Law 110–244 (section 322 of title 23, United States Code), $10,000,000, to remain available until expended.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for
activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94), $700,000,000, to remain available until expended: Provided, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: Provided further, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: Provided further, That of the amounts made available under this heading and the “National Network Grants to the National Railroad Passenger Corporation” heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.
NATIONAL NETWORK GRANTS TO THE NATIONAL
RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94), $1,291,600,000, to remain available until expended: Provided, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Sec. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a
summary of all overtime payments incurred by the Corporation for 2019 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2019 and for the three prior calendar years.

Sec. 151. None of the funds provided to the National Railroad Passenger Corporation under the headings “Northeast Corridor Grants to the National Railroad Passenger Corporation” and “National Network Grants to the National Railroad Passenger Corporation” may be used to reduce the size of the Amtrak Police Department below the staffing level on May 1, 2019.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $117,000,000, of which $15,000,000 shall remain available until September 30, 2021, and up to $1,000,000 shall be available to carry out the provisions of section 5326 of such title: Provided, That upon submission to the Congress of the fiscal year 2021 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on Capital
Investment Grants, including proposed allocations for fiscal year 2021.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America’s Surface Transportation Act, $10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of $10,150,348,462 in fiscal year 2020: Provided further,
That the Federal share of the cost of activities carried
out under 49 U.S.C. section 5312 shall not exceed 80 per-
cent, except that if there is substantial public interest or
benefit, the Secretary may approve a greater Federal
share: Provided further, That in addition to the amounts
appropriated for purposes of 49 U.S.C 5338(e), not less
than 2 percent of the funds appropriated or available for
the purposes of 49 U.S.C 5338(f) shall be available for
the purposes of 49 U.S.C. 5338(e).

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities
grants under section 5339 of title 49, United States Code,
state of good repair grants under section 5337 of such
title, the bus testing facilities under sections 5312 and
5318 of such title, and for grants to areas of persistent
poverty, $750,000,000, to remain available until ex-
pended: Provided, That of the sums provided under this
heading:

(1) $389,000,000 shall be available for the
buses and bus facilities competitive grants as au-
thorized under section 5339(b) of such title: Pro-
vided further, That the minimum grant award shall
be not less than $1,000,000;

(2) $94,000,000 shall be available for the low
or no emission grants as authorized under section
5339(c) of such title; Provided further, That the minimum grant award shall be not less than $1,500,000;

(3) $250,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title;

(4) $1,000,000 shall be available for the bus testing facility as authorized under section 5318 of such title;

(5) Notwithstanding section 5318(a) of such title, $6,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h); and

(6) $10,000,000 shall be available for competitive grants to eligible entities to assist areas of persistent poverty:

Provided further, That the Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each institution of higher education selected pursuant to section 5312(h) of such title, to operate and maintain a facility to conduct the testing of low or no emission vehicle new bus models using the standards established pursuant to section 5318(e)(2) of such title: Provided further, That the term “low or no emission vehicle” has the mean-
Provided further, That the Secretary shall pay 80 percent of the cost of testing a low or no emission vehicle new bus model at each selected institution of higher education: Provided further, That the entity having the vehicle tested shall pay 20 percent of the cost of testing: Provided further, That a low or no emission vehicle new bus model tested that receives a passing aggregate test score in accordance with the standards established under section 5318(e)(2) of such title, shall be deemed to be in compliance with the requirements of section 5318(e) of such title: Provided further, That areas of persistent poverty means any county that has consistently had 20 percent or more of the population living in poverty over the 30 years preceding the date of enactment of this Act, as measured by the 1990 and 2000 decennial census and the most recent Small Area Income and Poverty Estimates, or any census tract with a poverty rate of at least 20 percent as measured by the 2013-2017 five-year data series available from the American Community Survey of the Census Bureau: Provided further, That grants shall be for planning, engineering, or development of technical, or financing plans for projects eligible under chapter 53 of title 49, United States Code: Provided further, That eligible entities are those defined as eligible recipients or subrecipi-
ents under sections 5307, 5310 or 5311 of title 49 United States Code, and are in areas of persistent poverty: Provided further, That the Federal Transit Administration should complete outreach to such counties and the Departments of Transportation within applicable States via personal contact, webinars, web materials and other appropriate methods determined by the Administrator: Provided further, That State departments of transportation may apply on behalf of eligible entities within their States: Provided further, That the Federal Transit Administration should encourage grantees to work with non-profits or other entities of their choosing in order to develop planning, technical, engineering, or financing plans: Provided further, That the Federal Transit Administration should encourage grantees to partner with non-profits that can assist with making projects low or no emissions: Provided further, That projects funded as a result of activities funded under this heading shall be for not less than 90 percent of the net total project cost: Provided further, That amounts made available by this heading shall be derived from the general fund: Provided further, That the amounts made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.
TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000, to remain available until September 30, 2021, of which not less than $2,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists transit recipients with frontline workforce development and standards based training in maintenance and operations through an agreement with a national non-profit organization with a demonstrated capacity to develop and provide such programs though labor management partnerships and apprenticeships: Provided, That the assistance provided under this heading does not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America’s Surface Transportation Act, $2,301,785,760, to remain available until September 30, 2024: Provided, That of the amounts made available under this heading, $1,841,428,608 shall be obligated by December 31, 2021, but shall remain available until September 30, 2024, as specified under this heading: Provided further, That of the amounts made available under this heading:
(1) $795,290,221 shall be available for fixed guideway projects that have executed full funding grant agreements, authorized under subsection (d) of section 5309;

(2) $702,709,779 shall be available for new projects authorized under 5309(d) of title 49, United States Code;

(3) $300,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code;

(4) $430,768,910 shall be available for projects authorized under section 5309(h) of title 49, United States Code; and

(5) $50,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America’s Surface Transportation Act:

Provided further, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and to administer the Expedited Delivery Pilot Program with the procedural and substantive requirements of section 3005(b) of the Fixing America’s Surface Transportation Act: Provided further, That any funds remaining from the $1,841,428,608 that are required to be obligated by the
first proviso under this heading and that remain available on December 31, 2021 shall be reallocated to applicants with projects in Engineering on that date, as defined by 49 U.S.C. 5309(d)(2) and (e)(2) for activities eligible under 49 U.S.C. 5309(b), and upon reallocation shall be available for immediate obligation: Provided further, That each applicant’s share of such funds shall be distributed to the projects in Engineering based on the individual project’s requested Capital Investment Grant amount as a percentage of the total Capital Investment Grant funds requested by the group of projects in Engineering under subsections (d)(2) and (e)(2) of 49 United States Code 5309 on December 31, 2021: Provided further, That not later than 90 days after enactment of this Act, the Federal Transit Administration shall provide the House and Senate Committees on Appropriations a list of projects to which the agency expects to award a full-funding grant agreement in fiscal year 2020, and upon submission of the fiscal year 2021 budget, the Federal Transit Administration shall provide such information for 2021.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain
available until expended: *Provided*, That the Secretary of
Transportation shall approve grants for capital and pre-
ventive maintenance expenditures for the Washington
Metropolitan Area Transit Authority only after receiving
and reviewing a request for each specific project: *Provided
further*, That prior to approving such grants, the Secretary
shall certify that the Washington Metropolitan Area Tran-
sit Authority is making progress to improve its safety
management system in response to the Federal Transit
Administration’s 2015 safety management inspection:
*Provided further*, That the Secretary shall determine that
the Washington Metropolitan Area Transit Authority has
placed the highest priority on those investments that will
improve the safety of the system before approving such
grants: *Provided further*, That the Secretary, in order to
ensure safety throughout the rail system, may waive the
requirements of section 601(c)(1) of division B of Public
Law 110–432.

**ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT**

**ADMINISTRATION**

Sec. 160. The limitations on obligations for the pro-
grams of the Federal Transit Administration shall not
apply to any authority under 49 U.S.C. 5338, previously
made available for obligation, or to any other authority
previously made available for obligation.
SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading “Fixed Guideway Capital Investment” of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2024, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2018, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.


SEC. 164. No funds in this or any other Act shall be used:

(a) to enforce or implement the provision in 26 U.S.C. 9503(d) for fiscal year 2020;

(b) to request or require any project to have a maximum Capital Investment Grant contribution lower than 50 percent of the total project cost;
(c) to determine a maximum Capital Investment Grant contribution for projects defined under 23 U.S.C. 5309(a)(2) or 23 U.S.C. 5309(a)(5) until at least 180 days after a project has entered into the Engineering phase; and

(d) by the Federal Transit Administration when making a determination about whether a project sponsor’s cost estimate is reasonable, to require a probability higher than 50 percent that a project can be completed within that cost estimate: Provided, That this proviso only applies to those applications that are in the “project development” phase as defined under subsections (d)(1), (e)(1), or (h)(2) of 49 U.S.C. 5309, or the “Engineering” phase as defined under subsections (d)(2) or (e)(2) of 49 U.S.C. 5309 on the date of enactment of this Act.

SEC. 165. An eligible recipient of a grant under 5339(c) may submit an application in partnership with other entities, including a transit vehicle manufacturer, that intend to participate in the implementation of a project under 5339(c) of title 49, United States Code and a project awarded with such partnership shall be treated as satisfying the requirement for a competitive procurement under Section 5325(a) of title 49, United States Code, for the named entity.
SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $40,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: Provided, That of the amounts made available under this heading, not less than $16,000,000 shall be used on capital asset renewal activities.
MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law, $154,442,000: Provided, That of the sums appropriated under this heading —

(1) $77,944,000 shall remain available until September 30, 2021 for the operations of the United States Merchant Marine Academy;

(2) $5,225,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy;

(3) $3,000,000 shall remain available until September 30, 2021 for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code; and

(4) $15,000,000, shall remain available until expended for the Short Sea Transportation Program (America’s Marine Highways) to make grants for
the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code:

Provided further, That not later than 120 days after enactment of this Act, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417:

Provided further, That available balances under this heading for the Short Sea Transportation Program (America’s Marine Highways) from prior year recoveries shall be available to carry out activities authorized under sections 55601(b)(1) and (3) of title 46, United States Code: Provided further, That from funds provided under (3) and (4) of the first proviso, the Secretary of Transportation shall make grants no later than 180 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That any unobligated balances available from previous appropriations for programs and activities supporting State Maritime Academies shall be transferred to and merged with the appropriations for “Maritime Administration, State Maritime Academy Operations” and shall be made available for the same purposes.
STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies, $345,200,000: Provided, That of the sums appropriated under this heading —

(1) $33,000,000, to remain available until expended, shall be for maintenance, repair, life extension, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, of which up to $8,060,000, to remain available until expended, shall be for expenses related to training mariners for costs associated with training vessel sharing pursuant to 46 U.S.C. 51504(g)(3) for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary;

(2) $300,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships;
(3) $2,400,000 shall remain available through September 30, 2021, for the Student Incentive Program;

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

(5) $6,000,000 shall remain available until September 30, 2021, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

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

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

To make grants to improve port facilities as authorized under section 50302 of title 46, United States Code, $225,000,000 to remain available until expended: Provided, That projects eligible for funding provided under this heading shall be projects for coastal seaports or Great Lakes ports: Provided further, That the Maritime Administration shall distribute funds provided under this heading as discretionary grants to port authorities or commissions or their subdivisions and agents under existing authority, as well as to a State or political subdivision of a State or local government, a tribal government, a public agency or publicly chartered authority established by one or more States, a special purpose district with a transportation function, a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities: Provided further, That projects eligible for funding provided under this heading shall be either within the boundary of a port, or outside the boundary of a port, and directly related to port operations or to an intermodal connection to a port that will improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port, as well as the unloading and loading of cargo at a port: Provided further, That the Federal share of the costs for
which an expenditure is made under this heading shall be up to 80 percent: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration: *Provided further*, That the proceeds of Federal credit assistance under chapter 6 of title 23, United States Code or sections 501 through 504 of the Railroad and Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, shall be considered to be part of the non-Federal share of project costs if the loan is repayable from non-Federal funds, unless otherwise requested by the project sponsor: *Provided further*, That a grant award made under this heading may not be used to purchase fully-automated cargo handling equipment or to otherwise facilitate fully-automated cargo handling: *Provided further*, That for the purposes of the previous proviso, fully-automated cargo handling means using equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control.

**ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION**

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

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

Pipeline and Hazardous Materials Safety Administration

Operational Expenses

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,710,000, of which $1,500,000 shall remain available until September 30, 2022: Provided, That the Secretary of Transportation shall issue final rules as required under section 5(f), section 21(c), and section 23(a) of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112–90) no later than 180 days after enactment of this Act: Provided further, That no later than 90 days after enactment of this Act, the Secretary of Transportation shall initiate a rulemaking on automatic and remote-controlled shut-off valves and hazardous liquid pipeline facilities leak detection systems as required under
section 4 and section 8 of the Pipeline Safety, Regulatory
Certainty, and Job Creation Act of 2011 (Public Law
112–90), respectively, and shall issue a final rule no later
than one year after enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous
materials safety functions of the Pipeline and Hazardous
Materials Safety Administration, $61,000,000, to remain
available until September 30, 2022: Provided, That up to
$800,000 in fees collected under 49 U.S.C. 5108(g) shall
be deposited in the general fund of the Treasury as offset-
ting receipts: Provided further, That there may be credited
to this appropriation, to be available until expended, funds
received from States, counties, municipalities, other public
authorities, and private sources for expenses incurred for
training, for reports publication and dissemination, and
for travel expenses incurred in performance of hazardous
materials exemptions and approvals functions.

PIPELINE SAFETY

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety
program, as authorized by 49 U.S.C. 60107, and to dis-
charge the pipeline program responsibilities of the Oil Pol-
lution Act of 1990, $168,000,000, to remain available
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until September 30, 2022, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $137,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: Provided, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than $28,318,000 shall remain available until September 30, 2022, from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the
transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $96,700,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

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

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

c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

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

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

Sec. 183. (a) None of the funds appropriated by this Act may be made available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

(b) The limitation in subsection (a) shall increase to 125 political and Presidential appointees beginning on the date on which the Secretary announces the selection of projects to receive awards for each of the following competitive grants, with respect to funds made available for fiscal year 2019 for such grants:

(1) Capital investment grants as authorized and as funded under the heading “Office of the Secretary—National Infrastructure Investments” by Public Law 116–9;

(2) Grants-In-Aid for Airports as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, and as funded under the heading “Federal Aviation Admin-
istration—Grants-in-Aid for Airports” by Public Law 116–9;

(3) Federal-State Partnership for State of Good Repair Grants, as authorized by section 24911 of title 49, United States Code, and as funded under the heading “Federal Railroad Administration—Federal-State Partnership for State of Good Repair” by Public Law 116–9;

(4) Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, and as funded under the heading “Federal Railroad Administration—Consolidated Rail Infrastructure and Safety Improvements” by Public Law 116–9;

(5) Restoration and Enhancement Grants, as authorized by section 22908 of title 49, United States Code, and as funded under the heading “Federal Railroad Administration— Restoration and Enhancement” by Public Law 116–9;

(6) Magnetic levitation transportation projects consistent with section 322 of title 23, United States Code, and as funded under the heading “Federal Railroad Administration—Magnetic Levitation Technology Deployment Program” by Public Law 116–9;
(7) Buses and bus facilities competitive grants as authorized under section 5339(b) of title 49, United States Code, and as funded under the heading “Federal Transit Administration—Transit Infrastructure Grants” by Public Law 116–9;

(8) Low or no emission grants, as authorized under section 5339(c) of title 49, United States Code, and as funded under the heading “Federal Transit Administration—Transit Infrastructure Grants” by Public Law 116–9;

(9) Grants to qualified shipyards, as authorized under section 54101 of title 46, United States Code, and as funded under the heading “Maritime Administration—Assistance to Small Shipyards” by Public Law 116–9; and

(10) Grants to improve port facilities, as authorized under section 50302 of title 46, United States Code, and as funded under the heading “Maritime Administration—Port Infrastructure Development Program” by Public Law 116–9.

Sec. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Adminis-
Sec. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: Provided, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any “quick release” of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

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

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

Sec. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—
(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: Provided, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 and Improper Payments Elimination and Recovery Improvement Act of 2012, and Fraud Reduction and Data Analytics Act of 2015: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall
be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to depositing such recovery in the Treasury, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term “improper payments” has the same meaning as that provided in section 2(e)(2) of Public Law 111–204.

Sec. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogram-
ming but not sooner than 30 days following the date on
which the reprogramming action has been approved or de-

nied by the House and Senate Committees on Appropria-
tions.

Sec. 189. Funds appropriated in this Act to the
modal administrations may be obligated for the Office of
the Secretary for the costs related to assessments or reim-
bursable agreements only when such amounts are for the
costs of goods and services that are purchased to provide
a direct benefit to the applicable modal administration or
administrations.

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

Sec. 191. The Department of Transportation may
use funds provided by this Act, or any other Act, to assist
a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
geographic, economic, or any other hiring preference not
otherwise authorized by law, or to amend a rule, regula-
tion, policy or other measure that forbids a recipient of
a Federal Highway Administration or Federal Transit Ad-
ministration grant from imposing such hiring preference
on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(a) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(b) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

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

Sec. 192. (a) None of the funds appropriated or otherwise made available by this Act may be used to terminate a grant or cooperative agreement with the California High Speed Rail Authority, de-obligate funding associated with a grant or cooperative agreement with the California High Speed Rail Authority, or require the State of California or the California High Speed Rail Authority to repay funding previously obligated and expended.
(b) Subsection (a) shall apply to Cooperative Agreement No. FR-HSR-0009-10-01-06 and any other grant or cooperative agreement with the California High Speed Rail Authority in effect on or after enactment of this Act.

(c) Notwithstanding the Department of Transportation Appropriations Act, 2010 (Public Law 111-117), de-obligated funds associated with Cooperative Agreement No. FR-HSR-0118-12-01-01—

(1) may not be made available for any purpose until the final determination of any litigation concerning those funds; and

(2) upon the final determination of any such litigation, shall be made available only for high-speed rail projects under section 26106 of title 49, United States Code, in accordance with such section, except the Secretary of Transportation shall—

(A) issue a Notice of Funding Opportunity for such grants no later than 30 days after the final determination of such litigation;

(B) require that such Notice of Funding Opportunity shall require application submissions no later than 30 days after the issuance of such Notice;

(C) award grants no later than 60 days after the issuance of such Notice; and
(D) require applicants to provide the Secretary with completed documentation with respect to any required environmental impact statements within the application for a grant.

Sec. 193. Section 603(b) of title 23, United States Code, is amended by striking paragraph (8) and inserting the following:

“(8) NON-FEDERAL SHARE.—Notwithstanding paragraph (9) and section 117(j)(2), the proceeds of a secured loan under the TIFIA program shall be considered to be part of the non-Federal share of project costs required under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.”.

Sec. 194. Section 502(b)(3) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(b)(3)) is amended by striking “only during the 4-year period beginning on the date of enactment of the Passenger Rail Reform and Investment Act of 2015” and inserting “until September 30, 2020”.

Sec. 195. (a) None of the funds appropriated by this title may be made available to issue grants to entities that do not comply with practices for control system procurement recommended by the U.S. Department of Homeland Security.
Security’s National Cybersecurity and Communications
Integration Center.

(b) The Secretary of Transportation may waive the
requirement to comply with the practices described in sub-
section (a) if the Secretary finds that:

(1) requiring compliance would be inconsistent
with the public interest; and

(2) the Secretary notifies the House and Senate
Committees on Appropriations no less than 3 days
before issuing a waiver under this subsection.

This title may be cited as the “Department of Trans-
portation Appropriations Act, 2020”.

TITLE II
DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
MANAGEMENT AND ADMINISTRATION
EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Of-
Fices, which shall be comprised of the offices of the Sec-
retary, Deputy Secretary, Adjudicatory Services, Congres-
sional and Intergovernmental Relations, Public Affairs,
Small and Disadvantaged Business Utilization, and the
Center for Faith-Based and Neighborhood Partnerships,
$14,788,000, to remain available until September 30,
2021, and of which $4,557,000 is for the Office of the
Secretary and $2,192,000 is for the Office of Congressional and Intergovernmental Relations: Provided, That not to exceed $20,000 of the total amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine: Provided further, That none of the funds made available in this title or title II of division G of Public Law 116–6 may be reprogrammed or otherwise used to increase the appropriation provided by this title for the Office of the Secretary or the Office of Congressional and Intergovernmental Relations: Provided further, That none of the funds made available by this or any other Act may be used to detail any individual to the Office of the Secretary or the Office of Congressional and Intergovernmental Relations: Provided further, That none of the funds made available by this Act may be used to pay the salary of any individual occupying a political position in the Office of Budget: Provided further, That for the purposes of the previous proviso, the term “political position” means the following: a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule); a nonecareer appointment in the Senior Executive Service, as defined under paragraph (7) of section 3132(a) of such title; a position in the executive branch of the Government of a confidential or policy-
determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; or any other position that has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $521,500,000, to remain available until September 30, 2021: Provided, That of the sums appropriated under this heading —

(1) not to exceed $52,691,000 shall be for the Office of the Chief Financial Officer;

(2) not to exceed $95,890,000 shall be for the Office of the General Counsel, of which not less than $20,000,000 shall be for the Departmental Enforcement Center;

(3) not to exceed $54,000,000 shall be for the Office of Field Policy and Management;

(4) not to exceed $3,900,000 shall be for the Office of Departmental Equal Employment Opportunity;

(5) not less than $55,019,000 shall be for the Office of the Chief Information Officer; and

(6) not to exceed $260,000,000 shall be for the Assistant Secretary for Administration:
Provided further, That funds provided under this heading may be used for hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109: Provided further,

That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports:

Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress: Provided further, That not more than 10 percent of the funds made available under this heading for the Office of Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICE SALARIES AND EXPENSES

For necessary salaries and expenses for Program Offices, $849,144,000, to remain available until September 30, 2021: Provided, the amounts made available under this heading are provided as follows:
(1) not to exceed $230,000,000 shall be available for the Office of Public and Indian Housing, of which $10,200,000 is for (a) the Secretary of Housing and Urban Development for carrying out any authorities of such Secretary under chapter 11 of subtitle B of the Violence Against Women Act of 1994 (34 U.S.C. 12351) and subtitle N of such Act (34 U.S.C. 12471 et seq.); (b) public housing inspections and assessments as referred in paragraph (2) of the heading “Public Housing Capital Fund” in this title; and (c) public housing inspections, monitoring and oversight of activities, and other assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), and Tribal HUD-VASH program;

(2) not to exceed $117,000,000 shall be available for the Office of Community Planning and Development, of which $4,656,000 shall be for permanent positions for a disaster recovery workforce;
(3) not to exceed $386,144,000 shall be available for the Office of Housing, of which not less than $12,000,000 shall be for the Office of Recapitalization;

(4) not to exceed $26,000,000 shall be available for the Office of Policy Development and Research;

(5) not to exceed $80,000,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) not to exceed $10,000,000 shall be available for the Office of Lead Hazard Control and Healthy Homes:

Provided further, That the unobligated balances of prior year appropriations made available under each of the accounts “Public and Indian Housing”, “Community Planning and Development”, “Housing”, “Policy Development and Research”, “Fair Housing and Equal Opportunity”, and “Office of Lead Hazard Control and Healthy Homes” under the heading “Department of Housing and Urban Development--Program Office Salaries and Expenses” shall be transferred to, and merged with, the amounts reserved for the Office of Public and Indian Housing, the Office of Community Planning and Development, the Office of Housing, the Office of Policy Development and Research, the Office of Fair Housing and Equal Oppor-
tunity, and the Office of Lead Hazard Control and Healthy Homes, respectively, under the heading “Department of Housing and Urban Development--Program Office Salaries and Expenses” in this title.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency’s printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: Provided, That of the amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Office Salaries and Expenses”, and “Government National Mortgage Association”, the Secretary shall transfer to the Fund such amounts, to remain available
until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for any purpose under this heading: Provided further, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the matter preceding the first proviso: Provided further, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, $19,810,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2019), and $4,000,000,000, to remain available until expended, shall
be available on October 1, 2020: Provided, That the amounts made available under this heading are provided as follows:

(1) $21,400,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2020 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise
modified under this paragraph), prorate each public
housing agency’s allocation otherwise established
pursuant to this paragraph. Provided further, That
except as provided in the following provisos, the en-
tire amount specified under this paragraph (except
as otherwise modified under this paragraph) shall be
obligated to the public housing agencies based on the
allocation and pro rata method described above, and
the Secretary shall notify public housing agencies of
their annual budget by the latter of 60 days after
enactment of this Act or March 1, 2020: Provided
further, That the Secretary may extend the notifica-
tion period with the prior written approval of the
House and Senate Committees on Appropriations:
Provided further, That public housing agencies par-
ticipating in the MTW demonstration shall be fund-
ed pursuant to their MTW agreements and in ac-
cordance with the requirements of the MTW pro-
gram and shall be subject to the same pro rata ad-
justments under the previous provisos: Provided fur-
ther, That the Secretary may offset public housing
agencies’ calendar year 2020 allocations based on
the excess amounts of public housing agencies’ net
restricted assets accounts, including HUD-held pro-
grammatic reserves (in accordance with VMS data
in calendar year 2019 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2020 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That the Secretary may utilize unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading from prior year appropriations (excluding special purpose vouchers), notwithstanding the purposes for which such amounts were appropriated, to avoid or reduce such prorations: Provided further, That up to $100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public hous-
ing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers; (4) for adjustments in the allocations for public housing agencies that (i) are leasing a lower-than-average percentage of their authorized vouchers, (ii) have low amounts of budget authority in their net restricted assets accounts and HUD-held programmatic reserves, relative to other agencies, and (iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers; (5) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding; and (6) for public housing agencies that have experienced increased costs or loss of units in an area for which the President declared a disaster under title
IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.): Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $150,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this
Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: 

Provided further, That the Secretary shall provide replacement vouchers for all units that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: Provided further, That such tenant protection assistance made available under
the previous proviso may be provided under the au-

thority of section 8(t) or section 8(o)(13) of the

United States Housing Act of 1937 (42 U.S.C.

1437f(t)): Provided further, That the Secretary shall

issue guidance to implement the previous provisos,

including, but not limited to, requirements for defin-

ing eligible at-risk households within 60 days of the

enactment of this Act: Provided further, That any

tenant protection voucher made available from

amounts under this paragraph shall not be reissued

by any public housing agency, except the replace-

ment vouchers as defined by the Secretary by notice,

when the initial family that received any such vouch-

er no longer receives such voucher, and the authority

for any public housing agency to issue any such

voucher shall cease to exist: Provided further, That

the Secretary may provide section 8 rental assist-

ance from amounts made available under this para-

graph for units assisted under a project-based sub-

dsidy contract funded under the “Project-Based

Rental Assistance” heading under this title where

the owner has received a Notice of Default and the

units pose an imminent health and safety risk to

residents: Provided further, That to the extent that

the Secretary determines that such units are not
feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,925,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: Provided, That no less than $1,895,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2020 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Re-
responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and in accordance with the requirements of the MTW program, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assist-
ance authorized under section 8, including related
development activities;

(4) $225,000,000 shall be for the renewal of
tenant-based assistance contracts under section 811
of the Cranston-Gonzalez National Affordable Hous-
ing Act (42 U.S.C. 8013), including necessary ad-
ministrative expenses: Provided, That administrative
and other expenses of public housing agencies in ad-
ministering the special purpose vouchers in this
paragraph shall be funded under the same terms
and be subject to the same pro rata reduction as the
percent decrease for administrative and other ex-
penses to public housing agencies under paragraph
(3) of this heading:

(5) $5,000,000 shall be for rental assistance
and associated administrative fees for Tribal HUD–
VASH to serve Native American veterans that are
homeless or at-risk of homelessness living on or near
a reservation or other Indian areas: Provided, That
such amount shall be made available for renewal
grants to recipients that received assistance under
prior Acts under the Tribal HUD–VASH program:
Provided further, That the Secretary shall be author-
ized to specify criteria for renewal grants, including
data on the utilization of assistance reported by
grant recipients: *Provided further*, That any amounts remaining after such renewal assistance is awarded may be available for new grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for rental assistance and associated administrative fees for Tribal HUD-VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided further*, That funds shall be awarded based on need, and administrative capacity established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs: *Provided further*, That renewal grants and new grants under this paragraph shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD-VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except
for requirements related to fair housing, non-
discrimination, labor standards, and the environ-
ment), upon a finding by the Secretary that any
such waivers or alternative requirements are nec-
essary for the effective delivery and administration
of such assistance: Provided further, That grant re-
cipients shall report to the Secretary on utilization
of such rental assistance and other program data, as
prescribed by the Secretary: Provided further, That
the Secretary may reallocate, as determined by the
Secretary, amounts returned or recaptured from
awards under prior Acts;

(6) $40,000,000 for incremental rental voucher
assistance for use through a supported housing pro-
gram administered in conjunction with the Depart-
ment of Veterans Affairs as authorized under section
8(o)(19) of the United States Housing Act of 1937:
Provided, That the Secretary of Housing and Urban
Development shall make such funding available, not-
withstanding section 203 (competition provision) of
this title, to public housing agencies that partner
with eligible VA Medical Centers or other entities as
designated by the Secretary of the Department of
Veterans Affairs, based on geographical need for
such assistance as identified by the Secretary of the

Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $40,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: Provided, That the assistance made
available under this paragraph shall continue to re-
main available for family unification upon turnover:

Provided further, That for any public housing agency
administering voucher assistance appropriated in a
prior Act under the family unification program that
determines that it no longer has an identified need
for such assistance upon turnover, such agency shall
notify the Secretary, and the Secretary shall recap-
ture such assistance from the agency and reallocate
it to any other public housing agency or agencies
based on need for voucher assistance in connection
with such program: Provided further, That of the
amounts made available under this paragraph, up to
$20,000,000 shall be for assistance for youth under
section 8(x) of the Act: Provided further, That not-
withstanding other laws, the Secretary shall, subject
only to the availability of funds, allocate such assist-
ance to any public housing agencies that (1) admin-
ister assistance under section 8(x), or seek to admin-
ister such assistance, consistent with procedures es-
tablished by the Secretary, and (2) have requested
such assistance so that they may provide timely as-
sistance to eligible youth: Provided further, That
public housing agencies shall not reissue any assist-
ance made available from amounts under this para-
graph when the initial youth that received any such assistance no longer receives it, unless approved by the Secretary;

(8) $25,000,000 shall be made available for the mobility demonstration authorized under section 235 of division G of the Consolidated Appropriations Act, 2019 (42 U.S.C. 1437f note; Public Law 116–6; 133 Stat. 465), of which up to $5,000,000 shall be for new incremental voucher assistance and the remainder of which shall be available to provide mobility-related services to families with children, including pre- and post-move counseling and rent deposits, and to offset the administrative costs of operating the mobility demonstration: Provided, That incremental voucher assistance made available under this paragraph shall be for families with children participating in the mobility demonstration and shall continue to remain available for families with children upon turnover: Provided further, That for any public housing agency administering voucher assistance under the mobility demonstration that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any
other public housing agency or agencies based on
need for voucher assistance in connection with such
demonstration; and

(9) the Secretary shall separately track all spe-
cial purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and car-
ryover, remaining from funds appropriated to the Depart-
ment of Housing and Urban Development under this
heading, the heading “Annual Contributions for Assisted
Housing” and the heading “Project-Based Rental Assis-
tance”, for fiscal year 2020 and prior years may be used
for renewal of or amendments to section 8 project-based
contracts and for performance-based contract administra-
tors, notwithstanding the purposes for which such funds
were appropriated: Provided, That any obligated balances
of contract authority from fiscal year 1974 and prior that
have been terminated shall be rescinded: Provided further,
That amounts heretofore recaptured, or recaptured during
the current fiscal year, from section 8 project-based con-
tracts from source years fiscal year 1975 through fiscal
year 1987 are hereby rescinded, and an amount of addi-
tional new budget authority, equivalent to the amount re-
scinded is hereby appropriated, to remain available until
expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the “Act”) $2,855,057,000, to remain available until September 30, 2023: Provided, That the amounts made available under this heading are provided as follows:

(1) notwithstanding any other provision of law or regulation, during fiscal year 2020, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future;

(2) $28,000,000 shall be to support ongoing public housing financial and physical assessment activities, pilot a new physical inspection process, and
implement the recommendations made in the March 2019 Government Accountability Office (GAO) report “Real Estate Inspection Center: HUD should Improve Physical Inspection Process and Oversight of Inspectors” (GAO-19-254);

(3) up to $16,000,000 shall be to support the costs of administrative and judicial receiverships;

(4) not to exceed $30,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2020:

Provided further, That of the amount made available under this paragraph, not less than $10,000,000 shall be for safety and security measures: Provided further, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2021, for
emergency capital needs have been processed, shall
be allocated to public housing agencies for such safety
and security measures;

(5) Provided further, That for funds provided
under this heading, the limitation in section 9(g)(1)
of the Act shall be 25 percent: Provided further,
That the Secretary may waive the limitation in the
previous proviso to allow public housing agencies to
fund activities authorized under section 9(e)(1)(C)
of the Act: Provided further, That the Secretary
shall notify public housing agencies requesting waivers under the previous proviso if the request is ap-
proved or denied within 14 days of submitting the
request: Provided further, That from the funds made
available under this heading, the Secretary shall pro-
vide bonus awards in fiscal year 2020 to public
housing agencies that are designated high per-
formers: Provided further, That the Department
shall notify public housing agencies of their formula
allocation within 60 days of enactment of this Act;

(6) $25,000,000 shall be available for competitive grants to public housing agencies to evaluate
and reduce lead-based paint hazards in public hous-
ing by carrying out the activities of risk assess-
ments, abatement, and interim controls (as those
terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b): Provided further, That for purposes of environmental review, a grant under this paragraph shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section; and

(7) $25,000,000 shall be available for competitive grants to public housing agencies for activities authorized under the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning mold, carbon monoxide poisoning, and other housing-related diseases and hazards.

PUBLIC HOUSING OPERATING FUND

For 2020 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,753,116,000, to remain available until September 30, 2021.
CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $300,000,000, to remain available until September 30, 2023: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may
apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $150,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal
years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: Provided further, That the Secretary shall issue the Notice of Funding Availability for funds made available under this heading no later than 120 days after enactment of this Act: Provided further, That the Secretary shall make grant awards no later than one year from the date of enactment of this Act in such amounts that the Secretary determines: Provided further, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2023, obligate any available unobligated balances made available under this heading in this, or any prior Act.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2023, $150,000,000: Provided, That the amounts made available under this heading are provided as follows:

(1) $100,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and
9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program;

(2) $35,000,000 shall be for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and congregate services as authorized by section 34 of
the United States Housing Act of 1937 (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(3) $15,000,000 shall be for a Jobs-Plus initiative, modeled after the Jobs-Plus demonstration: Provided, That funding provided under this paragraph shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary
that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this paragraph, the limitation in section 9(g)(1) of the United States Housing Act of 1937 shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of such Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2020 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.
NATIVE AMERICAN PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related training and technical assistance, $855,000,000, to remain available until September 30, 2024, unless otherwise specified: Provided, That amounts made available under this heading are provided as follows:

(1) $671,000,000 shall be for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of the date of enactment of this Act;
(2) $2,000,000 shall be for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $32,000,000;

(3) $100,000,000 shall be for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: Provided further, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation: Provided further, That a grant funded pursuant to this paragraph shall be not greater than $10,000,000: Provided further, That up to 1 percent of this additional amount may be transferred, in aggregate, to the Office of Public and Indian Housing
under paragraph (1) of the heading “Program Office Salaries and Expenses” for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: Provided further, That any funds transferred pursuant to this paragraph shall remain available until September 30, 2025;

(4) $75,000,000 shall be for grants to Indian tribes for carrying out the Indian Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $5,000,000 may be used for emergencies that constitute imminent threats to health and safety: Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration: Provided further, That funds provided under this paragraph shall remain available until September 30, 2022; and

(5) $7,000,000 shall be for providing training and technical assistance to Indian tribes, Indian housing authorities and tribally designated housing
entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: Provided, That of the funds made available under this paragraph, not less than $2,000,000 shall be available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the amounts made available under this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).
INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $2,500,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,000,000,000, to remain available until expended: Provided further, That up to $500,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,500,000, to remain available until September 30, 2024: Provided, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: Provided further, That amounts made
available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $410,000,000, to remain available until September 30, 2021, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2022: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C.
5301 et seq. (“the Act” herein), $3,600,000,000, to remain available until September 30, 2022, unless otherwise specified: Provided, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.
COMMUNITY DEVELOPMENT LOAN GUARANTEES

PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2020, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided further, That such commitment authority funded by fees may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of such section 108: Provided further, That any State receiving such a guarantee or commitment under the previous proviso shall distribute all funds subject to such guarantee to the units of general local government in nonentitlement areas that received the commitment.
For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,750,000,000, to remain available until September 30, 2023: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act (42 U.S.C. 12746(10), 12747(b)(4)) shall not apply to allocations of such amount: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: Provided further, That section 218(g) of such Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020, 2021, or 2022 under that section: Provided further, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction’s HOME Investment Trust Fund in 2018, 2019, 2020, 2021, or 2022 under that section and the funds shall be invested only in housing to be developed, sponsored, or owned by community housing development organizations.
SELF-HELP AND ASSISTED HOMEOWNERSHIP

OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $55,000,000, to remain available until September 30, 2022: Provided, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended:

Provided further, That of the total amount provided under this heading, $40,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: Provided further, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local non-profits, local governments, and Indian Tribes serving high need rural communities.
HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,800,000,000, to remain available until September 30, 2022: Provided, That not less than $290,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than $2,344,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, sexual assault, dating violence, and stalking: Provided further, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to
$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: Provided further, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care’s system performance: Provided further, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That any unobligated
amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2020: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: Provided further, That up to $100,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities can dramatically reduce youth homelessness: Provided further, That of the amount made available under the previous proviso, up to $10,000,000 shall be available to provide technical assistance on improving system responses to youth homelessness, and collection, analysis, use, and reporting of data and performance measures under the comprehensive ap-
proaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That the Secretary may use up to 10 percent of the amount made available under the previous proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for youth experiencing homelessness: Provided further, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2018 Notice of Funding Availability.
HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, $12,190,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2019), and $400,000,000, to remain available until expended, shall be available on October 1, 2020: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance.
funded under this paragraph. Provided further, That of the total amounts provided under this heading, not to exceed $345,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(e)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or
the heading “Housing Certificate Fund”, may be used for
renewals of or amendments to section 8 project-based con-
tracts or for performance-based contract administrators,
notwithstanding the purposes for which such amounts
were appropriated: Provided further, That, notwith-
standing any other provision of law, upon the request of
the Secretary, project funds that are held in residual re-
cceipts accounts for any project subject to a section 8
project-based Housing Assistance Payments contract that
authorizes HUD or a Housing Finance Agency to require
that surplus project funds be deposited in an interest-
bearing residual receipts account and that are in excess
of an amount to be determined by the Secretary, shall be
remitted to the Department and deposited in this account,
to be available until expended: Provided further, That
amounts deposited pursuant to the previous proviso shall
be available in addition to the amount otherwise provided
by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to cap-
tital advance contracts, for housing for the elderly, as au-
thorized by section 202 of the Housing Act of 1959, as
amended, for project rental assistance for the elderly
under section 202(c)(2) of such Act, including amend-
ments to contracts for such assistance and renewal of ex-
piring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $803,000,000, to remain available until September 30, 2023: Provided, That of the amount provided under this heading, up to $95,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2023: Provided further, That
amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals in addition to the purposes for which such funds originally were appropriated: Provided further, That of the total amount provided under this heading, $10,000,000, shall be for a program to be established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly persons to enable them to remain in their primary residence: Provided further, That of the total amount made available under the previous proviso, no less than $5,000,000 shall be available to meet such needs in communities with substantial rural populations.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance
for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $258,510,000, to remain available until September 30, 2023: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2023: Provided further, That amounts deposited in this account pursuant to the previous proviso...
shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: Provided further, That unobligated balances, including re-captures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $60,000,000, to remain available until September 30, 2021, including up to $4,500,000 for administrative contract services: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants
from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $3,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $12,400,000, to remain available until expended, of which $12,400,000 is to be derived from the Manufactured
Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2020 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.
Federal Housing Administration

Mutual Mortgage Insurance Program Account

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2021: Provided, That during fiscal year 2020, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2021: Provided further, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2020, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: Provided further, That notwithstanding the limitation in the
first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year 2020 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero: Provided further, That for fiscal year 2020, the Secretary shall not take any action against a lender solely on the basis of compare ratios that have been adversely affected by defaults on mortgages secured by properties in areas where a major disaster was declared in 2017 or 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2021: Provided, That during fiscal year 2020, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for loans to nonprofit and governmental en-
ties in connection with the sale of single family real prop-
erties owned by the Secretary and formerly insured under
such Act.

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

New commitments to issue guarantees to carry out
the purposes of section 306 of the National Housing Act,
as amended (12 U.S.C. 1721(g)), shall not exceed
$550,000,000,000, to remain available until September
30, 2021: Provided, That $27,000,000, to remain avail-
able until September 30, 2021, shall be for necessary sala-
ries and expenses of the Office of Government National
Mortgage Association: Provided further, That to the extent
that guaranteed loan commitments exceed
$155,000,000,000 on or before April 1, 2020, an addi-
tional $100 for necessary salaries and expenses shall be
available until expended for each $1,000,000 in additional
guaranteed loan commitments (including a pro rata
amount for any amount below $1,000,000), but in no case
shall funds made available by this proviso exceed
$3,000,000: Provided further, That receipts from Commit-
ment and Multiclass fees collected pursuant to title III of
the National Housing Act, as amended, shall be credited
as offsetting collections to this account.
POLICY DEVELOPMENT AND RESEARCH

research and technology

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $98,000,000, to remain available until September 30, 2021: Provided, That the amounts made available under this heading may be used for the types of research and studies otherwise provided for and authorized elsewhere under this title: Provided further, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian tribes, tribally designated housing entities, or colleges or universities for research projects: Provided further, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: Provided further, That for non-competitive agreements entered into in accordance
with the previous two provisos, the Secretary of Housing
and Urban Development shall comply with section 2(b) of
the Federal Funding Accountability and Transparency
of compliance with section 102(a)(4)(C) with respect to
documentation of award decisions: Provided further, That
prior to obligation of technical assistance funding, the Sec-
retary shall submit a plan, for approval, to the House and
Senate Committees on Appropriations on how it will allo-
cate funding for this activity: Provided further, That none
of the funds provided under this heading may be available
for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not oth-
erwise provided for, as authorized by title VIII of the Civil
Rights Act of 1968, as amended by the Fair Housing
Amendments Act of 1988, and section 561 of the Housing
and Community Development Act of 1987, as amended,
$75,300,000, to remain available until September 30,
2021: Provided, That grants made available from amounts
provided under this heading shall be awarded within 120
days of enactment of this Act: Provided further, That not-
withstanding 31 U.S.C. 3302, the Secretary may assess
and collect fees to cover the costs of the Fair Housing
Training Academy, and may use such funds to develop on-
line courses and provide such training: Provided further,
That of the funds made available under this heading, up
to $450,000 shall be available to the Secretary of Housing
and Urban Development for the creation and promotion
of translated materials and other programs that support
the assistance of persons with limited English proficiency
in utilizing the services provided by the Department of
Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as author-
ized by section 1011 of the Residential Lead-Based Paint
Hazard Reduction Act of 1992, $290,000,000, to remain
available until September 30, 2022, of which $56,000,000
shall be for the Healthy Homes Initiative, pursuant to sec-
tions 501 and 502 of the Housing and Urban Develop-
ment Act of 1970, which shall include research, studies,
testing, and demonstration efforts, including education
and outreach concerning lead-based paint poisoning and
other housing-related diseases and hazards: Provided,
That for purposes of environmental review, pursuant to
the National Environmental Policy Act of 1969 (42 U.S.C.
4321 et seq.) and other provisions of law that further the
purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: Provided further, That of the amount made available for the Healthy Homes Initiative, $5,000,000 shall be for the implementation of projects in up to five communities that are served by both the Healthy Homes Initiative and Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of homes: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations
Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

**Cybersecurity and Information Technology Fund**

For the mitigation against the exploitation of information technology systems and personally identifiable information; for the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, and for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $300,000,000, to remain available until September 30, 2021, of which $20,000,000 may be used for single family information technology systems of the Federal Housing Administration: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: Provided further,
That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department’s enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department’s capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

Office of Inspector General

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $132,489,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.
GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

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

Sec. 202. None of the amounts made available under this Act may be used during fiscal year 2020 to investigate or prosecute under the Fair Housing Act any otherwise
lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

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

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

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2020 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mort-
gage purchases are necessary to protect the financial interest of the United States Government.

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

SEC. 208. The President’s formal budget request for fiscal year 2021, as well as the Department of Housing and Urban Development’s congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2020 and 2021, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured...
by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

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

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

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

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

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

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

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

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

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

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.
(d) For purposes of this section—

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

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

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

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

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;
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(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

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

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

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

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

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(e)(2) of the Housing Act of 1959; and
(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

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

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

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

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

Sec. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—
(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

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

SEC. 212. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding any other provision of law, in fiscal year 2020, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8
or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

Sec. 214. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by...
the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 215. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 216. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and
has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each paragraph receiving appropriations under the heading “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

Sec. 217. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2020, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2020, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

Sec. 218. Payment of attorney fees in program-related litigation shall be paid from the individual program
office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 219. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the heading “Administrative Support Offices” or for any paragraph under the heading “Program Office Salaries and Expenses” to any other such office or account: Provided, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 220. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary condi-
tions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) the enforcement actions being taken to ad-
dress such conditions, including imposition of civil
money penalties and termination of subsidies, and
identify properties that have such conditions mul-
tiple times;
(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

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

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

Sec. 221. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2020.

Sec. 222. None of the funds in this Act provided to the Department of Housing and Urban Development may
be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 223. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 224. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 225. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).
SEC. 226. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 227. Funds made available in this title under the heading “Homeless Assistance Grants” may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2019: Provided, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.
SEC. 228. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015 and subsequent fiscal years for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient’s matching requirements, provided the costs are eligible CoC costs that supplement the recipient’s CoC program.

SEC. 229. (a) From amounts made available under this title under the heading “Homeless Assistance Grants”, the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

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

SEC. 230. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled “Affirmatively Furthering Fair Housing Assessment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 231. (a) E StABlishment OF Fund.—There is hereby established in the Treasury of the United States a fund to be known as HUD HAG Fund (in this section referred to as the “Fund”).

(b) Credits TO Fund.—

(1) FUTURE TRANSFERS.—Unobligated balances of recaptured funds (except for amounts necessary for grant amount corrections) appropriated by any Act in this or any subsequent fiscal year under the account for “Department of Housing and Urban Development—Community Planning and Development—Homeless Assistance Grants” (in this section referred to as the “HAG account”) shall be transferred into the Fund.
(2) RESCISSION AND AVAILABILITY OF FISCAL YEAR 2018 AMOUNTS.—Of any amounts appropriated under the HAG account by the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018 (division L of Public Law 115-141), 90 percent of any balances remaining unobligated as of September 1, 2020, are hereby rescinded, and an amount of additional new budget authority equivalent to the amount rescinded is hereby appropriated and shall be transferred to the Fund.

(c) PURPOSES.—Amounts transferred to the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, only for the following purposes:

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

(2) For grants under the Emergency Solutions Grant program under subtitle B of title IV of such Act (42 U.S.C. 11371 et seq.).

(3) Not less than 10 percent of amounts transferred to the Fund shall be used only for grants, as
established and determined by the Secretary, in rural areas.

(4) Not less than 10 percent of amounts transferred to the Fund shall be used for grants, as established and determined by the Secretary, only pursuant to the declaration of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in the most impacted and distressed areas resulting from such disaster.

(d) TRANSFER FOR USE.—

(1) Amounts in the Fund shall be transferred to the HAG account before obligation and expenditure.

(2) Amounts in the Fund may be transferred to the HAG account only after the expiration of the 15-day period beginning upon the day that the Secretary of Housing and Urban Development submits written notice to the Committees on Appropriations of the House of Representatives and the Senate of the planned use of such transferred amounts, except that amounts transferred for the purposes specified in subsection (c)(4) may be transferred with concurrent written notice to such Committees.
SEC. 232. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary of Housing and Urban Development in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 233. None of the funds made available by this Act may be used to establish and apply review criteria, including rating factors or preference points, for participation in or coordination with EnVision Centers, in the evaluation, selection, and award of any funds made available and requiring competitive selection under this Act, except with respect to any such funds otherwise authorized for EnVision Center purposes under this Act.

SEC. 234. None of the funds made available to the Department of Housing and Urban Development by this or any other Act may be used to implement, administer, enforce, or in any way make effective the proposed rule entitled “Housing and Community Development Act of 1980: Verification of Eligible Status”, issued by the Department of Housing and Urban Development on May 10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantially on such proposed rule.

SEC. 235. (a) The Secretary of Housing and Urban Development shall make available to grantees under pro-
grams included under the Department’s Consolidated Planning Process, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the prepopulated up-to-date housing and economic data and data for both broadband and resilience assessment requirements, as referred to in the HUD Response to the third comment under section III.A. of the Supplementary Information included with the final rule entitled “Modernizing HUD’s Consolidated Planning Process To Narrow the Digital Divide and Increase Resilience to Natural Hazards”, published by the Department of Housing and Urban Development in the Federal Register on Friday, December 16, 2016 (81 Fed. Reg. 91000).

(b) The Secretary of Housing and Urban Development shall require such grantees to incorporate the broadband and resilience components into the Consolidated Plan process not later than the expiration of the 270-day period beginning on the date of the enactment of this Act.

SEC. 236. None of the funds made available to the Department of Housing and Urban Development by this or any other Act may be used to implement, administer, enforce, or in any way make effective any rule making any change to the rule entitled “Equal Access in Accordance With an Individual’s Gender Identity in Community Plan-
ning and Development Programs” published by the De-
partment of Housing and Urban Development in the Fed-
eral Register on September 21, 2016 (81 Fed Reg. 64763)
or to the rule entitled “Equal Access to Housing in HUD
Programs Regardless of Sexual Orientation or Gender
Identity” published by such Department in the Federal

SEC. 237. Notwithstanding any other provision of
law, the notice issued by the Department of Housing and
Urban Development on February 20, 2015, and entitled
“Appropriate Placement for Transgender Persons in Sin-
gle-Sex Emergency Shelters and Other Facilities” (Notice
CPD-15-02) shall have the force and effect of law.

SEC. 238. The Secretary of Housing and Urban De-
velopment may not, in this fiscal year or any fiscal year
thereafter, implement, require, enforce, or otherwise make
effective any change, amendment, or alteration to any
term or condition of the Annual Contributions Contract
between the Secretary and any public housing agency, as
such contract was in effect as of January 1, 2018, unless
such change, amendment, or alteration is made pursuant
to a rule issued after notice and an opportunity for public
comment and in accordance with the procedure under sec-
tion 553 of title 5, United States Code, applicable to sub-
stantive rules.
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This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2020”.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,400,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $28,000,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.
NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided,
vided further, That concurrent with the President’s budget request for fiscal year 2021, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2021 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $110,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities,
as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $170,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

**Surface Transportation Board**

**Salaries and Expenses**

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: Provided, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2020, to result in a final appropriation from the general fund estimated at no more than $35,850,000.

**United States Interagency Council on Homelessness**

**Operating Expenses**

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of ex-
perts and consultants under section 3109 of title 5, United
States Code) of the United States Interagency Council on
Homelessness in carrying out the functions pursuant to
title II of the McKinney-Vento Homeless Assistance Act,
as amended, $4,100,000, to remain available until Sep-
tember 30, 2021.

TITLE IV

GENERAL PROVISIONS—THIS ACT

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

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

SEC. 403. The expenditure of any appropriation
under this Act for any consulting service through a pro-
curement contract pursuant to section 3109 of title 5,
United States Code, shall be limited to those contracts
where such expenditures are a matter of public record and
available for public inspection, except where otherwise pro-
vided under existing law, or under existing Executive order
issued pursuant to existing law.
Sec. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

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

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

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

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

Sec. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by pre-
vious appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a re-programming of funds that—

(1) creates a new program;

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

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

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

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

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

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

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

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

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

Sec. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2020 from appropriations made available for salaries and expenses for fiscal year 2020 in this Act, shall remain available through September 30, 2021, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

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

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

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

Sec. 412. None of the funds made available in this
Act may be used for first-class airline accommodations in
contravention of sections 301–10.122 and 301–10.123 of
SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

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

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this
section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

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

SEC. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.
(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

Sec. 418. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. A department or agency shall not withhold or delay access by the Inspector General in order to conduct internal reviews of responsive documents, nor shall privileges preventing release of agency documents to third parties be a basis for withholding or delaying access to the Inspector General.
(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement. Within 5 calendar days of the Inspector General’s report, the department or agency will provide the Committees on Appropriations of the House of Representatives and the Senate with an accounting of timeframe and efforts by the agency to provide OIG access.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the Federal Acquisition Regulations.
This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2020”.

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A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

With the approval of the Chairman of the Committee of the Whole, the Clerk read the Committee's report of the previous session, and the report was ordered to be printed.

[Report No. 116-116]

H.R.

116TH CONGRESS
1ST SESSION

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

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